

Board of Legislators Meeting Agenda



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

Monday, June 30, 2025

7:00 PM

Legislative Chamber

Regular Meeting

CALENDAR 14

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.

CALL TO ORDER

MINUTES APPROVAL

June 16, 2025 at 7pm - Regular Meeting

PUBLIC COMMENT

Speakers _____

PUBLIC HEARING

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [2025-265](#) **BOND ACT-RB04F-Gallows Hill Road Bridge Over Peekskill Hollow Brook, Cortlandt**

A BOND ACT authorizing the issuance of FIVE HUNDRED TWENTY-FIVE THOUSAND (\$525,000) DOLLARS in bonds of Westchester County to finance Capital Project RB04F - Gallows Hill Road Bridge Over Peekskill Hollow Brook, Cortlandt.

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

2. [2025-266](#) **BOND ACT(Amended)-RB180-Central Park Avenue, Yonkers**

A BOND ACT (Amended) amending Bond Act No. 224-2024 by removing the authorization for bonds for design costs associated with project RB180, and by reducing the estimated maximum cost and the amount of bonds authorized thereunder by ONE MILLION, NINE HUNDRED TWENTY-FIVE THOUSAND (\$1,925,000) DOLLARS from TWELVE MILLION, EIGHT HUNDRED FIFTY THOUSAND (\$12,850,000) DOLLARS to TEN MILLION, NINE HUNDRED TWENTY-FIVE THOUSAND (\$10,925,000) DOLLARS.

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

3. [2025-267](#) **BOND ACT-RB180-Central Park Avenue, Yonkers**

A BOND ACT authorizing the issuance of NINETEEN MILLION (\$19,000,000) DOLLARS in bonds of Westchester County to finance Capital Project RB180 - Central Park Avenue.

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

4. [2025-268](#) **BOND ACT-RB223-Bedford Banksville Road, North Castle**

A BOND ACT authorizing the issuance of SIX HUNDRED FIFTY THOUSAND (\$650,000) DOLLARS to finance Capital Project RB223 - Bedford Banksville Road, North Castle.

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

5. [2025-269](#) **BOND ACT-RB228-Polly Park Road and Bowman Avenue, Harrison-Rye Brook-Port Chester**

A BOND ACT authorizing the issuance of FIVE HUNDRED SEVENTY-FIVE THOUSAND (\$575,000) DOLLARS in bonds of Westchester County to finance Capital Project RB228 - Polly Park Road and Bowman Avenue, Harrison/Rye Brook/Port Chester.

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

6. [2025-270](#) **BOND ACT-RB229-Hardscrabble Road, North Salem**

A BOND ACT authorizing the issuance of SIX HUNDRED THOUSAND (\$600,000) DOLLARS in bonds of Westchester County to finance Capital Project RB229 - Hardscrabble Road, North Salem.

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

7. [2025-271](#) **IMA-Reciprocal Programming of Radio Communication Systems-Putnam**

AN ACT authorizing the County of Westchester, acting by and through its Department of Emergency Services, to enter into an intermunicipal agreement with Putnam County pursuant to which the counties will permit the reciprocal programming of each other's radio

communication systems into each other's end user radios in order to improve interoperability, public safety communications and mutual aid.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

8. [2025-272](#) **IMA-Granting Lease of County's Weapons of Mass Destruction Squad Vehicle-Eastchester Fire District**

AN ACT authorizing the County of Westchester, acting by and through its Department of Emergency Services to enter into an intermunicipal agreement with Eastchester Fire District for the Eastchester Fire District to use a County Weapons of Mass Destruction Vehicle for a term commencing retroactively January 1, 2025 through December 31, 2029.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

9. [2025-273](#) **IMA-Granting Lease of County's Weapons of Mass Destruction Squad Vehicle-Fairview Fire District**

AN ACT authorizing the County of Westchester, acting by and through its Department of Emergency Services to enter into an intermunicipal agreement with Fairview Fire District to use a County Weapons of Mass Destruction Vehicle for a term commencing retroactively January 1, 2025 through December 31, 2029.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

10. [2025-276](#) **APPT-Community Services Board-Douglas**

A RESOLUTION appointing Dr. John C. Douglas as a member of the Westchester County Community Services Board for the term June 6, 2025 to December 31, 2028.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

11. [2025-277](#) **APPT-Probation Advisory Board-Seiden**

A RESOLUTION appointing Jonathan Seiden as a member of the Westchester County Probation Advisory Board for the term June 6, 2025 to December 31, 2027.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

12. [2025-278](#) **APPT-Youth Board-Pilgrim**

A RESOLUTION appointing Haley Pilgrim as an at-large member of the Westchester County Youth Board for the term May 20, 2025 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

13. [2025-279](#) **APPT-Women's Advisory Board-Fountain-Coleman**

A RESOLUTION appointing Reverend Margaret Fountain-Coleman as an at-large member of the Westchester County Women's Advisory Board for the term May 29, 2025 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**14. [2025-280](#) APPT-Women's Advisory Board-Winter**

A RESOLUTION appointing Erica Winter as the District 11 representative member of the Westchester County Women's Advisory Board for the term May 29, 2025 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**15. [2025-281](#) PH-IMAs-Mutual Aid and Rapid Response Plan-Municipal Corporations**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW to authorize a new Mutual Aid and Rapid Response Plan for the police departments of participating municipalities to be effectuated by Intermunicipal Agreements and to delegate to the Commissioner/Sheriff of the Department of Public Safety Services the powers granted to a chief executive officer to request and grant police assistance." [Public Hearing set for _____, 2025 at _____ .m.]. LOCAL LAW INTRO: 2025-282.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY**16. [2025-282](#) LOCAL LAW-IMAs-Mutual Aid and Rapid Response Plan-Municipal Corporations**

A LOCAL LAW to authorize a new Mutual Aid and Rapid Response Plan for the police departments of participating municipalities to be effectuated by Intermunicipal Agreements and to delegate to the Commissioner/Sheriff of the Department of Public Safety Services the powers granted to a chief executive officer to request and grant police assistance.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY**17. [2025-283](#) CBA-RP056-Playland Infrastructure, Rides and Site Work**

AN ACT amending the 2025 County Capital Budget Appropriations for Capital Project RP056 - Playland Infrastructure, Rides and Site Work.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & ENVIRONMENT**18. [2025-284](#) BOND ACT-RP056-Playland Infrastructure, Rides and Site Work**

A BOND ACT authorizing the issuance of TWELVE MILLION (\$12,000,000) DOLLARS in bonds of Westchester County to finance Capital Project RP056 - Playland Infrastructure, Rides and Site Work.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & ENVIRONMENT**19. [2025-285](#) PH-Sewer District Mod-Removal-120 Pollywoggle Lane, Mount Pleasant**

A RESOLUTION to set a Public Hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one parcel of property located in the Town of Mt.

Pleasant - 120 Pollywiggie Lane, Mount Pleasant. [Public Hearing set for _____, 2025 at ____ m.]. ACT INTRO: 2025-287.

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

20. [2025-286](#) **ENV RES-Sewer District Mod-Removal-120 Pollywiggie Lane, Mount Pleasant**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the removal of one parcel of property from the Saw Mill Valley Sanitary Sewer District, 120 Pollywiggie Lane, Mount Pleasant.

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

21. [2025-287](#) **ACT-Sewer District Mod-Removal-120 Pollywiggie Lane, Mount Pleasant**

AN ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one parcel of property located in the Town of Mt. Pleasant - 120 Pollywiggie Lane.

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

22. [2025-288](#) **PH-Sewer District Mod-Removal-127 Palmer Lane, Mount Pleasant**

A RESOLUTION to set a Public Hearing on a the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one parcel of property located in the Town of Mt. Pleasant, 127 Palmer Lane, Mount Pleasant. [Public Hearing set for _____, at _____.m.]. ACT INTRO: 2025-290.

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

23. [2025-289](#) **ENV RES-Sewer District Mod-Removal-127 Palmer Lane, Mount Pleasant**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the removal of the one parcel of property from the Saw Mill Valley Sanitary Sewer District - 127 Palmer Lane, Mount Pleasant.

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

24. [2025-290](#) **ACT-Sewer District Mod-Removal-127 Palmer Lane, Mount Pleasant**

AN ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one parcel of property located in the Town of Mt. Pleasant, 127 Palmer Lane.

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

25. [2025-291](#) **BOND ACT-BSS19-Infrastructure Improvements to Shelter Facilities-Grasslands Facility**

A BOND ACT authorizing the issuance of ONE MILLION, NINE HUNDRED FIFTY THOUSAND (\$1,950,000) DOLLARS in bonds of Westchester County to finance Capital Project BSS19 - Infrastructure Improvements to Shelter Facilities - Grasslands Facility.

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

26. [2025-292](#) **BOND ACT-RB04I-Murray Avenue Bridge Over Community Park, Mamaroneck**

A BOND ACT authorizing the issuance of ONE MILLION, TWENTY-FIVE THOUSAND (\$1,025,000) DOLLARS in bonds of Westchester County to finance Capital Project RB04I - Murray Avenue Bridge Over Community Park, Mamaroneck.

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

B. COUNTY ATTORNEY

C. LEGISLATORS

1. [2025-274](#) **ACT - Enter into Agreements with Kaplan Kirsch and the Wicks Group re: WC Airport**

AN ACT authorizing the County of Westchester to retain the law firms of Kaplan Kirsch, LLP and the Wicks Group, PLLC, to provide legal advice to the County of Westchester, in an "of counsel" capacity to the County Attorney, with respect to various issues affecting the Westchester County Airport, for the period from August 1, 2025 through July 31, 2026, with a County option to renew the term of each agreement for five (5) additional periods of one (1) year each.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

D. OTHERS

II. NOTICES & PETITIONS

III. STANDING COMMITTEES

1. [2025-138](#) **ENV RES-Westchester County Agricultural District No. 1 Recertification**

AN ENVIRONMENTAL RESOLUTION determining that there will be significant adverse impact on the environment from the review and recertification of the Westchester County Agricultural District No. 1.

SUBMITTED BY: COMMITTEES ON HOUSING AND PLANNING AND PARKS & ENVIRONMENT

RESOLUTION _____ - 2025

VOTE _____

2. [2025-139](#) RES-Westchester County Agricultural District No. 1 Recertification

A RESOLUTION recertifying the Westchester County Agricultural District No. 1.

COMMITTEE REFERRAL: COMMITTEES ON HOUSING AND PLANNING AND PARKS & ENVIRONMENT

RESOLUTION _____ - 2025

VOTE _____

3. [2025-223](#) IMA-Westchester-Putnam Local Workforce Development Area-Putnam

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the County of Putnam, pursuant to which Westchester and Putnam will agree to organize and implement activities pursuant to the Workforce Innovation and Opportunity Act of 2014, for the continued designation of the Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County.

SUBMITTED BY: COMMITTEES ON HUMAN SERVICES AND LABOR & HUMAN RIGHTS

ACT _____ - 2025

VOTE _____

4. [2025-238](#) CBA-B0130-Health Department Consolidation-11 Martine Avenue, White Plains

AN ACT amending the 2025 County Capital Budget Appropriations for Capital Project B0130 - Health Department Consolidation, 11 Martine Avenue, White Plains.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HUMAN SERVICES

ACT _____ - 2025

VOTE _____

5. [2025-239](#) BOND ACT-B0130-Health Department Consolidation-11 Martine Avenue, White Plains

A BOND ACT authorizing the issuance of THREE MILLION, SIX HUNDRED THOUSAND (\$3,600,000) DOLLARS in bonds of Westchester County to finance Capital Project B0130 - Health Department Consolidation - 11 Martine Avenue, White Plains.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HUMAN SERVICES

BOND ACT _____ - 2025

VOTE _____

6. [2025-240](#) PH-IMAs-Install EV Charging Stations-Participating Municipalities

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of

Westchester to enter into intermunicipal agreements with participating municipalities for the participating municipalities to install EV charging stations on municipally owned properties with the County contributing up to 50% of the costs to design, purchase and install the EV charging stations, less incentives, rebates and grants, for a total amount in the aggregated not to exceed FIVE MILLION (\$5,000,000) DOLLARS and taking back a leasehold interest in the properties on which the charging stations are installed for a term which shall commence on execution and terminate when the bonds issued for the program have been paid in full." [Public Hearing set for _____, 2025 at _____ .m.]. LOCAL LAW INTRO: 2025-241.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

RESOLUTION _____ - 2025 **VOTE _____**

7. 2025-247 BOND ACT-BPL30-41 North Division Street, Peekskill

A BOND ACT authorizing the issuance of ONE MILLION, FIVE HUNDRED THIRTY-ONE THOUSAND, EIGHT HUNDRED (\$1,531,800) DOLLARS in bonds of Westchester County to finance Capital Project BPL30 - New Homes Land Acquisition II.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HOUSING & PLANNING

BOND ACT _____ - 2025 **VOTE _____**

8. 2025-248 BOND ACT-BPL1A-41 North Division Street, Peekskill

A BOND ACT authorizing the issuance of ONE MILLION, EIGHT HUNDRED SEVENTY THOUSAND (\$1,870,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL1A - Housing Implementation Fund II.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HOUSING & PLANNING

BOND ACT _____ - 2025 **VOTE _____**

9. 2025-249 ACT-Land Acquisition-41 North Division Street, Peekskill

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.20 acres of real property located at 41 North Division Street in the City of Peekskill 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 creating 22 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HOUSING & PLANNING

ACT _____ - 2025 **VOTE _____**

10. 2025-250 ACT-IMDA-Peekskill and The Children's Village-41 North Division

Street, Peekskill

AN ACT authorizing the County of Westchester (the "County") to enter into an inter-municipal developer agreement with the City of Peekskill and The Children's Village Inc., 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 22 affordable rental units that will affirmatively further fair housing at 41 North Division Street in the City of Peekskill and remain affordable for a period of not less than 50 years.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND HOUSING & PLANNING

ACT _____ - 2025 VOTE _____

11. [2025-260](#) **BOND ACT-BPF39-Electric Vehicle Charging Stations and Infrastructure**

A BOND ACT authoring the issuance of TEN MILLION (\$10,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPF39 - Electric Vehicle Charging Stations and Infrastructure.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2025 VOTE _____

IV. SPECIAL ORDERS

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

1. [2025-275](#) **MEMORIAL RESOLUTIONS 2025-12**

HON. MARGARET A. CUNZIO: Maureen McLynn, Inara Zallaps Singh, Laura Hanson, Joseph Tancredi

HON. DAVID J. TUBIOLO: Margaret Fogarty

LEGISLATORS TUBIOLO, NOLAN, WILLIAMS AND ALVARADO: Sirinard Davidowitz

HON. JEWEL WILLIAMS JOHNSON: Eddie Mae Barnes

ADJOURNMENT

Next Meeting: July 21, 2025 at 7pm

WESTCHESTER COUNTY

Kenneth W. Jenkins
Westchester County Executive

June 13, 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 review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$525,000 to finance the following capital project:

RB04F – Gallows Hill Road Bridge Over Peekskill Hollow Brook, Cortlandt (BIN 3348420) ("RB04F").

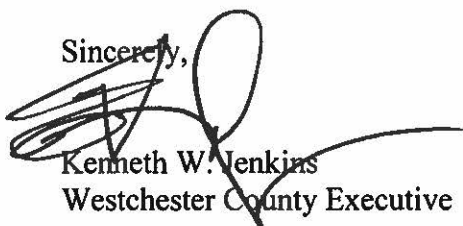
The Bond Act, in the amount of \$525,000, would finance the cost of design for improvements to Gallows Hill Road Bridge over Peekskill Hollow Brook, Cortlandt, including rehabilitation of the existing structure, replacement of the existing concrete deck and wearing surface, waterproofing, painting and repairs of the structural steel members, the replacement of the railing, sidewalk and utility supports, and associated work.

The Department of Public Works and Transportation ("Department") has advised that this bridge was built in 1939, has an annual daily traffic count of 4,004, and requires rehabilitation to maintain a safe roadway for the traveling public. In 2023, the New York State Department of Transportation gave the bridge a condition rating of 4.63 and the bridge has continued to deteriorate. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Following bond authorization, design will be scheduled and is anticipated to take eighteen months to complete and will be undertaken by a consultant. It is anticipated that construction will take approximately thirty-six months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction financing.

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

Sincerely,



Kenneth W. Jenkins
Westchester County Executive

**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 \$525,000 to finance capital project RB04F – Gallows Hill Road Bridge Over Peekskill Hollow Brook, Cortlandt (BIN 3348420) (“RB04F”). The Bond Act, which was prepared by the law firm Harris Beach Murtha, will finance the cost of design for improvements to Gallows Hill Road Bridge over Peekskill Hollow Brook, Cortlandt, including the rehabilitation of the existing structure, replacement of the existing concrete deck and wearing surface, waterproofing, painting and repairs of the structural steel members, the replacement of the railing, sidewalk and utility supports, and associated work.

The Department of Public Works and Transportation (“Department”) has advised that this bridge was built in 1939, has an annual daily traffic count of 4,004, and requires rehabilitation to maintain a safe roadway for the traveling public. In 2023, the New York State Department of Transportation gave the bridge a condition rating of 4.63 and the bridge has continued to deteriorate. This rating system, using a scale of 1 (“hazardous”) through 7 (“new”), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Following bond authorization, design will be scheduled and is anticipated to take eighteen months to complete and will be undertaken by a consultant. It is anticipated that construction will take approximately thirty-six months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board’s further approval of construction financing.

The Department of Planning has advised your Committee that based on its review, RB04F may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“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 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: _____, 20_____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB04F

☐ 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 \$ 525,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 114,028

Total Debt Service (Annual Cost x Term): \$ 570,140

Finance Department: Interest rates from June 11, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 6

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/12/25


Reviewed By: 

Budget Director

Date: 6/13/25

6/13/25

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: May 7, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB04F GALLOWS HILL ROAD BRIDGE OVER PEEKSKILL HOLLOW
BROOK, CORTLANDT (BIN 3348420)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04/10/2025 (Unique ID: 2877)

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 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
Maximilian Zorn, Assistant County Attorney
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

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR IMPROVEMENTS TO GALLOWS HILL ROAD BRIDGE OVER PEEKSKILL HOLLOW BROOK, CORTLANDT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$525,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 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 (the "County"), 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, \$525,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of planning for improvements to Gallows Hill Road Bridge over Peekskill Hollow Brook, Cortlandt, including the rehabilitation of the existing structure, replacement of the existing concrete deck and wearing

surface, waterproofing, painting and repairs of the structural steel members, the replacement of the railing, sidewalk and utility supports, and associated 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$525,000. The plan of financing includes the issuance of \$525,000 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 specific object or purpose for which bonds authorized by this resolution is to be issued 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 \$525,000. 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.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ 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 , 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 day of , 20__.

(SEAL) The Clerk and Chief Administrative Officer of the
County Board of Legislators
County of Westchester, New York

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 \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR IMPROVEMENTS TO GALLOWS HILL ROAD BRIDGE OVER PEEKSKILL HOLLOW BROOK, CORTLANDT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$525,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of planning for improvements to Gallows Hill Road Bridge over Peekskill Hollow Brook, Cortlandt, including the rehabilitation of the existing structure, replacement of the existing concrete deck and wearing surface, waterproofing, painting and repairs of the structural steel members, replacement of the railing, sidewalk and utility supports, and associated work; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$525,000; five (5) 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

CAPITAL PROJECT FACT SHEET

Project ID:* RB04F	<input type="checkbox"/> CBA	Fact Sheet Date:* 03-13-2025
Fact Sheet Year:* 2025	Project Title:* GALLOWS HILL ROAD BRIDGE OVER PEEKSKILL HOLLOW BROOK, CORTLANDT (BIN 3348420)	Legislative District ID: 1,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2877

Overall Project Description

This project will fund the rehabilitation of the existing structure. The structure was built in 1939 and is 105' long by 30' wide.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	3,700	3,700	0	0	0	0	0	0
Less Non-County Shares	1,964	0	1,964	0	0	0	0	0
Net	1,736	3,700	-1,964	0	0	0	0	0

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

Current Bond Description: Funding is requested for design associated with the rehabilitation of the existing structure including replacement of the existing concrete deck and wearing surface, waterproofing, painting and repairs of the structural steel members, replacement of the railing, sidewalk and utility supports and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	525,000
Cash:	0
Total:	\$ 525,000

SEQR Classification:

TYPE II

Amount Requested:

525,000

Expected Design Work Provider:

- ☐ County Staff
 ☐ Consultant
 ☐ Not Applicable

Comments:

BCR: 4.63 (2023); AADT: 4,004

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	3,700,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

3,700,000

Total Financing History:
0

Recommended By:

Department of Planning
MLLL

Date
04-10-2025

Department of Public Works
RJB4

Date
04-11-2025

Budget Department
DEV9

Date
04-14-2025

Requesting Department
RJB4

Date
04-14-2025

GALLOWES HILL ROAD BRIDGE OVER PEEKSKILL HOLLOW BROOK, CORTLANDT (BIN 3348420) (RB04F)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	3,700	3,700							
Non County Share	(1,964)			(1,964)					
Total	1,736	3,700		(1,964)					

Project Description

This project will fund the rehabilitation of the existing structure. The structure was built in 1939 and is 105' long by 30' wide.

Current Year Description

The current year request reflects the anticipated receipt of BRIDGE NY funding.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	(1,964,000)		1,964,000	

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
2023	3,700,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION
Total	3,700,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,700,000		3,700,000
Total	3,700,000		3,700,000



Kenneth W. Jenkins
County Executive

June 12, 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 review and approval in connection with Capital Project RB180 – Central Park Avenue, CR 47-I/II/IIA/IV, Yonkers (“RB180”) are two (2) bond acts of the County of Westchester (“County”), as follows:

- (1) a bond act (the “Amending Bond Act”), which, if adopted, would further amend in part Bond Act No. 224-2024, by removing the authorization for bonds for design costs associated with project RB180, and by reducing the estimated maximum cost and the amount of bonds authorized thereunder by \$1,925,000, from \$12,850,000 to \$10,925,000; and
- (2) a superseding bond act (the “Consolidated Bond Act”) which, if adopted, would authorize the County to issue up to \$19,000,000 in bonds of the County to finance the cost of design, construction management and construction associated with the rehabilitation of approximately 5.57 miles of the Central Park Avenue from the Bronx/Westchester County Line to the NYS Thruway Bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles. The work will include milking, resurfacing, concrete curb replacement, drainage repairs, new traffic loops, new pavement markings and related work.

The Amending Bond Act is required to remove design bonding authorization related to RB180 so that said authorization may be included in the Consolidated Bond Act for RB180.

The Department of Public Works and Transportation (“Department”) has advised that this road, which has an average annual daily traffic count (“AADT”) of 8,091 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2023 was 58 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Design is currently underway using outside consultants and is expected to be completed by the

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

Telephone: (914) 995-2900

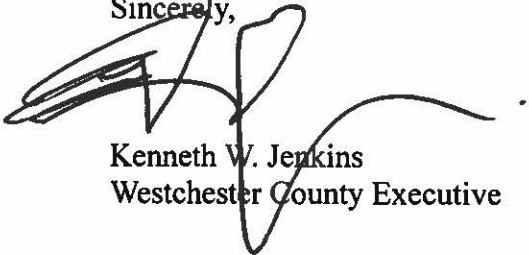
Website: WestchesterCountyNY.gov

second quarter of 2025. It is anticipated that construction will take approximately twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with RB180 as indicated in the annexed fact sheet.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. W. Jenkins', with a long horizontal flourish extending to the right.

Kenneth W. Jenkins
Westchester County Executive

**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 the following bond acts in connection Capital Project RB180 – Central Park Avenue, CR 47-I/II/IIA/IV, Yonkers ("RB180"):

- (1) a bond act (the "Amending Bond Act"), prepared by the law firm of Hawkins, Delafied & Wood LLP, which, if adopted, would further amend in part Bond Act No. 224-2024, by removing the authorization for bonds for design costs associated with project RB180, and by reducing the estimated maximum cost and the amount of bonds authorized thereunder by \$1,925,000, from \$12,850,000 to \$10,925,000; and
- (3) a superseding bond act (the "Consolidated Bond Act") which, if adopted, would authorize the County to issue up to \$19,000,000 in bonds of the County to finance the cost of design, construction management and construction associated with the rehabilitation of approximately 5.57 miles of the Central Park Avenue from the Bronx/Westchester County Line to the NYS Thruway Bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles. The work will include milking, resurfacing, concrete curb replacement, drainage repairs, new traffic loops, new pavement markings and related work.

Your Committee is advised that the Amending Bond Act is required to remove design bonding authorization related to RB180 so that said authorization may be included in the Consolidated Bond Act for RB180.

Your Committee is further advised that the Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 8,091 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2023 was 58 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100,

with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Your Committee is also advised that design is currently underway using outside consultants and is expected to be completed by the second quarter of 2025. It is anticipated that construction will take approximately twenty-four (24) months to complete and will begin after award and execution of the construction contracts.

The Department of Planning has advised your Committee that based on its review, the authorization of the proposed capital project may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“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 your Honorable Board has previously authorized the County to issue bonds in connection with RB180 as indicated in the annexed fact sheet.

It should be further noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amending Bond Act and the Consolidated Bond Act.

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

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

s: cmc.06.11.2025

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB180

☐ 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

AMEND AND REDUCE BA 224-2024 BY \$1,925,000

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 10,925,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 2,372,879

Total Debt Service (Annual Cost x Term): \$ 11,864,395

Finance Department: Interest rates from June 11, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 118

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/11/25


Reviewed By: 

6/11/25

Budget Director

Date: 6/12/25

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: April 9, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB180 CENTRAL PARK AVENUE, CR 47-I/II/IIA/IV, YONKERS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
04/03/2025 (Unique ID: 2859)

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; and
- **617.5(c)(5):** repaving of existing highways not involving the addition of new travel lanes; and
- **617.5(c)(22):** installation of traffic control devices on existing streets, roads and highways.

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
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

REFERENCE BPL36
T0073
T0047
RCC17
B015E
RB04A
BCR50
BCR62

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 219-2021 ADOPTED DECEMBER 7, 2021, AS AMENDED BY ACT 248-2023 ADOPTED DECEMBER 11, 2023, AND FURTHER AMENDED BY ACT 224-2024 ADOPTED ON OCTOBER 21, 2024, IN RELATION TO THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY, AT THE MAXIMUM ESTIMATED COST OF \$14,225,000. (Adopted , 20__).

WHEREAS, this Board has heretofore duly authorized the issuance of \$13,700,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for various capital purposes in and for the County, pursuant to Act No. 219-2021 duly adopted on December 7, 2021 (the "Bond Act 219-2021"); and

WHEREAS, \$50,000 of such amount was authorized for the preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the County Center roof and associated building renovations; and

WHEREAS, such \$50,000 was subsequently authorized to be issued pursuant to a subsequent Bond Act and Bond Act 219-2021 was amended to reduce the amount of bonds authorized to be issued by such \$50,000 pursuant to Bond Act 248-2023 duly adopted on December 11, 2023; and

WHEREAS, \$800,000 of such amount was authorized for the preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the reconstruction of the Bronx River Pathway; and

WHEREAS, such \$800,000 was subsequently authorized to be issued pursuant to a subsequent Bond Act and Bond Act 219-2021 was amended to reduce the amount of bonds authorized to be issued by such \$800,000 pursuant to Bond Act 224-2024 duly adopted on October 21, 2024; and

WHEREAS, the Bond Act 219-2021 also authorized the issuance of \$1,925,000 bonds to finance the cost of design associated with the rehabilitation of approximately 5.57 miles of Central Park Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles; and

WHEREAS, such \$1,925,000 has been or will be authorized pursuant to another Bond Act authorizing the planning, construction and construction management associated with the rehabilitation of Central Park Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road, and that it is necessary to reduce the amount of bonds Authorized pursuant to Bond Act 219-

2021 as amended by Bond Act 248-2023, and further amended by Bond Act 224-2024 now therefore

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 (A). The bond act duly adopted by this Board on October 21, 2024, entitled:

“(BOND) ACT NO. 224-2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$12,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,150,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,300,000 GRANT FUNDS EXPECTED TO BE RECEIVED AND THE ISSUANCE OF \$12,850,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$10,925,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND

DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$14,225,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,300,000 GRANT FUNDS EXPECTED TO BE RECEIVED AND THE ISSUANCE OF \$10,925,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on October 21, 2024 and amended on _____, 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 to the provisions of other laws applicable thereto, \$10,925,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance a portion of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning various capital purposes in and for the County, to wit: campus wide site improvements at the Valhalla Complex, the electrification of the County's two mass transit bus garages, design and engineering services for the replacement of the HVAC system at the Cerrato maintenance facility, design for the restoration and modification of the County Center, design associated with the replacement of chillers, ice storage system and related work at the Michaelian Office Building, study and preliminary design to determine options and associated costs for the

replacement of the Broad Street viaduct over the Bronx River Parkway, design for a stand-alone building to replace the existing infirmary at the County Jail, and design to rehabilitate or replace elevators for the Corrections Department; 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$14,225,000. The plan of financing includes the expenditure of \$3,000,000 expected to be received from ConEd and \$300,000 expected to be received from the New York Power Authority (collectively, the "Grant Funds") and the issuance of \$10,925,000 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 periods of probable usefulness ("PPU") of the objects or purposes for which said \$10,925,000 bonds authorized by this Act are to be issued, within the limitations of the respective subdivisions of Section 11.00 a. 62 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 total amount of \$10,925,000. 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 \$10,925,000 as the estimated total cost of the aforesaid class of 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.

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20___ 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 _____, 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 day of , 20___.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on October 21, 2024 and amended on _____, 20__ and approved, as amended, 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 amended 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 \$10,925,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$14,225,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,300,000 GRANT FUNDS EXPECTED TO BE RECEIVED AND THE ISSUANCE OF \$10,925,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on October 21, 2024 and amended on _____, 20__)

object or purpose: to finance a portion of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning various capital purposes in and for the County, to wit: campus wide site improvements at the Valhalla Complex, the electrification of the County's two mass transit bus garages, design and engineering services for the replacement of the HVAC system at the Cerrato maintenance facility, design for the restoration and modification of the County Center, design associated with the replacement of chillers, ice storage system and related work at the Michaelian Office Building, study and preliminary design to determine options and associated costs for the replacement of the Broad Street viaduct over the Bronx River Parkway, design for a stand-alone building to replace the existing infirmary at the County Jail, and design to rehabilitate or replace elevators for the Corrections Department; all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued

and period of probable usefulness: \$10,925,000; five (5) 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

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$19,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$19,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$19,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__)

WHEREAS, this Board has heretofore duly authorized the issuance of \$1,925,000 bonds to finance the cost the design associated with the rehabilitation of Central Park Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road (the "Project"), pursuant to Act No. 219-2021 duly adopted on December 7, 2021, as amended pursuant to Act No. 2023-248 duly adopted on December 11, 2023, and as further amended pursuant to Act No. 2024-224 duly adopted on October 21, 2024; and

WHEREAS, it is now appropriate to authorize the Project, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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, \$19,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and construction management of various road improvements to approximately 5.57 miles of Central Park Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles, consisting of milling, resurfacing, curb replacement, drainage repairs, new traffic loops, new pavement markings, and related work in connection therewith, 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 of purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$19,000,000. The plan of financing includes the issuance of \$19,000,000 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 said specific object or purpose, within the limitations of Section 11.00 a. 20(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 \$19,000,000. 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 \$19,000,000 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.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ 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 , 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 day of , 20__.

(SEAL)

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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB180

☐ 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 \$ 19,000,000 PPU 15 Anticipated Interest Rate 3.47%

Anticipated Annual Cost (Principal and Interest): \$ 1,625,131

Total Debt Service (Annual Cost x Term): \$ 24,376,965

Finance Department: Interest rates from June 11, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 206

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/11/25

Reviewed By: 

Budget Director

Date: 6/11/25
6/11/25

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 \$19,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS ROAD IMPROVEMENTS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$19,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$19,000,000 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 planning, construction and construction management of various road improvements to approximately 5.57 miles of Central Park Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Park Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles, consisting of milling, resurfacing, curb replacement, drainage repairs, new traffic loops, new pavement markings, and related work in connection therewith, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness:

\$19,000,000; 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



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CAPITAL PROJECT FACT SHEET

Project ID:* RB180	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-24-2025
Fact Sheet Year:* 2025	Project Title:* CENTRAL PARK AVENUE, CR 47- I/II/IIA/IV, YONKERS	Legislative District ID: 14, 15,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2859

Overall Project Description

This project will fund the rehabilitation of approximately 5.57 miles of roadway from the Bronx/Westchester County Line to the NYS Thruway Bridge and the rehabilitation of the Central Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	19,000	19,000	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	19,000	19,000	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,217

Current Bond Description: Funding is requested for construction and construction management associated with the rehabilitation of approximately 5.57 miles of roadway from the Bronx/Westchester County Line to the NYS Thruway Bridge and the rehabilitation of the Central Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	17,075,000
Cash:	0
Total:	\$ 17,075,000

SEQR Classification:

TYPE II

Amount Requested:

17,075,000

Comments:

PCI: 58 (2023); AADT: 8,091

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,925,000	DESIGN
2023	17,075,000	CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

19,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	219	0	0	CENTRAL PARK AVENUE, CR 47-I/II/IIA/IV, YONKERS
23	248	0	0	
24	224	1,925,000	0	

Total Financing History:

1,925,000

Recommended By:**Department of Planning**

MLLL

Date

04-03-2025

Department of Public Works

RJB4

Date

04-03-2025

Budget Department

DEV9

Date

04-04-2025

Requesting Department

RJB4

Date

04-04-2025

CENTRAL PARK AVENUE, CR 47-I/II/IIA/IV, YONKERS (RB180)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	19,000	19,000	1,214						
Non County Share									
Total	19,000	19,000	1,214						

Project Description

This project will fund the rehabilitation of approximately 5.57 miles of roadway from the Bronx/Westchester County Line to the NYS Thruway Bridge and the rehabilitation of the Central Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles.

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
2022	1,925,000	Design	DESIGN
2023	17,075,000	Construction and construction management	AWAITING BOND AUTHORIZATION
Total	19,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	19,000,000		19,000,000
Total	19,000,000		19,000,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
219 21				
248 23	1,925,000			1,925,000
Total	1,925,000			1,925,000



Kenneth W. Jenkins
County Executive

June 10, 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 review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue \$650,000 in bonds to finance the following capital project:

RB223 – Bedford Banksville Road, CR 12/56/56A, North Castle ("RB223").

The Bond Act, in the amount of \$650,000, would finance the cost of design associated with the rehabilitation of approximately 5.1 miles of roadway from NYS Route 22 to the Connecticut State Line. Work will include milling; resurfacing; new curbing; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 4,614, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2022 was 69 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take seven (7) months to complete and will be performed by in house staff. Construction is estimated to take six (6) months and shall begin after award and execution of the construction contracts, subject to the further approval by your Honorable Board of construction funding.

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

Sincerely,

A handwritten signature in black ink, appearing to be "KWJ", written over a horizontal line. The signature is fluid and cursive in style.

Kenneth W. Jenkins
Westchester County Executive

KWJ/HJG/RA/jpg

Office of the County Executive
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 transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (the “Bond Act”) in the amount of \$650,000, to finance capital project RB223 – Bedford Banksville Road, CR 12/56/56A, North Castle (“RB223”).

The Bond Act, which was prepared by the law firm of Bryant Rabbino, LLP, will finance the cost of design associated with the rehabilitation of approximately 5.1 miles of roadway from NYS Route 22 to the Connecticut State Line. Work will include milling; resurfacing; new curbing; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation (“Department”) has advised that this road, which has an average annual daily traffic count (“AADT”) of 4,614, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2022 was 69 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Your Committee is advised that upon receipt by the Department of bonding authorization, design will be scheduled and is anticipated to take seven (7) months to complete and will be performed by in house staff. Construction is estimated to take six (6) months and shall begin after award and execution of the construction contracts, subject to the further approval by your Honorable Board of construction funding.

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 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: _____, 2025
White Plains, New York

COMMITTEE ON

c/jpg/4-22-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB223

☐ 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 \$ 650,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 141,178

Total Debt Service (Annual Cost x Term): \$ 705,890

Finance Department: Interest rates from June 11, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 7

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/12/25

Reviewed By: 

Budget Director

Date: 6/13/25

6/13/25

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: April 23, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB223 BEDFORD BANKSVILLE ROAD, CR 12/56/56A, NORTH CASTLE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04/21/2025 (Unique ID: 2845)

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 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
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

ACT NO. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO BEDFORD BANKSVILLE ROAD, CR 12/56/56A, RUNNING FROM NYS ROUTE 22 IN THE TOWN OF NORTH CASTLE TO THE CONNECTICUT STATE LINE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

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, \$650,000 bonds of the County of Westchester (the “County”), or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of approximately 5.1 miles of Bedford Banksville Road, CR 12/56/56A, running from NYS Route 22 in the Town of North Castle to the Connecticut State Line, including milling; resurfacing; new curbing; new traffic signal loops; new pavement

markings and related 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 \$650,000. The plan of financing includes the issuance of \$650,000 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 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 \$650,000. 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 \$650,000 as the estimated total 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 §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, 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

:

COUNTY OF WESTCHESTER

I HEREBY CERTIFY that I have compared the foregoing Act No. ____ -2025 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 _____, 2025 and approved by the County Executive on _____, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate

seal of said County Board of Legislators this _____ day
of _____, 2025

(SEAL)

The Clerk and Chief Administrative Officer of the
County Board of Legislators

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025, 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. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO BEDFORD BANKSVILLE ROAD, CR 12/56/56A, RUNNING FROM NYS ROUTE 22 IN THE TOWN OF NORTH CASTLE TO THE CONNECTICUT STATE LINE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

object or purpose:

to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of approximately 5.1 miles of Bedford Banksville Road, CR 12/56/56A, running from NYS Route 22 in the Town of North Castle to the Connecticut State Line, including milling; resurfacing; new curbing; new traffic signal loops; new pavement markings and related work, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued

and period of probable usefulness: \$650,000; five (5) years

Dated: _____, 2025

White Plains, New York

Sunday Vanderberg

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB223	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-05-2025
Fact Sheet Year:* 2025	Project Title:* BEDFORD BANKSVILLE ROAD, CR 3, 12/56/56A, NORTH CASTLE	Legislative District ID: 3,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2845

Overall Project Description

This project will fund the rehabilitation of approximately 5.1 miles of roadway from NYS Route 22 to the Connecticut State Line including milling; resurfacing; new curbing; new traffic signal loops; new pavement markings and related work.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	6,150	0	650	5,500	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,150	0	650	5,500	0	0	0	0

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

Current Bond Description: Funding is requested for design associated with the rehabilitation of approximately 5.1 miles of roadway from NYS Route 22 to the Connecticut State Line including milling; resurfacing; new curbing; new traffic signal loops; new pavement markings and related work.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	650,000
Cash:	0
Total:	\$ 650,000

SEQR Classification:

TYPE II

Amount Requested:

650,000

Expected Design Work Provider:

- ☐ County Staff
 ☐ Consultant
 ☐ Not Applicable

Comments:

PCI: 69 (2022); AADT: 4,614

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2025	650,000	DESIGN

Total Appropriation History:

650,000

Total Financing History:

0

Recommended By:

Department of Planning
MLLL

Date
04-21-2025

Department of Public Works
RJB4

Date
04-21-2025

Budget Department
DEV9

Date
04-22-2025

Requesting Department
RJB4

Date
04-22-2025

BEDFORD BANKSVILLE ROAD, CR 12/56/56A, NORTH CASTLE (RB223)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	6,150			650	5,500				
Non County Share									
Total	6,150			650	5,500				

Project Description

This project will fund the rehabilitation of approximately 5.1 miles of roadway from NYS Route 22 to the Connecticut State Line including milling; resurfacing; new curbing; new traffic signal loops; new pavement markings and related work.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	650,000			650,000

Impact on Operating Budget

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



Kenneth W. Jenkins
County Executive

June 10, 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 review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue \$575,000 in bonds to finance the following capital project:

RB228 – Polly Park Road, CR 104, and Bowman Avenue, CR 104/104II, Harrison/Rye Brook/Port Chester ("RB228").

The Bond Act, in the amount of \$575,000, would finance the cost of design associated with the rehabilitation of approximately 2.5 miles of roadway from North Street to Westchester Avenue. Work will include milling; resurfacing; new curbing; guiderail replacement; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 9,885, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2022 was 60 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take nine (9) months to complete and will be performed by in house staff. Construction is estimated to take nine (9) months and shall begin after award and execution of the construction contracts, subject to the further approval by your Honorable Board of construction funding.

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

Sincerely,

A handwritten signature in black ink, appearing to read "KWJ", with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

KWJ/HJG/RA/jpg
Office of the County Executive
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 transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (the “Bond Act”) in the amount of \$575,000, to finance capital project RB228 – Polly Park Road, CR 104, and Bowman Avenue, CR 104/104II, Harrison/Rye Brook/Port Chester (“RB228”).

The Bond Act, which was prepared by the law firm of Bryant Rabbino, LLP, will finance the cost of design associated with the rehabilitation of approximately 2.5 miles of roadway from North Street to Westchester Avenue. Work will include milling; resurfacing; new curbing; guiderail replacement; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation (“Department”) has advised that this road, which has an average annual daily traffic count (“AADT”) of 9,885, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2022 was 60 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Your Committee is advised that upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take nine (9) months to complete and will be performed by in house staff. Construction is estimated to take nine (9) months and shall begin after award and execution of the construction contracts, subject to the further approval by your Honorable Board of construction funding.

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 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: _____, 2025
White Plains, New York

COMMITTEE ON

c/jpg/4-22-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB228

☐ 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 \$ 575,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 124,888

Total Debt Service (Annual Cost x Term): \$ 624,440

Finance Department: Interest rates from June 11, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 6

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/12/25

Reviewed By: 

DW 6.13.25
W13/25 @

Budget Director

Date: 6/13/25

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: April 23, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB228 POLLY PARK ROAD, CR 104, AND BOWMAN AVENUE, CR
104/104II, HARRISON/RYE BROOK/PORT CHESTER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
04/21/2025 (Unique ID: 2846)

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 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
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

ACT NO. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$575,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO POLLY PARK ROAD AND BOWMAN AVENUE, CR 104/104II, RUNNING FROM NORTH STREET IN THE TOWN/VILLAGE OF HARRISON TO WESTCHESTER AVENUE IN THE VILLAGE OF PORT CHESTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$575,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$575,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

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, \$575,000 bonds of the County of Westchester (the “County”), or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of approximately 2.5 miles of Polly Park Road and Bowman Avenue, CR 104/104II, running from North Street in the Town/Village of Harrison to Westchester Avenue in the Village of Port Chester, including milling; resurfacing; new curbing;

guiderail replacement; new traffic signal loops; new pavement markings and related 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 \$575,000. The plan of financing includes the issuance of \$575,000 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 \$575,000. 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 \$575,000 as the estimated total 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 §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, 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

COUNTY OF WESTCHESTER

I HEREBY CERTIFY that I have compared the foregoing Act No. ____ -2025 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 _____, 2025 and approved by the County Executive on _____, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this _____ day of _____, 2025

(SEAL)

The Clerk and Chief Administrative Officer of the
County Board of Legislators

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025, 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. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$575,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO POLLY PARK ROAD AND BOWMAN AVENUE, CR 104/104II, RUNNING FROM NORTH STREET IN THE TOWN/VILLAGE OF HARRISON TO WESTCHESTER AVENUE IN THE VILLAGE OF PORT CHESTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$575,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$575,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

object or purpose:

to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of approximately 2.5 miles of Polly Park Road and Bowman Avenue, CR 104/104II, running from North Street in the Town/Village of Harrison to Westchester Avenue in the Village of Port Chester, including milling; resurfacing; new curbing; guiderail replacement; new traffic signal loops; new pavement markings and related work, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued

and period of probable usefulness: \$575,000; five (5) years

Dated: _____, 2025

White Plains, New York

Sunday Vanderberg

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB228	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-05-2025
Fact Sheet Year:* 2025	Project Title:* POLLY PARK ROAD, CR 104, AND BOWMAN AVENUE, CR 104/104II, HARRISON/RYE BROOK/PORT CHESTER	Legislative District ID: 6,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2846

Overall Project Description

This project will fund the rehabilitation of approximately 2.5 miles of roadway from North Street to Westchester Avenue including milling; resurfacing; new curbing; guiderail replacement; new traffic signal loops; new pavement markings and related work.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	5,375	0	575	4,800	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,375	0	575	4,800	0	0	0	0

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

Current Bond Description: Funding is requested for design associated with the rehabilitation of approximately 2.5 miles of roadway from North Street to Westchester Avenue including milling; resurfacing; new curbing; guiderail replacement; new traffic signal loops; new pavement markings and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	575,000
Cash:	0
Total:	\$ 575,000

SEQR Classification:

TYPE II

Amount Requested:

575,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|---|

Comments:

PCI: 60 (2022); AADT 9,885

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2025	575,000	DESIGN

Total Appropriation History:

575,000

Total Financing History:

0

Recommended By:**Department of Planning**

MLLL

Date

04-21-2025

Department of Public Works

RJB4

Date

04-21-2025

Budget Department

DEV9

Date

04-22-2025

Requesting Department

RJB4

Date

04-22-2025

**POLLY PARK ROAD, CR 104, AND BOWMAN AVENUE, CR 104/104II, HARRISON/RYE
BROOK/PORT CHESTER
(RB228)**

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	5,375			575	4,800				
Non County Share									
Total	5,375			575	4,800				

Project Description

This project will fund the rehabilitation of approximately 2.5 miles of roadway from North Street to Westchester Avenue including milling; resurfacing; new curbing; guiderail replacement; new traffic signal loops; new pavement markings and related work.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	575,000			575,000

Impact on Operating Budget

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



Kenneth W. Jenkins
County Executive

June 10, 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 review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue \$600,000 in bonds to finance the following capital project:

RB229 – Hardscrabble Road, CR 138, North Salem ("RB229").

The Bond Act, in the amount of \$600,000, would finance the cost of design associated with the rehabilitation of approximately 2.96 miles of roadway from Daniel Road to June Road. Work will include milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 3,289, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2022 was 67 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take six (6) months to complete and will be performed by in house staff. Construction is estimated to take nine (9) months and shall begin after award and execution of the construction contracts, subject to the further approval by your Honorable Board of construction funding.

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

Sincerely,

A handwritten signature in black ink, appearing to be "KWJ", written over a horizontal line. The signature is fluid and stylized.

Kenneth W. Jenkins
Westchester County Executive

KWJ/HJG/RA/jpg

Office of the County Executive
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 transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (the “Bond Act”) in the amount of \$600,000, to finance capital project RB229 – Hardscrabble Road, CR 138, North Salem (“RB229”).

The Bond Act, which was prepared by the law firm of Bryant Rabbino, LLP, will finance the cost of design associated with the rehabilitation of approximately 2.96 miles of roadway from Daniel Road to June Road. Work will include milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation (“Department”) has advised that this road, which has an average annual daily traffic count (“AADT”) of 3,289, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2022 was 67 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Your Committee is advised that upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take six (6) months to complete and will be performed by in house staff. Construction is estimated to take nine (9) months and shall begin after award and execution of the construction contracts, subject to the further approval by your Honorable Board of construction funding.

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 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: _____, 2025
White Plains, New York

COMMITTEE ON

c/jpg/4-22-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB229

☐ 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 \$ 600,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 130,318

Total Debt Service (Annual Cost x Term): \$ 651,590

Finance Department: Interest rates from June 11, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 6

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/12/25

Reviewed By: 

DU6.13.25
CP 6/13/25

Budget Director

Date: 6/13/25

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: April 23, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB229 HARDSCRABBLE ROAD, CR 138, NORTH SALEM**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
04/21/2025 (Unique ID: 2847)

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 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
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

ACT NO. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO HARDSCRABBLE ROAD, CR 138, IN THE TOWN OF NORTH SALEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

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, \$600,000 bonds of the County of Westchester (the “County”), or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of approximately 2.96 miles of Hardscrabble Road, CR 138, from Daniel Road to June Road in the Town of North Salem, including milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related 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 \$600,000. The plan of financing includes the issuance of \$600,000 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 \$600,000. 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 \$600,000 as the estimated total 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 §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, 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

:

COUNTY OF WESTCHESTER

I HEREBY CERTIFY that I have compared the foregoing Act No. ____ -2025 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 _____, 2025 and approved by the County Executive on _____, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate

seal of said County Board of Legislators this _____ day

of _____, 2025

(SEAL)

The Clerk and Chief Administrative Officer of the
County Board of Legislators

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025, 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. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING IMPROVEMENTS TO HARDSCRABBLE ROAD, CR 138, IN THE TOWN OF NORTH SALEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

object or purpose:

to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of approximately 2.96 miles of Hardscrabble Road, CR 138, from Daniel Road to June Road in the Town of North Salem, including milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related work, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued

and period of probable usefulness: \$600,000; five (5) years

Dated: _____, 2025

White Plains, New York

Sunday Vanderberg

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB229	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-05-2025
Fact Sheet Year:* 2025	Project Title:* HARDSCRABBLE ROAD, CR 138, NORTH SALEM	Legislative District ID: 2,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2847

Overall Project Description

This project will fund the rehabilitation of approximately 2.96 miles of roadway from Daniel Road to June Road including milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related work.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	5,500	0	600	4,900	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,500	0	600	4,900	0	0	0	0

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

Current Bond Description: Funding is requested for design associated with the rehabilitation of approximately 2.96 miles of roadway from Daniel Road to June Road including milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	600,000
Cash:	0
Total:	\$ 600,000

SEQR Classification:

TYPE II

Amount Requested:

600,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|---|

Comments:

PCI: 67 (2022); AADT: 3,289

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2025	600,000	DESIGN

Total Appropriation History:

600,000

Total Financing History:

0

Recommended By:

Department of Planning
MLLL

Date
04-21-2025

Department of Public Works
RJB4

Date
04-21-2025

Budget Department
DEV9

Date
04-22-2025

Requesting Department
RJB4

Date
04-22-2025

HARDSCRABBLE ROAD, CR 138, NORTH SALEM (RB229)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	5,500			600	4,900				
Non County Share									
Total	5,500			600	4,900				

Project Description

This project will fund the rehabilitation of approximately 2.96 miles of roadway from Daniel Road to June Road including milling; resurfacing; roadside swale improvement; guiderail replacement; new traffic signal loops; new pavement markings and related work.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	600,000			600,000

Impact on Operating Budget

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



Kenneth W. Jenkins
County Executive

June 13, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith is an Act which, if adopted by your Honorable Board, would authorize the County of Westchester ("Westchester County"), acting by and through its Department of Emergency Services ("DES"), to enter into an intermunicipal agreement ("IMA") with the County of Putnam ("Putnam County"), pursuant to which both counties will permit the reciprocal programming of each other's radio communication systems into each other's end user radios, whether mobile, portable or fixed station radios and whether owned by either county or owned by local Fire and EMS agencies ("Subscribers") within their respective counties.

I have been advised that each county will retain ownership, control and responsibility and hold the FCC license for its own radio communication system, and neither county shall take any action that causes the other party to be in violation of its FCC license.

Further, I have been advised that the programming provided for in the IMA is not intended to replace each county's existing radio programming for in-county and day to day operations, and each county shall keep its existing radio communication system.

Also, each county will agree to sign, and require its local Fire and EMS agencies sign, any license agreement required of the other county to use the other County's radio communication system and agree to the user guidelines, policies and procedures for use of the other county's radio communication system.

Any license agreements for permission to use Westchester County's trunked radio communication system will be subject to the Westchester County receiving approval from the Westchester County Board of Acquisition and Contract.

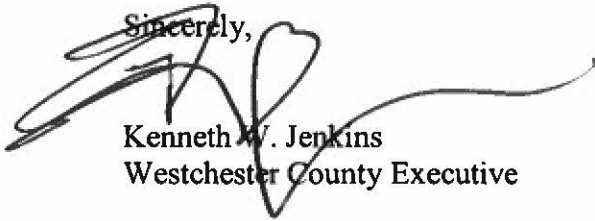
The public purpose of the IMA is to improve and enhance interoperability, public safety communications, and mutual aid. Reciprocal assistance and mutual aid between the counties and their respective Fire and EMS agencies will be authorized and coordinated through Westchester County's fire communication center and Putnam County's fire communication center.

The term of the proposed IMA will commence retroactively on May 1, 2025 and expire five (5)

years thereafter, unless sooner terminated as set forth in the IMA.

I respectfully recommend your Honorable Board's approval of the attached Act.

Sincerely,

A handwritten signature in black ink, appearing to read 'KWJ', with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

KWJ/ran
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act which, if adopted by your Honorable Board, would authorize the County of Westchester ("Westchester County"), acting by and through its Department of Emergency Services ("DES"), to enter into an intermunicipal agreement ("IMA") with the County of Putnam ("Putnam County"), pursuant to which both counties will permit the reciprocal programming of each other's radio communication systems into each other's end user radios, whether mobile, portable or fixed station radios and whether owned by either county or owned by local Fire and EMS agencies ("Subscribers") within their respective counties.

Your Committee has been advised that each county will retain ownership, control and responsibility for its own radio communication system and hold the FCC licenses for its own radio communication system, and neither county shall take any action that causes the other party to be in violation of its FCC license.

Your Committee is further advised that the programming provided for in the IMA is not intended to replace each county's existing radio programming for in-county and day to day operations, and each county shall keep its existing radio communication system.

Your Committee is further advised that each county will agree to sign, and require its local Fire and EMS agencies sign, any license agreement required of the other county to use the other county's radio communication system and agree to the user guidelines, policies and procedures for use of the other county's radio communication system. Any license agreements

for permission to use Westchester County's trunked radio communication system will be subject to the Westchester County receiving approval from the Westchester County Board of Acquisition and Contract.

Your Committee is further advised that the public purpose of the IMA is to improve and enhance interoperability, public safety communications and mutual aid. Reciprocal assistance and mutual aid between the counties and their respective Fire and EMS agencies will be authorized and coordinated through the Westchester County's fire communication center and Putnam County's fire communication center.

Your Committee is further advised that the term of the proposed IMA will commence retroactively on May 1, 2025 and expire five (5) years thereafter, unless sooner terminated as set forth in the IMA.

The Planning Department has advised that the proposed IMA does not meet the definition of an "action" under New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 14, 2025, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that an affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the attached Act.

Your Committee has carefully considered and recommends approval of the attached Act.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

C:RAN-6.13.25

FISCAL IMPACT STATEMENT

SUBJECT: IMA -Putnam County -Radio Systems

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: N/A

Potential Related Operating Budget Expenses:

Annual Amount N/A

Describe: An Act authorizing the County to enter into an IMA with Putnam County for the reciprocal programming of each other's radio communication systems into each other's end user radios for interoperability , public safety communications and mutual aid purposes.

Potential Related Operating Budget Revenues:

Annual Amount N/A

Describe:

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: N/A

Next Four Years: N/A

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: June 16, 2025

Reviewed By: 

Budget Director

Date: 6/16/25

ACT NO. 2025 - _____

AN ACT authorizing the County of Westchester, acting by and through its Department of Emergency Services, to enter into an intermunicipal agreement with Putnam County pursuant to which the counties will permit the reciprocal programming of each other's radio communication systems into each other's end user radios in order to improve interoperability, public safety communications and mutual aid.

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

Section 1. The County of Westchester ("Westchester County"), acting by and through its Department of Emergency Services, is hereby authorized to enter into an intermunicipal agreement ("IMA") with the County of Putnam ("Putnam County"), pursuant to which both the counties will permit the reciprocal programming of each other's radio communication systems into each other's end user radios, whether mobile, portable or fixed station radios and whether owned by either county or owned by local Fire and EMS agencies ("Subscribers") within their respective counties in order to improve interoperability, public safety communications and mutual aid, for a term commencing retroactively on May 1, 2025 and expiring five (5) years thereafter, unless sooner terminated as provided for in the IMA.

§2. Each county will retain ownership, control and responsibility for its own radio communication system.

§3. Each county will agree to sign, and require its local Fire and EMS agencies sign, any license agreement required of the other county to use the other county's radio communication system and agree to the user guidelines, policies and procedures for use of the other county's radio communication system. Any license agreements for permission to use Westchester County's trunked radio communication system will be subject to the County receiving approval from the Westchester County Board of Acquisition and Contract.

§4. 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.

§5. This Act shall take effect immediately.

THIS INTERMUNICIPAL AGREEMENT (the "Agreement"), made the _____ day of _____, 20__ by and between:

THE 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 "Westchester County")

and

THE COUNTY OF PUTNAM, a municipal corporation of the State of New York, having an office and place of business at 40 Gleneida Avenue, Carmel, New York 10512 (hereinafter referred to as the "Putnam County").

(The "Westchester County" and "Putnam County" are referred to collectively as the "parties" or "counties".)

W I T N E S S E T H:

WHEREAS, Westchester County operates a trunked radio communication system for Westchester County departments, as well as for first responders throughout Westchester (the "WC P25"); and

WHEREAS, Putnam County operates a trunked radio communication system for Putnam County departments, as well as for first responders throughout Putnam (the "Putnam Radio System"); and

WHEREAS, the counties wish to permit the reciprocal programming of each other's radio communication systems into each other's end user radios, whether mobile, portable or fixed station radios and whether County-owned or owned by local Fire and EMS agencies within their respective counties (hereinafter referred to as "Subscribers") in order to improve interoperability, public safety communications and mutual aid between the counties, in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the Parties agree as follows:

ARTICLE I
RECIPROCAL PROGRAMMING OF SUBSCRIBERS

Section 1.1. Westchester County, acting through its Commissioner of Department of Emergency Services or the Commissioner's designee (the "Westchester Commissioner"), hereby grants to Putnam County the right to program WC P25 channel(s) into Putnam Subscribers in accordance with the terms set forth in this Agreement.

Section. 1.2. Westchester County shall retain control and responsibility for WC P25.

Section 1.3. Putnam County, acting through its Commissioner of Bureau of Emergency Services or the Commissioner's designee, (the "Putnam Commissioner"), hereby grants to Westchester County the right to program Putnam Radio System channel(s) into Westchester Subscribers in accordance with the terms set forth in this Agreement.

Section 1.4. Putnam County shall retain control and responsibility for the Putnam Radio System.

Section 1.5. Each County shall have the discretion to determine what Subscribers are programmed under this Agreement within its respective county. Each County shall be responsible for the cost to program each other's radio communication system channel(s) into the Subscribers in its respective county. Nothing prohibits each County from seeking reimbursement for such programming from the local Fire and EMS agencies within their respective counties.

Section 1.6. All programming shall be for interoperability and public safety communication to further the purposes of mutual aid.

Section 1.7. All programming shall be according to the written policies and procedures established by each County for the programming of its radio communication system.

Section 1.8. The programming of Putnam Radio System channel(s) by Westchester County may only be performed by an entity or entities authorized in writing by Putnam County to perform such programming.

Section 1.9. The programming of WC P25 channel(s) by Putnam County may only be performed by an entity or entities authorized in writing by Westchester County to perform such programming.

Section 1.10. If required by Putnam County, Westchester County shall require that the Westchester Fire or EMS agency enter into a written user agreement with Putnam County agreeing to abide by the user guidelines and requirements established by Putnam County for use of the Putnam Radio System, prior to Westchester County programming the Putnam Radio System channel(s) into Westchester Fire or EMS Subscribers.

If required by Putnam County, Westchester County agrees to enter into a written user agreement with Putnam County agreeing to abide by the user guidelines and requirements established by Putnam County for use of the Putnam Radio System

Section 1.11. Prior to Putnam County programming the WC P25 channel(s) into Putnam Fire or EMS Subscribers, Putnam County shall require the Fire or EMS agency to enter into a written user agreement, in a form similar to the form attached hereto as Schedule "A", with Westchester County agreeing to abide by the user guidelines and requirements established by Westchester County for use of the WC P25.

Prior to Putnam County programming the WC P25 channel(s) into Putnam County-owned Subscribers, Putnam County agrees to enter into a written user agreement with Westchester County agreeing to abide by the user guidelines and requirements established by Westchester County for use of the WC P25.

Section 1.12. Once programming is completed for a Subscriber, it may not be altered or reprogrammed without the prior written approval of the Westchester County in the case of WC

P25 and Putnam County in the case of the Putnam Radio System. Once approved, all of the terms of this Agreement shall apply to such modification.

Section 1.13. Each County acknowledges that the programming provided for herein is not intended to replace each County's existing radio programming for in-county and day-to-day operations, and each County shall keep its existing radio communication system.

Section 1.14. Putnam County agrees not to share any programming details or any technical details unique to WC P25 to third parties except as permitted hereunder or permitted under the law.

Section 1.15. Westchester County agrees not to share any programming details or any technical details unique to the Putnam Radio System to third parties except as permitted hereunder or permitted under the law.

Section 1.16. The counties acknowledge and agree that they will each obtain and hold the FCC licenses for their respective radio communication systems. Neither party shall take any action that causes the other party to be in violation of its FCC license.

Section 1.17. Each Party's radio communication system shall remain its property. It is expressly understood that this Agreement does not constitute a lease and that no ownership or property rights whatsoever are being transferred under this Agreement.

Section 1.18. Reciprocal assistance and mutual aid between the counties, and their respective Fire and EMS agencies, shall be authorized and coordinated through Westchester County's fire communication center (or designee) and Putnam County's fire communication center (or designee).

Section 1.19. The WC P25 channel(s) and Putnam Radio System channel(s) shall be used for interoperability, public safety communication and/or mutual aid between the counties.

Section 1.20. Each County will responsible to assign alias for each Subscriber's use of its radio communication system.

ARTICLE II

TERM AND TERMINATION

Section 2.1. The term of this Agreement shall commence retroactively on May 1, 2025 and expire five (5) years thereafter, unless sooner terminated.

Section 2.2. In the event either County defaults in the performance of any term, condition or covenant herein contained and does not cure such default within forty-eight (48) hours of written notice thereof, the non-defaulting County, in addition to any other remedy it may have to seek damages, judicial enforcement or other lawful remedy, may terminate this Agreement immediately upon notice to the defaulting County. Upon termination, all right of the to use the defaulting County to use the non-defaulting's radio system shall cease and terminate.

Section 2.3. Westchester County on thirty (30) days' notice to Putnam County may terminate this Agreement in whole or in part when it deems it to be in its best interest.

Section 2.4. Putnam County on thirty (30) days' notice to Westchester County may terminate this Agreement in whole or in part when it deems it to be in its best interest.

ARTICLE III

MISCELLANEOUS

Section 3.1.

(a) At the time of execution of this IMA, Westchester County in accordance with Section 6-n of the New York General Municipal Law and Chapter 295 of the Laws of Westchester County, self-funds certain liability exposures. Putnam County accepts the letter evidencing such self-insurance, which is annexed to this IMA as Schedule "B".

(b) Westchester County agrees, that except for the amount, if any, of damage contributed to, caused by, or resulting from the negligence of Westchester County, Westchester County shall indemnify, defend and hold harmless Putnam County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss caused by the performance or failure to perform hereunder by the Westchester County or third parties under the direction or control of the Westchester County.

Section 3.2.

(a) Putnam County agrees to comply with the insurance requirements attached hereto as Schedule "C". Notwithstanding the requirements set forth as set forth in Schedule "C", Putnam County may act as a self-insurer for the general liability insurance in lieu of procuring such insurance from an insurance company, with the approval of the Westchester County Director of Risk Management.

(b) Putnam County agrees, that except for the amount, if any, of damage contributed to, caused by, or resulting from the negligence of Putnam County, Putnam County agrees to indemnify, defend and hold harmless Westchester County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss caused by the performance or failure to perform hereunder by the Putnam County or third parties under the direction or control of Putnam County.

Section 3.3. Neither County shall assign, sublet or transfer or otherwise dispose of its interest in this Agreement without the prior written consent of the other County. Any purported delegation of duties, assignment of rights or subletting of this Agreement without the prior written consent of the other County is void.

Section 3.4. Each County shall comply, at its own expense, with all applicable local, state and federal laws, rules, regulations, including those promulgated by the FCC, and obtain, at its own expense, all approvals applicable to its performance under this Agreement.

Section 3.5. Nothing contained herein shall create a special relationship between the Parties. Nothing contained herein shall be deemed to create any employment, agency, joint venture or partnership relationship between the parties or any of their agents or employees or any other arrangement that would impose liability upon one party for the act or failure to act on the other party.

Neither party shall be liable for any consequential, incidental or indirect damages or punitive, special, or other damages that are not direct damages.

Section 3.6. Failure by either party to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment of such term or condition, but the same shall remain in full force and effect.

Section 3.7. If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable.

Section 3.8. 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 sent by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by overnight courier), to the respective addresses 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.

To the County:
Commissioner
Department of Emergency Services

County of Westchester
4 Dana Road
Valhalla, New York 10595

With a copy to:

Westchester County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

To the Putnam County:

Commissioner
Bureau of Emergency Services
County of Putnam
112 Old Route 6
Carmel, New York 105012

With a copy to:

Putnam County Attorney
48 Gleneida Avenue
Carmel, New York 10512

Section 3.9. This Agreement and its attachments constitute the entire Agreement between the Parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It 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.

Section 3.10. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

Section 3.11. This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 3.12. The headings and section references in the Agreement are inserted only for convenience and are not to be construed as part of the Agreement or as a limitation of the scope of the particular section to which the heading refers.

Section 3.13. This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

[Intentionally Left Blank.
Signature Pages to Follow.]

DRAFT

IN WITNESS WHEREOF, the County of Westchester and the County of Putnam have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____
Susan Spear
Commissioner
Department of Emergency Services

THE COUNTY OF PUTNAM

By: _____
Robert Lipton
Commissioner
Bureau of Emergency Services

Authorized by Putnam County on _____.

Authorized by Act No. _____ adopted by the Board of Legislators of the County of Westchester on _____..

Approved:

Associate County Attorney
The County of Westchester
k/noe/des/Westchester and Putnam imate radio system programming

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

On _____, 2025 before, me this undersigned, personally appeared SUSAN SPEAR, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF PUTNAM)

On _____, 2025 before, me this undersigned, personally appeared ROBERT LIPTON, 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 executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE "A"

WC P25 Interoperability License Agreement

Public Safety Agency Name: _____ ("Applicant")

Applicant Contact Information for notices under this Agreement (Maybe changed by written notice to Westchester County):

Mailing Address: _____
Contact Name/Title _____
Cell Phone: _____
Email Address: _____
Fax Number or Other Contact Info: _____

By signing this WC P25 Interoperability User Agreement (the "Agreement"), the Applicant agrees to the following terms and conditions:

1. The Applicant agrees to follow the WC P25 Policies & Procedures, as may be amended from time to time ("WC P25 Policies"), to seek permission to have its subscriber radio(s) approved for access to County-designated WC P25 channels ("WC P25"). If the subscriber radio(s) is/are approved, the Applicant agrees to abide by the WC P25 Policies. If the Applicant fails to abide by the WC P25 Policies, it agrees that Westchester County may immediately disconnect, suspend or terminate its use of WC P25.
2. The Applicant agrees that permission from Westchester County to utilize WC P25 is a non-exclusive, royalty free, non-assignable license for mutual aid and interoperability purposes.
3. The Applicant agrees not to alter WC P25 in anyway. The Applicant agrees not to share any programming details or any technical details unique to WC P25 to third parties.
4. If the subscriber radio(s) is/are approved for use on WC P25, Westchester County offers access to WC P25 channel(s) at no cost to the Applicant. The Applicant agrees that it shall be responsible for all costs and expenses associated with utilizing WC P25.
5. The Applicant agrees to comply, at its own expense, with all applicable federal, state or local laws, rules, regulations, including those promulgated by the FCC.
6. The Applicant agrees this is not a lease and no ownership or property rights are being transferred under this Agreement. The Applicant agrees that, if approved, WC P25 shall be available to the Applicant for only as long as Westchester County, in its sole discretion, makes WC P25 available. Westchester County retains sole and absolute discretion in determining whether to continue to make WC P25 available and, if so, to what person(s) and/or entity/ies, in what geographic area(s), for what purpose(s), and under what terms of use. Westchester County may cease making WC P25 available to one or more users, or all users, at any time, for any reason or no reason, either temporarily or permanently. For as long as WC P25 is made available to users, each user will have

access to WC P25 in its then-current form. Westchester County in its sole discretion may change WC P25 as it deems necessary and proper.

Connection to and use of WC P25 is being provided "AS IS", "WITH ALL FAULTS" AND "AS AVAILABLE". The County disclaim all warranties of any kind, express or implied. The County shall not be responsible for any issues with regard to WC P25, including any interruption, defect, delay, failure or malfunction involving equipment, hardware, software or communications. The County shall have no liability to the Applicant related to any claim, whether in contract, tort or otherwise, that is related to or arises out of use of WC P25. The Applicant hereby expressly waives any and all claims for any and all loss or damage sustained by reason of any defect, deficient or impairment of WC P25.

7. The Applicant agrees that, except for the amount, if any, of damage contributed to, caused by or resulting from negligence of Westchester County, the Applicant agrees to indemnify, defend and hold Westchester County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising out of the performance or failure to perform hereunder by the Applicant or third parties under the direction or control of the Applicant.

8. This Agreement shall commence upon execution by both parties and shall continue until terminated by either party. Either party may terminate this Agreement upon forty-eight (48) hours written notice to the other party.

9. The parties disclaim any employer/employee, fiduciary, agency or special relationship. The Applicant hereby waives any and all claims to benefits or privileges, if any, available to persons as employees. The Applicant shall comply, at its own cost and expense, with the provision of all federal, state or local laws, ordinances, regulations or rules applicable to it, including, the NYS Labor Law and Worker's Compensation Law and license requirements.

10. All notices under this Agreement shall be in writing and either sent to the Applicant to the address set forth above or to Westchester County to the Commissioner of the Department of Emergency Services at the address set forth below with a copy to: Westchester County Attorney, Michaelian Office Building, Room 600, 148 Martine Avenue, White Plains, New York 10601.

11. This Agreement may be executed simultaneously in several counterparts. This Agreement constitute the entire agreement between the parties with respect to the subject matter hereof. It shall not be modified except in writing signed by both parties.

12. This Agreement shall not be enforceable until signed by both parties and approved by the Office of the Westchester County Attorney.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed.

<p>THE COUNTY OF WESTCHESTER</p> <p>By: _____ Date _____</p> <p>Commissioner Department of Emergency Services County of Westchester 4 Dana Road Valhalla, New York 10595</p>	<p>APPLICANT:</p> <p>By: _____ Date _____</p> <p>Print Name: _____</p> <p>Print Title: _____</p>
<p>Approved:</p> <p>_____</p> <p>County Attorney The County of Westchester</p>	

DRAFT

Schedule "B"
Westchester Self-Insurance Letter To Be Inserted

DRAFT

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.

2 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.
- e) Cyber 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.

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.

DRAFT



Kenneth W. Jenkins
Westchester County Executive

June 10, 2025

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

Dear Honorable Members of the Board of Legislators:

Attached for your consideration is an Act which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Emergency Services (the "Department") to enter into an intermunicipal agreement ("IMA") with Eastchester Fire District ("Fire District"), pursuant to which the County will grant a lease to the Fire District to use the County's Weapons of Mass Destruction ("WMD") Squad vehicle (the "WMD Vehicle") to respond to hazardous material incidents pursuant to the County's Fire Mutual Aid Plan (the "Plan").

The term of the proposed IMA is five (5) years commencing retroactively on January 1, 2025 and expiring on December 31, 2029, with either party having the right to terminate the IMA on thirty (30) days prior written notice.

The Fire District participates in WMD Squad 6 as part of the Plan. The WMD Squad 6 serves as an additional hazardous materials response resource in Westchester County.

In consideration for being permitted to use the WMD Vehicle, the Fire District will agree to pay the County the sum of (\$1.00) dollar per annum. In addition, the Fire District will agree to use the WMD Vehicle in connection with responding to hazardous materials incidents pursuant to the Plan in Westchester County.

The Fire District shall only be permitted to use the WMD Vehicle for training exercises and in responding to mutual aid requests involving hazardous materials pursuant to the terms of the Plan.

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

Telephone: (914)995-2900 Email: ceo@westchestercountyny.gov



The Fire District shall ensure that only qualified and certified firefighters, who are properly trained and licensed, operate and utilize the WMD Vehicle. In addition, each firefighter who operates the WMD Vehicle shall be pre-cleared by the County Office of Risk Management as a qualified motor vehicle operator prior to the firefighter operating the WMD Vehicle. Also, each firefighter who operates the WMD Vehicle shall complete all forms and provide all information required by the County Office of Risk Management.

When not in use, the Fire District shall store the WMD Vehicle at one of its fire houses located at: (1) Eastchester Headquarters, 255 Main Street, Eastchester New York 10709, (2) Eastchester Station 2, 25 Underhill Street, Tuckahoe, New York 10708, (3) Eastchester Station 3, Poplar Street, Bronxville, New York 10708, (4) Eastchester Station 4, Oregon Road, Eastchester, New York 10709; (5) Eastchester Station 5, 31 Wilmot Road, Scarsdale, New York 10582.

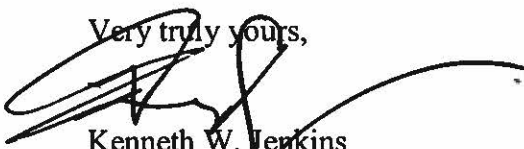
The WMD Vehicle must be made immediately available to the County in the event of an emergency as determined by the Department's Commissioner in his/her sole discretion.

The goals and objectives of this proposed IMA is to enable the Department to respond to hazardous material incidents thereby helping the County and the Fire District better respond to mutual aid events involving hazardous materials.

The Department has further advised that the County shall retain ownership of the WMD Vehicle and shall be responsible for the maintenance and repair of the WMD Vehicle.

I believe that the proposed IMA is in the best interest of the County, and, therefore, recommend your favorable action on the annexed Act.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kenneth W. Jenkins', with a long horizontal flourish extending to the right.

Kenneth W. Jenkins
County Executive

KWJ/SS/RN/mb
Att.

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

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act which, if approved, would authorize the County of Westchester (“County”) acting by and through its Department of Emergency Services (the “Department”) to enter into an intermunicipal agreement (“IMA”) with Eastchester Fire District (“Fire District”), pursuant to which the County will grant a lease to the Fire District to use the County’s Weapons of Mass Destruction (“WMD”) Squad vehicle (the “WMD Vehicle”) to respond to hazardous material incidents pursuant to the County’s Fire Mutual Aid Plan (the “Plan”).

The term of the proposed IMA is five (5) years, commencing retroactively on January 1, 2025 and expiring on December 31, 2029, with either party having the right to terminate the IMA on thirty (30) days prior written notice.

The Fire District participates in WMD Squad 6 as part of the Plan. The WMD Squad 6 serves as an additional hazardous materials response resource in Westchester County.

In consideration for being permitted to use the WMD Vehicle, the Fire District will agree to pay the County the sum of (\$1.00) dollar per annum. In addition, the Fire District will agree to use the WMD Vehicle in connection with responding to hazardous materials incidents pursuant to the Plan in Westchester County.

The Fire District shall only be permitted to use the WMD Vehicle for training exercises and in responding to mutual aid requests involving hazardous materials pursuant to the terms of the Plan.

The Fire District shall ensure that only qualified and certified firefighters, who are properly trained and licensed, operate and utilize the WMD Vehicle. In addition, each firefighter who operates the WMD Vehicle shall be pre-cleared by the County Office of Risk Management as a qualified motor vehicle operator prior to the firefighter operating the WMD Vehicle. Also, each firefighter who operates the WMD Vehicle shall complete all forms and provide all information required by the County Office of Risk Management.

When not in use, the Fire District shall store the WMD Vehicle at one of its fire houses located at: (1) Eastchester Headquarters, 255 Main Street, Eastchester New York 10709, (2) Eastchester Station 2, 25 Underhill Street, Tuckahoe, New York 10708, (3) Eastchester Station 3, Poplar Street, Bronxville, New York 10708, (4) Eastchester Station 4, Oregon Road, Eastchester, New York 10709; (5) Eastchester Station 5, 31 Wilmot Road, Scarsdale, New York 10582.

The WMD Vehicle must be made immediately available to the County in the event of an emergency as determined by the Department's Commissioner in his/her sole discretion.

The goals and objectives of this proposed IMA is to enable the Department to respond to hazardous material incidents thereby helping the County and the Fire District better respond to mutual aid events involving hazardous materials.

The Department has further advised that the County shall retain ownership of the WMD Vehicle, and shall be responsible for the maintenance and repair of the WMD Vehicle.

The proposed IMA does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of the Board of Legislators.

It should be noted that an affirmative vote of a majority of the voting strength of your Honorable Board is required in order to adopt the proposed Act. Your Committee has carefully considered the annexed proposed Act and recommends its adoption.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

C/mb/6.9.25

FISCAL IMPACT STATEMENT

SUBJECT: <u>Eastchester Fire District</u>	<input checked="" type="checkbox"/> NO FISCAL IMPACT PROJECTED
--	---

OPERATING BUDGET IMPACT
To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND
---	--	--

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense	\$	<u>-</u>
Total Current Year Revenue	\$	<u>1</u>

Source of Funds (check one): ☐ **Current Appropriations** ☐ **Transfer of Existing Appropriations**
☐ **Additional Appropriations** ☐ **Other (explain)**

Identify Accounts: 101 20 1000 9289
2025: \$1.00, 2026: \$1.00, 2027: \$1.00, 2028: \$1.00, and 2029: \$1.00

Potential Related Operating Budget Expenses: Annual Amount _____
Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$1
Describe: IMA with Eastchester Fire District to grant a lease to the District to use the
County's WMD Squad Vehicle to respond to hazardous materials incidents as per the
County's Fire Mutual Aid Plan

Anticipated Savings to County and/or Impact on Department Operations:
Current Year: _____

Next Four Years: _____

Prepared by: <u>Julia Criscitelli</u> Title: <u>Budget Specialist III</u> Department: <u>Emergency Services</u> Date: <u>June 11, 2025</u>	Reviewed By: <u>[Signature]</u> PH Budget Director Date: <u>6/12/25</u>
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AN ACT authorizing the County of Westchester, acting by and through its Department of Emergency Services to enter into an intermunicipal agreement with Eastchester Fire District for the Eastchester Fire District to use a County Weapons of Mass Destruction Vehicle for a term commencing retroactively January 1, 2025 through December 31, 2029.

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

Section 1. The County of Westchester (“Westchester”) acting by and through its Department of Emergency Services (the “Department”) is hereby authorized to enter into an Intermunicipal Agreement (“IMA”) with Eastchester Fire District, whereby the County will grant a lease to the Fire District to use the County’s Weapons of Mass Destruction (“WMD”) Squad vehicle (the “WMD Vehicle”) for a term commencing retroactively on January 1, 2025 and expiring on December 31, 2029, with either party having the right to terminate the IMA upon thirty (30) days prior written notice.

§2. In consideration for the license, the Fire District agrees to pay the County the sum of (\$1.00) dollar per annum. In addition, the Fire District will agree to use the WMD Vehicle in responding to hazardous materials incidents in Westchester pursuant to the County Fire Mutual Aid Plan, and the WMD Vehicle must be made immediately available to the County in the event of an emergency as determined by the Department’s Commissioner in his/her sole discretion.

§3. When not in use, the Fire District shall store the WMD Vehicle at one of its fire houses located at: (1) Eastchester Headquarters, 255 Main Street, Eastchester New York 10709, (2) Eastchester Station 2, 25 Underhill Street, Tuckahoe, New York 10708, (3) Eastchester Station 3, Poplar Street, Bronxville, New York 10708, (4) Eastchester Station 4, Oregon Road, Eastchester, New York 10709; (5) Eastchester Station 5, 31 Wilmot Road, Scarsdale, New York 10582.

§4. 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.

§5. This Act shall take effect immediately.

THE INTERMUNICIPAL AGREEMENT made _____, 2025 by and between:

THE COUNTY OF WESTCHESTER, acting by and through its Department of Emergency Services (the “Department”), 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, (hereafter referred to as the “County”).

and

EASTCHESTER FIRE DISTRICT, a district corporation of the State of New York, having an office and place of business at 255 Main Street, Eastchester, New York 10709 (hereafter referred to as the “Fire District”)

(The “County” and the “Fire District” may be referred to collectively as the “Parties” or individually as a “Party”).

WITNESSETH:

WHEREAS, the Fire District participates in the County’s Fire Mutual Aid Plan, which may be amended from time to time by the Commissioner of the Department (the “Plan”); and

WHEREAS, pursuant to the Plan, the Fire District participates in Weapons of Mass Destruction (“WMD”) Squad 3, which serves as an additional hazardous materials response resource in the County of Westchester, New York; and

WHEREAS, on or about October 1, 2020 and October 18, 2021, the County entered into grant agreements (collectively the “Grant Agreements”) with the New York State Department of Homeland Security and Emergency Services (“DHSES”) to accept federal grant funds to (1) prevent terrorist attacks and mitigate against man-made and natural hazards; (2) protect the people of New York, its critical infrastructure and key resources; and (3) prepare to respond to and recover from both man-made and natural disasters; and

WHEREAS, through the Grant Agreements, the County purchased, among other things, WMD Squad vehicle(s); and

WHEREAS, the Fire District desires to use one of the County's WMD Squad Vehicles for purposes of responding to hazardous materials incidents; and

WHEREAS, the County desires to lease one of the County's WMD Squad Vehicles to the Fire District according to the terms set forth herein; and

NOW, THEREFORE, the Parties hereto in consideration of the mutual covenants, agreements, terms and conditions herein set forth do agree as follows:

1. WMD Vehicle: (a): The County hereby leases to the Fire District, the County's WMD Squad Vehicle ("WMD Vehicle"), as further described in Schedule "A" annexed hereto and made a part hereof.

(b) The Fire District shall use the WMD Vehicle for training exercises and in responding to mutual aid requests involving hazardous materials pursuant to the terms of the Plan. No other authorized use of the WMD Vehicle is permitted, absent any further written notice by the Commissioner of the Department, or his/her authorized designee (the "Commissioner").

When not in use by the Fire District, the Fire District agrees to store the WMD Vehicle at one of the following locations owned and operated by the Fire District:

1. Eastchester Headquarters
255 Main Street
Eastchester 10709
SBL 69./5/5

2. Eastchester Station 2
25 Underhill Street
Tuckahoe 10708
SBL 33./3/29

3. Eastchester Station 3
Poplar Street
Bronxville 10708
SBL 6.G/3/21.A

4. Eastchester Station 4

Oregon Road
Eastchester
SBL 80.J/3/19

5.Eastchester Station 5
31 Wilmot Road
Scarsdale 10582
SBL 61./4/37

(collectively, the "Properties").

The Fire District shall protect the WMD Vehicle from weather and like elements by housing it inside one of the fire houses bays located at one of the Properties. The County understands that the Fire District, from time to time, may need to park the WMD Vehicle outside the fire house bays located on one of the Properties, however, the Fire District will use best efforts to limit the amount of time that the WMD Vehicle is parked outside.

(c) Under the supervision of the County, the Fire District shall relocate the hazardous materials decontamination equipment currently located in a trailer at the Eastchester Fire District Station(s), into the WMD Vehicle. The Parties acknowledge that the Parties will be entering into a separate agreement regarding the hazardous materials decontamination equipment, which shall include an inventory of said equipment that will be stored in the WMD Vehicle, subject to receiving all necessary legal approvals.

(d) The County makes no warranties of any kind, either directly or indirectly, express or implied, as to the condition of the WMD Vehicle or any part thereof, including but not limited to, the WMD Vehicle durability, merchantability or fitness for any particular purpose, except that the County warrants that it has title to the WMD Vehicle. The WMD Vehicle shall be tendered and accepted in its present "as is" condition.

(e) The Fire District agrees and shall ensure that only qualified and certified firefighters, who are properly trained and licensed, operate and utilize the WMD Vehicle (collectively, the "Firefighter Operators" and individually the "Firefighter Operator"), in accordance with the terms of this Agreement and all applicable requirements and laws.

(f) Each Firefighter Operator shall be pre-cleared by the County Office of Risk Management as a qualified motor vehicle operator prior to the Firefighter Operator being authorized by the County to operate the WMD Vehicle, and shall comply with all requirements established by the County's Director of Risk Management. Each Firefighter Operator shall complete all forms and provide all information required by the County Office of Risk Management, including, but not limited to submitting a valid New York Driver's License, a signed authorization to obtain a drivers abstract from each Firefighter Operator, and a completed "Request for Approval to Drive an Official County Vehicle" form, which is attached hereto as Schedule "D".

(g) The Fire District agrees and shall ensure that each Firefighter Operator complies with the Westchester County Executive Order No. 8-1998, prior to operating the WMD Vehicle.

(h) The Fire District agrees and shall ensure that the Fire District and each Firefighter Operator complies with all applicable terms and conditions of the Westchester County Drivers Manual, as it may be amended from time to time (the "Manual"), the current version of which is attached hereto and made a part hereof as Schedule "C". The Fire District shall provide each Firefighter Operator with a copy of the Manual, and a copy of the Manual shall remain in the WMD Vehicle at all times.

The Fire District shall notify all Firefighter Operators that use of the WMD Vehicle in violation of the terms and conditions of the Manual will result in the immediate suspension of such Firefighter Operator's privilege to drive the WMD Vehicle and appropriate disciplinary action. In the event the Fire District learns of unauthorized use of the WMD Vehicle by its Firefighter Operator, the Fire District shall promptly take appropriate disciplinary action against such firefighter to enforce the Manual. Lack of timely enforcement of the Manual by the Fire District will be grounds for termination of this Agreement by the County.

(i) The Fire District shall verify that each Firefighter Operator has fulfilled all training requirements in accordance with all federal, state and County requirements, and applicable laws and regulations.

(j) The Fire District shall provide the Commissioner with a written list of Firefighter Operators who have complied with (f), (g) and (h) above and provide the Commissioner with any information or documentation that may be reasonably requested by the Commissioner (the "List"). The Commissioner reserves the right in the Commissioner's sole discretion, to remove any person from the list or to suspend and/or not permit any person named on the List, to operate the WMD Vehicle. The Fire District understands that only person(s) on the List may operate the WMD Vehicle. The Fire District shall notify the County within thirty (30) days of a Firefighter Operator being separated from the Fire District, whether by retirement, resignation, termination or otherwise.

The Fire District shall notify the County if it wishes to add a Firefighter Operator to the List and shall provide the Commissioner with an updated List for his/her approval.

(k) The WMD Vehicle keys shall be stored in a secure location either inside the dispatch room/radio room or office area in the firehouse where the WMD Vehicle is located. The Fire District agrees and understands that only authorized person(s) shall have access to the WMD Vehicle.

2. Emergency use by County: Notwithstanding anything herein to the contrary, the WMD Vehicle must be made immediately available to the County in the event of an emergency. The existence of an emergency shall be determined by the Commissioner in the Commissioner's sole discretion and shall include, but not be limited to, riots, floods and transportation strikes, natural disasters, wherever they may occur. In the event the Fire District is answering a call which requires the use of the WMD Vehicle and it is during the time the Commissioner has determined an emergency exists requiring the return of the WMD Vehicle to the County, the Fire District agrees to use its best efforts to return the WMD Vehicle to the County in a prompt and timely fashion and in so doing shall notify the Commissioner of the anticipated time of return.

3. Term: The term of this Agreement shall commence retroactively on January 1, 2025, and expire on December 31, 2029 (the "Term"), unless terminated sooner as hereinafter provided.

4. Termination: (a) In the event Fire District defaults in the performance of any term, condition or covenant herein contained, the County at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or other lawful remedy, may terminate this Agreement upon ten (10) days written notice to the Fire District provided however, that the Fire District may defeat such termination notice by curing the default complained of within such notice period or, if not within such notice period, by promptly commencing to correct the default and diligently pursuing all necessary and appropriate action to affect such cure. Upon a second default by Fire District, the County at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or any other lawful remedy, may terminate this Agreement upon written notice to Fire District.

(b) Either Party shall have the right to terminate this Agreement, in whole or in part, upon thirty (30) days written notice to the other, when it deems termination to be in its best interest.

(c) Upon termination or expiration of this Agreement, all right(s) of the Fire District to use WMD Vehicle shall absolutely cease and terminate as though this Agreement had never been made, but the Fire District shall remain liable as herein provided.

Immediately upon expiration or termination of this Agreement, the Fire District shall, at its sole cost and expense, at the request of the County, deliver possession of the WMD Vehicle to the County at any location within the County as the County may designate whereupon the Fire District shall affect such delivery within twenty-four (24) hours of receipt of such designation in writing from the County to the Fire District. For the purpose of delivering possession of the WMD Vehicle, in working condition and available for the County's use, to the County as above required, the Fire District shall, at its own expense and cost:

- (i) remove all of its own personal property from the WMD Vehicle, in a timely fashion, prior to the County taking possession. Any personal property of the Fire District, its officers, employees, agents,

independent contractors and/or subcontractors, not removed by the Fire District upon expiration or termination or after notice by the County to so remove, shall be deemed to be abandoned and may be removed and disposed of by the County, at the sole cost of the Fire District, provided that the County shall have no affirmative obligation to remove such property; and

- (ii) forthwith deliver such WMD Vehicle to a location within the County as the County may designate in a complete and operable condition.

If the Fire District fails to deliver or make the WMD Vehicle available as set forth above, the County shall have the right to take possession of the WMD Vehicle without notice or demand, with or without a court order or other process of law, wherever it may be located. The County shall have the right to recover from the Fire District any damages and expenses in addition thereto, including reasonable attorneys' fees, which the County shall have sustained by reason of the breach of any covenant of this Agreement, and the Fire District waives all claims against the County with respect to such taking of possession.

5. Consideration: In consideration for the right to use the WMD Vehicle pursuant to this lease, the Fire District agrees to pay the County the sum of (\$1.00) dollar per annum of the Term. As additional consideration for this lease, the Fire District agrees to use the WMD Vehicle in connection to responding to hazardous materials incidents pursuant to the Plan. No payment shall be made by the County to the Fire District for out-of-pocket expenses or disbursements made in connection with this Agreement.

6. Title: The County will maintain all right, title and interest to the WMD Vehicle. The County shall cause the WMD Vehicle to be delivered to the Fire District within ten (10) days of execution of this Agreement. The Fire District agrees that it shall not transfer the WMD Vehicle.

7. Maintenance & Repair: (a) The Fire District, at its sole cost and expense, shall (i) keep the Properties and the fixtures and equipment thereon clean, safe and in good order, and (ii) make all repairs necessary to keep the Properties in a clean, safe and good condition. In addition, Fire District, at its sole cost and expense, shall be responsible to keep the area where the WMD Vehicle is located free of snow, ice, dirt, rubbish, and/or any other obstacles.

(b) The County shall be responsible for the maintenance and repair of the WMD Vehicle and its equipment provided the maintenance or repair arises out of the normal use of the WMD Vehicle and not as a result of the Fire District's misuse. In the event the maintenance or repair or alteration is due to the Fire District's misuse, as the reasonable and good faith determination of the Commissioner, the Fire District shall be responsible to perform the maintenance or repair of the WMD Vehicle and return it to a condition similar to that in which it was received by the Fire District at the commencement of this Agreement.

(c) No markings, other than those the County places on the WMD Vehicle, are permitted. No exterior or interior advertising may be placed upon WMD Vehicle.

(d) The Fire District shall notify the County immediately upon knowledge of the need for a repair and indicate the repair so required.

(e) The design, quality and component part of any and all repairs shall conform to all applicable requirements and to all applicable standards. Rebuilt parts or units must be factory replacement parts, parts purchased from a reputable supply house which deals in replacement parts or rebuilt parts equal to or better than those originally installed in the WMD Vehicle.

All work carried out by the Fire District, its officers, employees, agents, independent contractors and/or subcontractors to the WMD Vehicle shall in all respects be in accordance with current industry standards and trade practices, if any. No work to the WMD Vehicle shall be authorized unless the Fire District provides written notice to the Commissioner and the Fire District receives written confirmation from the Commissioner approving the work to be undertaken.

In the event of a dispute regarding maintenance, or alteration or repairs of the WMD Vehicle, the reasonable and good faith determination of the Commissioner shall be final.

(f) The County shall be responsible for the payments for any charges, inspection fees, or other costs, including gross receipts taxes, highway use taxes, or vehicle excise taxes imposed upon the WMD Vehicle or the operation thereof, whether such taxes, charges, fees or other costs are levied against the Fire District or the County. In addition, the County shall pay all expenses, including titling, in connection with the use and operation of the WMD Vehicle during the term of this Agreement including, but not limited to, fuel, oil, grease, repairs, maintenance, or other expenses thereof. The Fire District shall schedule with the Commissioner and bring the WMD Vehicle to the County at a time and location designated by the Commissioner for inspection, repair, maintenance, and fueling.

(g) The Fire District shall maintain the WMD Vehicle in a manner whereby the WMD Vehicle and its equipment shall be kept clean and have exteriors free of grime, cracks and breaks, dents and damaged paint that detract from the overall appearance of the WMD Vehicle. In addition, the interior of the WMD Vehicle must be maintained clean and free from torn upholstery or floor covering, damaged or broken seats and sharp edges.

(h) The Commissioner may reasonably order repairs to be made at any time to ensure that the WMD Vehicle is safe and dependable in accordance with the requirements of this Agreement, and, in such a case, the Fire District shall deliver the WMD Vehicle to the County as required by the Commissioner in order to carry out such repairs.

(i) The Fire District shall inspect the WMD Vehicle daily to make sure it is operational.

(j) Should the WMD Vehicle require repair, including, but not limited to motor vehicle accidents, fires or repair attributable to other circumstances, the costs of which are otherwise covered by an insurance policy, the Parties shall use their best efforts to, within ten (10) days get the WMD Vehicle inspected by an insurance adjuster. Once the WMD Vehicle has

been so inspected, the Fire District will take all necessary steps to have the WMD Vehicle repaired through the insurance, including, but not limited to, reporting the accident or claim, getting repair estimates, providing all necessary details and statements, getting the WMD Vehicle repaired and closing the claim.

(k) It is understood by the Parties hereto that New York General Municipal Law §209(2) provides that loss or damage to, or expenses incurred in operation of equipment used in answering a call for assistance, is a charge against and paid by the requesting entity. The Fire District shall work with the County and take any and all action that is required to be taken in order to preserve a claim against a third party for loss or damage to, or expenses incurred in the operation of the WMD Vehicle in answering a call for assistance or a call for mutual aid.

(l) Fire District shall not perform any material alteration to the WMD Vehicle or its equipment without the County's prior written consent. All alterations made to the WMD Vehicle, in particular such alterations which are meant to be permanently affixed to the WMD Vehicle, shall become part of the WMD Vehicle, and belong to the County. All such alterations shall be reported to the County. If the County consents, any alterations may be removed from the WMD Vehicle prior to their return to County upon the termination of this Agreement, and any damage caused as a result of the removal of the alteration shall be repaired by the Fire District at its sole cost and expense.

(m) If the WMD Vehicle is in any manner improperly maintained, the County may, in addition to any other rights or remedies it may have now or hereafter existing at law or in equity, repossess the WMD Vehicle with or without a court order or other process of law, wherever the WMD Vehicle is located, and effectuate the necessary repairs. The Fire District waives any and all claims against the County with respect to such taking of possession and agrees to remit to the County the cost of any repairs within thirty (30) days of receipt of a County claim therefor.

(n) Fire District shall not make any claims against the County whatsoever by reason of damage or loss of the WMD Vehicle or any part(s) thereof, or by reason of any interruption,

from whatever cause, in the use, operation or possession of the WMD Vehicle or any part(s) thereof.

8. Inspection. The County or its authorized representative, shall have the right to enter the Properties at any time to inspect the WMD Vehicle as well as all relevant books, data and records related to the use and maintenance of the WMD Vehicle and this Agreement. The Fire District shall also permit inspection of same by any federal, state or municipal officer having jurisdiction. The County, at its sole cost and expense, shall promptly remedy any and all violations issued as a result of such inspection, unless caused by the Fire District's misuse in which case, the Fire District shall promptly remedy such violation.

The County reserves the right to designate a specific time and place for inspection and registration of the WMD Vehicle. The Fire District shall comply with any such direction from the County.

The County shall maintain the WMD Vehicle so that it will pass all applicable inspections by the New York State Department of Transportation, New York State Department of Motor Vehicles and the Federal government or agencies authorized by those governments to make such inspections. The County shall be responsible for all costs incurred in enabling the WMD Vehicle to successfully pass inspection. The County shall comply with all governmental laws, regulations and rules with respect to the maintenance of the WMD Vehicle.

9. Wear and Tear: On expiration or termination of this Agreement, the Fire District shall return possession of the WMD Vehicle to the County, complete and operable, normal wear and tear expected.

10. Insurance and Indemnification: (a) The Fire District agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "B", entitled "Standard Insurance Provisions", which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "B", the Fire District agrees:

(i) that except for the amount, if any, of damage contributed to, caused by, or resulting from the sole negligence of the County, the Fire District shall indemnify and hold harmless the County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Fire District or third parties under the direction or control of the Fire District; and

(ii) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; and

(iii) in the event the Fire District 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 this provision, then the Fire District shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the Agreement.

(b) The Fire District understands and agrees that the County self-funds its casualty and liability exposures in accordance with Local Law 6-1986 that amended the Laws of Westchester County to add a new Chapter 295 providing for the establishment and management of a liability and casualty reserve fund. As such, in lieu of any insurance requirements the Fire District may have, the Fire District agrees to accept a letter from the County's Director of Risk Management confirming the County's self-insured status, in satisfaction of any such insurance requirements.

11. Compliance with Laws: The Fire District shall obey, perform and comply, at its own expense, with the provisions of all federal, state and local laws, rules, regulations, orders or ordinance and requirements of every kind and nature, which now exist or are hereinafter enacted or promulgated ("Laws") affecting the conduct of its activities in connection with this Agreement. Without limiting the generality of the foregoing, the Fire District further agrees to comply, at its own expense, with all Laws applicable to it as an employer of labor, including the Labor Law, Workers' Compensation Law, State Unemployment Insurance Law,

Federal Social Security Law and all rules and regulations promulgated by the United States Department of Labor and/or the Industrial Commissioner of the State of New York and any other applicable federal, state or local rules and regulations and all amendments and additions thereto as such may be applicable to the activities that are permitted under this Agreement.

12. Risk of Operation: The Fire District represents that it has examined the WMD Vehicle and has determined it to be suitable for its intended use. The Fire District bears all risk of loss in connection with the use of the WMD Vehicle while under its care, custody and control, and expressly releases the County from any and all liability to it, except for the amount, if any, of damage contributed to, caused by or resulting from the sole negligence or the intentional acts of the County.

13. No Liens. The Fire District shall execute, or cause to be executed, any documents deemed necessary by the County including, but not limited to, Uniform Commercial Code and release of lien forms to enable the County to file, register or record this Agreement or any other document deemed desirable by the County to protect the County's title to the WMD Vehicle. The Fire District shall keep the WMD Vehicle free and clear of all levies, liens and encumbrances.

14. Notices: 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 delivery, or sent by facsimile (with acknowledgment 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 Fire District:

Eastchester Fire District
C/O Board of Fire Commissioners
255 Main Street
Eastchester, New York 10709

To the County:

Commissioner of Emergency Services
County of Westchester
4 Dana Road
Valhalla, New York 10595

With copies to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

15. Audits & Reports: (a) The Fire District agrees to utilize the WMD Vehicle only for the purposes and activities set forth in this Agreement and shall keep an accurate accounting of the WMD Vehicle and equipment contained therein received pursuant to this Agreement and the purpose for which the WMD Vehicle has been used by the Fire District. The Fire District will allow the County, the State and pertinent federal agencies to conduct periodic visits for the purposes of inspection, inventory of the WMD Vehicle and equipment contained therein and auditing the records required hereunder. The Fire District shall establish and maintain complete and accurate written records, documents, reports, accounts and any other such writing relating to its possession and use of all WMD Vehicle provided pursuant to this Agreement. These records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter.

(b) The Fire District shall prepare and deliver to the Commissioner at least annually, or as requested by the County, all information which is needed by the County to prepare any reports required to be filed with any Federal, State or other regulatory authority or agency. Such information shall include, without limitation, the mileage of the WMD Vehicle, the number of passengers using the WMD Vehicle. Fire District shall conform its reports to any format reasonable requested by the Department. The Fire District shall complete any forms necessary for the County to report to the State or federal government with regard to the WMD Vehicle under the Grants Agreement.

16. Assignment: The Fire District shall not assign, sublet, subcontract or otherwise dispose of this Agreement, or any right, duty or interest herein, without the prior written consent

of the County. Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County shall be null and void.

17. Non-Discrimination: The Fire District expressly agrees that neither it nor any contractor, subcontractor, employee, or any other person acting on its behalf shall discriminate against or intimidate any employee or other individual on the basis of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or carrier status during the term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Fire District acknowledges and understands that the County maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others.

18. Remedies Cumulative: The failure of the County to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment for the future of such term or condition, but the same shall remain in full force and effect. Acceptance by the County of any performance due hereunder with knowledge of a breach of any term or condition hereof, shall not be deemed a waiver of any such breach and no waiver by the County of any provision hereof shall be implied.

19. Entire Agreement: This Agreement and its attachments constitute the entire agreement between the Parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It 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.

In the event of any conflict between the term of this Agreement and the terms of any schedule or attachment hereto, it is understood that the terms of this Agreement shall be controlling with respect to any interpretation of the meaning and intent of the Parties.

20. Counterparts: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

21. Choice of Law & Venue: This Agreement shall be governed, construed and enforced in accordance with the laws of the State of New York. In addition, the Parties hereby agree that any cause of action arising out of this Agreement shall be brought in the County of Westchester.

22. Severability: If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the Parties prior to the determination of such invalidity or unenforceability. In the event of any ambiguity in any of the terms of this Agreement, it shall not be construed for or against any party hereto on the basis that such party did or did not author the same. The use of headings is for the convenience of the Parties and are not deemed part of the Agreement.

23. Recitals and Headings: The recitals are hereby incorporated by reference. The headings herein are inserted for the convenience of the parties only and shall not be deemed to be a part of this Agreement.

24. Approval: This Agreement shall not be enforceable until signed by both Parties and approved by the Office of the County Attorney.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK/ SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Fire District and the County hereto have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____
Susan Spear
Commissioner,
Department Emergency Services

EASTCHESTER FIRE DISTRICT

By: _____
Name: _____
Title: _____

Approved by the Fire District's Board on the _____ day of _____, 2025.

Authorized by the Westchester County Board of Legislators by Act No. _____ duly adopted on
the _____ day of _____, 2025.

Approved:
:

Assistant County Attorney
The County of Westchester
k/bara/DES/2024 EASTCHESTER Fire District AGR CON134877

FIRE DISTRICT'S ACKNOWLEDGMENT

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

On the day of _____ in the year 2025,
_____, known to me, or proven on the basis of satisfactory evidence,
to be the individual who has subscribed to the within instrument, personally appeared before me
and acknowledged to me that she/he executed the same in his/her duly authorized capacity, and
that by his/her signature on the instrument, the individual, or the person on whose behalf the
individual acted, executed the instrument and acknowledged, if operating under a trade name,
that the certificate required by the New York State General Business Law, Section 130 has been
filed as required therein.

Notary Public

CERTIFICATE OF AUTHORITY
(Fire District)

I, _____, certify that I am the
(Officer other than officer signing contract)

_____ of the _____
(Title) (Name of Fire District)

(the "Fire District") a corporation duly organized in good standing under the _____

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____ who signed said
(Person executing agreement)

agreement on behalf of the Fire District was, at the time of execution _____ of
(Title of such person),

the Fire District, that said agreement was duly signed for on behalf of said Fire District by

authority of its _____ thereunto duly authorized,
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

(Signature)

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

On this ____ day of _____, 2025, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(Title)

the municipal corporation described in and which executed the above certificate, who being by
me duly sworn did depose and say that he, the said _____
resides at _____, and that
he/she is the _____ of said municipal corporation.
(Title)

Notary Public County

SCHEDULE "A"

DESCRIPTION OF VEHICLE

MAKE:

MODEL:

YEAR:

VIN #

NEW YORK PLATE:

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS **(Fire District)**

1. Prior to commencing work, and throughout the term of the Agreement, the Fire District 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. The Fire District 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 Fire District 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 Fire District 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 Fire District 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 Fire District to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Fire District from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Fire District 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 the Fire District'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 Fire District until such time as the Fire District shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Fire District 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 Fire District. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2 The Fire District 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) Full Commercial Auto Coverage consisting of Physical Damage on a direct and primary basis and Auto Liability coverage, respectively providing Comprehensive, Collision, and Auto Liability insurance. Auto Liability Insurance with a minimum limit of liability per occurrence of \$5,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$5,000,000, unless otherwise indicated in the contract specifications. Uninsured and Underinsured coverage matching the insured's minimum auto liability limit, as well as mandatory Personal Injury Protection (PIP) must be provided. Auto coverage must be provided by way of a primary & noncontributory policy endorsement. 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 Fire District 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 Fire District.

SCHEDULE "C"

[INSERT WESTCHESTER COUNTY DRIVERS MANUAL, STARTING ON NEXT PAGE]



SCHEDULE "D"
REQUEST FOR APPROVAL TO DRIVE AN OFFICIAL COUNTY OF WESTCHESTER
VEHICLE

10/1/2020



DEPARTMENT OF LAW, Division Of Risk Management

REQUEST FOR APPROVAL TO DRIVE AN OFFICIAL COUNTY OF WESTCHESTER VEHICLE

Kandy Davenport
Director of Risk Management
MOB I Suite 241

Please send to rmou@westchestergov.com 914-995-2740

Departmental Administrative Unit - • Complete This Section

From: _____ Phone #: _____

Department: _____ Fax #: _____

Return Address: _____

Contractor: _____ LGFS CODE _____
DEPT. CODE _____

Contract Number: _____ Contract Name: PSEF- Public Safety Emergency Force

Term of Contract: _____ to _____ Account Codes: 388800

Please attach letter from the County Executive's Office – Executive Order No. 8-1998

CONTRACTOR INFORMATION

I AUTHORIZE THE COUNTY OF WESTCHESTER / OFFICE OF RISK MANAGEMENT TO OBTAIN AND MONITOR MY
DRIVING RECORD FOR THE TERM OF THIS CONTACT

SIGNATURE

Name: _____
Last First Initial

Address: _____

Date of Birth: ____ / ____ / ____ Sex: Male: ____ Female: ____

Last four digits of your of your Social Security #

NYS Driver's License #

APPROVED

DENIED



Kenneth W. Jenkins
Westchester County Executive

June 10, 2025

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

Dear Honorable Members of the Board of Legislators:

Attached for your consideration is an Act which, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Emergency Services (the "Department") to enter into an intermunicipal agreement ("IMA") with Fairview Fire District ("Fire District"), pursuant to which the County will grant a lease to the Fire District to use the County's Weapons of Mass Destruction ("WMD") Squad vehicle (the "WMD Vehicle") to respond to hazardous material incidents pursuant to the County's Fire Mutual Aid Plan (the "Plan").

The term of the proposed IMA is five (5) years commencing retroactively on January 1, 2025 and expiring on December 31, 2029, with either party having the right to terminate the IMA on thirty (30) days prior written notice.

The Fire District participates in WMD Squad 6 as part of the Plan. The WMD Squad 6 serves as an additional hazardous materials response resource in Westchester County.

In consideration for being permitted to use the WMD Vehicle, the Fire District will agree to pay the County the sum of (\$1.00) dollar per annum. In addition, the Fire District will agree to use the WMD Vehicle in connection with responding to hazardous materials incidents pursuant to the Plan in Westchester County.

The Fire District shall only be permitted to use the WMD Vehicle for training exercises and in responding to mutual aid requests involving hazardous materials pursuant to the terms of the Plan.

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

Telephone: (914)995-2900

Email: ceo@westchestercountyny.gov



The Fire District shall ensure that only qualified and certified firefighters, who are properly trained and licensed, operate and utilize the WMD Vehicle. In addition, each firefighter who operates the WMD Vehicle shall be pre-cleared by the County Office of Risk Management as a qualified motor vehicle operator prior to the firefighter operating the WMD Vehicle. Also, each firefighter who operates the WMD Vehicle shall complete all forms and provide all information required by the County Office of Risk Management.

When not in use, the Fire District shall store the WMD Vehicle at one of its two fire houses located at 19 Rosemont Boulevard, White Plains, New York 10607 and / or 290 Worthington Road, White Plains, New York 10607.

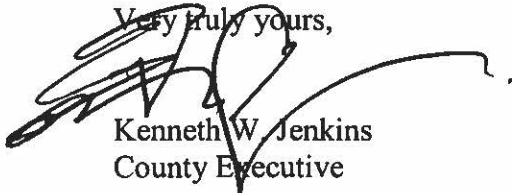
The WMD Vehicle must be made immediately available to the County in the event of an emergency as determined by the Department's Commissioner in his/her sole discretion.

The goals and objectives of this proposed IMA is to enable the Department to respond to hazardous material incidents thereby helping the County and the Fire District better respond to mutual aid events involving hazardous materials.

The Department has further advised that the County shall retain ownership of the WMD Vehicle and shall be responsible for the maintenance and repair of the WMD Vehicle.

I believe that the proposed IMA is in the best interest of the County, and, therefore, recommend your favorable action on the annexed Act.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Kenneth W. Jenkins', with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
County Executive

KWJ/SS/RN/mb
Att.

It should be noted that an affirmative vote of a majority of the voting strength of your Honorable Board is required in order to adopt the proposed Act. Your Committee has carefully considered the annexed proposed Act and recommends its adoption.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

C/mb/6/9/25

FISCAL IMPACT STATEMENT

SUBJECT: Fairview Fire District

X NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND☒ GENERAL FUND

☐ AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense	\$	-
-----------------------------------	-----------	----------

Total Current Year Revenue	\$	1
-----------------------------------	-----------	----------

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

Additional Appropriations

☐ Other (explain) _____

Identify Accounts: 101 20 1000 9289

2025: \$1.00, 2026: \$1.00, 2027: \$1.00, 2028: \$1.00, and 2029: \$1.00

Potential Related Operating Budget Expenses:

Annual Amount

Describe:

Potential Related Operating Budget Revenues:

Annual Amount

\$1

Describe:

IMA with Fairview Fire District to grant a lease to the District to use the

County's WMD Squad Vehicle to respond to hazardous materials incidents as per the

County's Fire Mutual Aid Plan

Anticipated Savings to County and/or Impact on Department Operations:

Current Year:

Next Four Years:

Prepared by: Julia Criscitelli

Title: Budget Specialist III

Department: Emergency Services

Date: June 11, 2025

Reviewed By:

Budget Director

Date:

AN ACT authorizing the County of Westchester, acting by and through its Department of Emergency Services to enter into an intermunicipal agreement with Fairview Fire District to use a County Weapons of Mass Destruction Vehicle for a term commencing retroactively January 1, 2025 through December 31, 2029.

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

Section 1. The County of Westchester (“Westchester”) acting by and through its Department of Emergency Services (the “Department”) is hereby authorized to enter into an Intermunicipal Agreement (“IMA”) with Fairview Fire District, whereby the County will grant a lease to the Fire District to use the County’s Weapons of Mass Destruction (“WMD”) Squad vehicle (the “WMD Vehicle”) for a term commencing retroactively on January 1, 2025 and expiring on December 31, 2029, with either party having the right to terminate the IMA upon thirty (30) days prior written notice.

§2. In consideration for the license, the Fire District agrees to pay the County the sum of (\$1.00) dollar per annum. In addition, the Fire District will agree to use the WMD Vehicle in responding to hazardous materials incidents in Westchester pursuant to the County Fire Mutual Aid Plan, and the WMD Vehicle must be made immediately available to the County in the event of an emergency as determined by the Department’s Commissioner in her/his sole discretion.

§3. When not in use, the Fire District shall store the WMD Vehicle at one of its two fire houses located at 19 Rosemont Boulevard, White Plains, New York 10607 and / or 290 Worthington Road, White Plains, New York 10607.

§4. 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.

§5. This Act shall take effect immediately.

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

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act which, if approved, would authorize the County of Westchester (“County”) acting by and through its Department of Emergency Services (the “Department”) to enter into an intermunicipal agreement (“IMA”) with Fairview Fire District (“Fire District”), pursuant to which the County will grant a lease to the Fire District to use the County’s Weapons of Mass Destruction (“WMD”) Squad vehicle (the “WMD Vehicle”) to respond to hazardous material incidents pursuant to the County’s Fire Mutual Aid Plan (the “Plan”).

The term of the proposed IMA is five (5) years, commencing retroactively on January 1, 2025 and expiring on December 31, 2029, with either party having the right to terminate the IMA on thirty (30) days prior written notice.

The Fire District participates in WMD Squad 6 as part of the Plan. The WMD Squad 6 serves as an additional hazardous materials response resource in Westchester County.

In consideration for being permitted to use the WMD Vehicle, the Fire District will agree to pay the County the sum of (\$1.00) dollar per annum. In addition, the Fire District will agree to use the WMD Vehicle in connection with responding to hazardous materials incidents pursuant to the Plan in Westchester County.

The Fire District shall only be permitted to use the WMD Vehicle for training exercises and in responding to mutual aid requests involving hazardous materials pursuant to the terms of the Plan.

The Fire District shall ensure that only qualified and certified firefighters, who are properly trained and licensed, operate and utilize the WMD Vehicle. In addition, each firefighter who

operates the WMD Vehicle shall be pre-cleared by the County Office of Risk Management as a qualified motor vehicle operator prior to the firefighter operating the WMD Vehicle. Also, each firefighter who operates the WMD Vehicle shall complete all forms and provide all information required by the County Office of Risk Management.

When not in use, the Fire District shall store the WMD Vehicle at one of its two fire houses located at 19 Rosemont Boulevard, White Plains, New York 10607 and / or 290 Worthington Road, White Plains, New York 10607.

The WMD Vehicle must be made immediately available to the County in the event of an emergency as determined by the Department's Commissioner in her/his sole discretion.

The goals and objectives of this proposed IMA is to enable the Department to respond to hazardous material incidents thereby helping the County and the Fire District better respond to mutual aid events involving hazardous materials.

The Department has further advised that the County shall retain ownership of the WMD Vehicle, and shall be responsible for the maintenance and repair of the WMD Vehicle.

The proposed IMA does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of the Board of Legislators.

THE INTERMUNICIPAL AGREEMENT made _____, 2025 by and between:

THE COUNTY OF WESTCHESTER, acting by and through its Department of Emergency Services (the “Department”), 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, (hereafter referred to as the “County”).

and

FAIRVIEW FIRE DISTRICT, a district corporation of the State of New York, having an office and place of business at 19 Rosemont Blvd, White Plains, New York 10607 (hereafter referred to as the “Fire District”)

(The “County” and the “Fire District” may be referred to collectively as the “Parties” or individually as a “Party”).

W I T N E S S E T H:

WHEREAS, the Fire District participates in the County’s Fire Mutual Aid Plan, which may be amended from time to time by the Commissioner of the Department (the “Plan”); and

WHEREAS, pursuant to the Plan, the Fire District participates in Weapons of Mass Destruction (“WMD”) Squad 6, which serves as an additional hazardous materials response resource in the County of Westchester, New York; and

WHEREAS, on or about October 1, 2020 and October 18, 2021, the County entered into grant agreements (collectively the “Grant Agreements”) with the New York State Department of Homeland Security and Emergency Services (“DHSES”) to accept federal grant funds to (1) prevent terrorist attacks and mitigate against man-made and natural hazards; (2) protect the people of New York, its critical infrastructure and key resources; and (3) prepare to respond to and recover from both man-made and natural disasters; and

WHEREAS, through the Grant Agreements, the County purchased, among other things, WMD Squad vehicle(s); and

WHEREAS, the Fire District desires to use one of the County's WMD Squad Vehicles for purposes of responding to hazardous materials incidents; and

WHEREAS, the County desires to lease one of the County's WMD Squad Vehicles to the Fire District according to the terms set forth herein; and

NOW, THEREFORE, the Parties hereto in consideration of the mutual covenants, agreements, terms and conditions herein set forth do agree as follows:

1. WMD Vehicle: (a): The County hereby leases to the Fire District the County's WMD Squad Vehicle ("WMD Vehicle"), as further described in Schedule "A" annexed hereto and made a part hereof.

(b) The Fire District shall use the WMD Vehicle for training exercises and in responding to mutual aid requests involving hazardous materials pursuant to the terms of the Plan. No other authorized use of the WMD Vehicle is permitted, absent any further written notice by the Commissioner of the Department, or his/her authorized designee (the "Commissioner").

When not in use by the Fire District, the Fire District agrees to store the WMD Vehicle at one of the following locations owned and operated by the Fire District:

Fairview Fire District Headquarters
19 Rosemont Blvd
White Plains, New York 10607
SBL: 7.490-301-13

or

Fairview Fire District Station 2
290 Worthington Road
White Plains, New York 10607
SBL: 7.520-319-1.SG and 7.520-319-1.SE

(collectively, the "Properties").

The Fire District shall protect the WMD Vehicle from weather and like elements by housing it inside one of the fire houses bays located at one of the Properties. The County understands that the Fire District, from time to time, may need to park the WMD Vehicle outside the fire house bays located on one of the Properties, however, the Fire District will use best efforts to limit the amount of time that the WMD Vehicle is parked outside.

(c) Under the supervision of the County, the Fire District shall relocate the hazardous materials decontamination equipment currently located in a trailer at the Fairview Fire District Station 2, into the WMD Vehicle. The Parties acknowledge that the Parties will be entering into a separate agreement regarding the hazardous materials decontamination equipment, which shall include an inventory of said equipment that will be stored in the WMD Vehicle, subject to receiving all necessary legal approvals.

(d) The County makes no warranties of any kind, either directly or indirectly, express or implied, as to the condition of the WMD Vehicle or any part thereof, including but not limited to, the WMD Vehicle durability, merchantability or fitness for any particular purpose, except that the County warrants that it has title to the WMD Vehicle. The WMD Vehicle shall be tendered and accepted in its present "as is" condition.

(e) The Fire District agrees and shall ensure that only qualified and certified firefighters, who are properly trained and licensed, operate and utilize the WMD Vehicle (collectively, the "Firefighter Operators" and individually the "Firefighter Operator"), in accordance with the terms of this Agreement and all applicable requirements and laws.

(f) Each Firefighter Operator shall be pre-cleared by the County Office of Risk Management as a qualified motor vehicle operator prior to the Firefighter Operator being authorized by the County to operate the WMD Vehicle, and shall comply with all requirements established by the County's Director of Risk Management. Each Firefighter Operator shall complete all forms and provide all information required by the County Office of Risk Management, including, but not limited to submitting a valid New York Driver's License, a signed authorization to obtain a drivers abstract from each Firefighter Operator, and a completed

“Request for Approval to Drive an Official County Vehicle” form, which is attached hereto as Schedule “D”.

(g) The Fire District agrees and shall ensure that each Firefighter Operator complies with the Westchester County Executive Order No. 8-1998, prior to operating the WMD Vehicle.

(h) The Fire District agrees and shall ensure that the Fire District and each Firefighter Operator complies with all applicable terms and conditions of the Westchester County Drivers Manual, as it may be amended from time to time (the “Manual”), the current version of which is attached hereto and made a part hereof as Schedule “C”. The Fire District shall provide each Firefighter Operator with a copy of the Manual, and a copy of the Manual shall remain in the WMD Vehicle at all times.

The Fire District shall notify all Firefighter Operators that use of the WMD Vehicle in violation of the terms and conditions of the Manual will result in the immediate suspension of such Firefighter Operator’s privilege to drive the WMD Vehicle and appropriate disciplinary action. In the event the Fire District learns of unauthorized use of the WMD Vehicle by its Firefighter Operator, the Fire District shall promptly take appropriate disciplinary action against such firefighter to enforce the Manual. Lack of timely enforcement of the Manual by the Fire District will be grounds for termination of this Agreement by the County.

(i) The Fire District shall verify that each Firefighter Operator has fulfilled all training requirements in accordance with all federal, state and County requirements, and applicable laws and regulations.

(j) The Fire District shall provide the Commissioner with a written list of Firefighter Operators who have complied with (f), (g) and (h) above and provide the Commissioner with any information or documentation that may be reasonably requested by the Commissioner (the “List”). The Commissioner reserves the right in the Commissioner’s sole discretion, to remove any person from the list or to suspend and/or not permit any person named on the List, to operate the WMD Vehicle. The Fire District understands that only person(s) on the List may operate the WMD Vehicle. The Fire District shall notify the County within thirty (30) days of a Firefighter

Operator being separated from the Fire District, whether by retirement, resignation, termination or otherwise.

The Fire District shall notify the County if it wishes to add a Firefighter Operator to the List and shall provide the Commissioner with an updated List for his/her approval.

(k) The WMD Vehicle keys shall be stored in a secure location either inside the dispatch room/radio room or office area in the firehouse where the WMD Vehicle is located. The Fire District agrees and understands that only authorized person(s) shall have access to the WMD Vehicle.

2. Emergency use by County: Notwithstanding anything herein to the contrary, the WMD Vehicle must be made immediately available to the County in the event of an emergency. The existence of an emergency shall be determined by the Commissioner in her sole discretion and shall include, but not be limited to, riots, floods and transportation strikes, natural disasters, wherever they may occur. In the event the Fire District is answering a call which requires the use of the WMD Vehicle and it is during the time the Commissioner has determined an emergency exists requiring the return of the WMD Vehicle to the County, the Fire District agrees to use its best efforts to return the WMD Vehicle to the County in a prompt and timely fashion and in so doing shall notify the Commissioner of the anticipated time of return.

3. Term: The term of this Agreement shall commence retroactively on January 1, 2025, and expire on December 31, 2029 (the "Term"), unless terminated sooner as hereinafter provided.

4. Termination: (a) In the event Fire District defaults in the performance of any term, condition or covenant herein contained, the County at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or other lawful remedy, may terminate this Agreement upon ten (10) days written notice to the Fire District provided however, that the Fire District may defeat such termination notice by curing the default complained of within such notice period or, if not within such notice period, by promptly commencing to correct the default and diligently pursuing all necessary and appropriate action to

affect such cure. Upon a second default by Fire District, the County at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or any other lawful remedy, may terminate this Agreement upon written notice to Fire District.

(b) Either Party shall have the right to terminate this Agreement, in whole or in part, upon thirty (30) days written notice to the other, when it deems termination to be in its best interest.

(c) Upon termination or expiration of this Agreement, all right(s) of the Fire District to use WMD Vehicle shall absolutely cease and terminate as though this Agreement had never been made, but the Fire District shall remain liable as herein provided.

Immediately upon expiration or termination of this Agreement, the Fire District shall, at its sole cost and expense, at the request of the County, deliver possession of the WMD Vehicle to the County at any location within the County as the County may designate whereupon the Fire District shall affect such delivery within twenty-four (24) hours of receipt of such designation in writing from the County to the Fire District. For the purpose of delivering possession of the WMD Vehicle, in working condition and available for the County's use, to the County as above required, the Fire District shall, at its own expense and cost:

- (i) remove all of its own personal property from the WMD Vehicle, in a timely fashion, prior to the County taking possession. Any personal property of the Fire District, its officers, employees, agents, independent contractors and/or subcontractors, not removed by the Fire District upon expiration or termination or after notice by the County to so remove, shall be deemed to be abandoned and may be removed and disposed of by the County, at the sole cost of the Fire District, provided that the County shall have no affirmative obligation to remove such property; and
- (ii) forthwith deliver such WMD Vehicle to a location within the County as the County may designate in a complete and operable condition.

If the Fire District fails to deliver or make the WMD Vehicle available as set forth above, the County shall have the right to take possession of the WMD Vehicle without notice or demand, with or without a court order or other process of law, wherever it may be located. The County shall have the right to recover from the Fire District any damages and expenses in addition thereto, including reasonable attorneys' fees, which the County shall have sustained by reason of the breach of any covenant of this Agreement, and the Fire District waives all claims against the County with respect to such taking of possession.

5. Consideration: In consideration for the right to use the WMD Vehicle pursuant to this lease, the Fire District agrees to pay the County the sum of (\$1.00) dollar per annum of the Term. As additional consideration for this lease, the Fire District agrees to use the WMD Vehicle in connection to responding to hazardous materials incidents pursuant to the Plan. No payment shall be made by the County to the Fire District for out-of-pocket expenses or disbursements made in connection with this Agreement.

6. Title: The County will maintain all right, title and interest to the WMD Vehicle. The County shall cause the WMD Vehicle to be delivered to the Fire District within ten (10) days of execution of this Agreement. The Fire District agrees that it shall not transfer the WMD Vehicle.

7. Maintenance & Repair: (a) The Fire District, at its sole cost and expense, shall (i) keep the Properties and the fixtures and equipment thereon clean, safe and in good order, and (ii) make all repairs necessary to keep the Properties in a clean, safe and good condition. In addition, Fire District, at its sole cost and expense, shall be responsible to keep the area where the WMD Vehicle is located free of snow, ice, dirt, rubbish, and/or any other obstacles.

(b) The County shall be responsible for the maintenance and repair of the WMD Vehicle and its equipment provided the maintenance or repair arises out of the normal use of the WMD Vehicle and not as a result of the Fire District's misuse. In the event the maintenance or repair,

or alteration is due to the Fire District's misuse, as the reasonable and good faith determination of the Commissioner, the Fire District shall be responsible to perform the maintenance or repair of the WMD Vehicle and return it to a condition similar to that in which it was received by the Fire District at the commencement of this Agreement.

(c) No markings, other than those the County places on the WMD Vehicle, are permitted. No exterior or interior advertising may be placed upon WMD Vehicle.

(d) The Fire District shall notify the County immediately upon knowledge of the need for a repair and indicate the repair so required.

(e) The design, quality and component part of any and all repairs shall conform to all applicable requirements and to all applicable standards. Rebuilt parts or units must be factory replacement parts, parts purchased from a reputable supply house which deals in replacement parts or rebuilt parts equal to or better than those originally installed in the WMD Vehicle.

All work carried out by the Fire District, its officers, employees, agents, independent contractors and/or subcontractors to the WMD Vehicle shall in all respects be in accordance with current industry standards and trade practices, if any. No work to the WMD Vehicle shall be authorized unless the Fire District provides written notice to the Commissioner and the Fire District receives written confirmation from the Commissioner approving the work to be undertaken.

In the event of a dispute regarding maintenance or alteration or repairs of the WMD Vehicle, the reasonable and good faith determination of the Commissioner shall be final.

(f) The County shall be responsible for the payments for any charges, inspection fees, or other costs, including gross receipts taxes, highway use taxes, or vehicle excise taxes imposed upon the WMD Vehicle or the operation thereof, whether such taxes, charges, fees or other costs are levied against the Fire District or the County. In addition, the County shall pay all expenses, including titling, in connection with the use and operation of the WMD Vehicle during the term

of this Agreement including, but not limited to, fuel, oil, grease, repairs, maintenance, or other expenses thereof. The Fire District shall schedule with the Commissioner and bring the WMD Vehicle to the County at a time and location designated by the Commissioner for inspection, repair, maintenance, and fueling.

(g) The Fire District shall maintain the WMD Vehicle in a manner whereby the WMD Vehicle and its equipment shall be kept clean and have exteriors free of grime, cracks and breaks, dents and damaged paint that detract from the overall appearance of the WMD Vehicle. In addition, the interior of the WMD Vehicle must be maintained clean and free from torn upholstery or floor covering, damaged or broken seats and sharp edges.

(h) The Commissioner may reasonably order repairs to be made at any time to ensure that the WMD Vehicle is safe and dependable in accordance with the requirements of this Agreement, and, in such a case, the Fire District shall deliver the WMD Vehicle to the County as required by the Commissioner in order to carry out such repairs.

(i) The Fire District shall inspect the WMD Vehicle daily to make sure it is operational.

(j) Should the WMD Vehicle require repair, including, but not limited to motor vehicle accidents, fires or repair attributable to other circumstances, the costs of which are otherwise covered by an insurance policy, the Parties shall use their best efforts to, within ten (10) days get the WMD Vehicle inspected by an insurance adjuster. Once the WMD Vehicle has been so inspected, the Fire District will take all necessary steps to have the WMD Vehicle repaired through the insurance, including, but not limited to, reporting the accident or claim, getting repair estimates, providing all necessary details and statements, getting the WMD Vehicle repaired and closing the claim.

(k) It is understood by the Parties hereto that New York General Municipal Law §209(2) provides that loss or damage to, or expenses incurred in operation of equipment used in answering a call for assistance, is a charge against and paid by the requesting entity. The Fire District shall work with the County and take any and all action that is required to be

taken in order to preserve a claim against a third party for loss or damage to, or expenses incurred in the operation of the WMD Vehicle in answering a call for assistance or a call for mutual aid.

(l) Fire District shall not perform any material alteration to the WMD Vehicle or its equipment without the County's prior written consent. All alterations made to the WMD Vehicle, in particular such alterations which are meant to be permanently affixed to the WMD Vehicle, shall become part of the WMD Vehicle and belong to the County. All such alterations shall be reported to the County. If the County consents, any alterations may be removed from the WMD Vehicle prior to their return to County upon the termination of this Agreement and any damage caused as a result of the removal of the alteration shall be repaired by the Fire District at its sole cost and expense.

(m) If the WMD Vehicle is in any manner improperly maintained, the County may, in addition to any other rights or remedies it may have now or hereafter existing at law or in equity, repossess the WMD Vehicle with or without a court order or other process of law, wherever the WMD Vehicle is located, and effectuate the necessary repairs. The Fire District waives any and all claims against the County with respect to such taking of possession and agrees to remit to the County the cost of any repairs within thirty (30) days of receipt of a County claim therefor.

(n) Fire District shall not make any claims against the County whatsoever by reason of damage or loss of the WMD Vehicle or any part(s) thereof, or by reason of any interruption, from whatever cause, in the use, operation or possession of the WMD Vehicle or any part(s) thereof.

8. Inspection. The County or its authorized representative, shall have the right to enter the Properties at any time to inspect the WMD Vehicle as well as all relevant books, data and records related to the use and maintenance of the WMD Vehicle and this Agreement. The Fire District shall also permit inspection of same by any federal, state or municipal officer having jurisdiction. The County, at its sole cost and expense, shall promptly remedy any and all

violations issued as a result of such inspection, unless caused by the Fire District's misuse in which case, the Fire District shall promptly remedy such violation.

The County reserves the right to designate a specific time and place for inspection and registration of the WMD Vehicle. The Fire District shall comply with any such direction from the County.

The County shall maintain the WMD Vehicle so that it will pass all applicable inspections by the New York State Department of Transportation, New York State Department of Motor Vehicles and the Federal government or agencies authorized by those governments to make such inspections. The County shall be responsible for all costs incurred in enabling the WMD Vehicle to successfully pass inspection. The County shall comply with all governmental laws, regulations and rules with respect to the maintenance of the WMD Vehicle.

9. Wear and Tear: On expiration or termination of this Agreement, the Fire District shall return possession of the WMD Vehicle to the County, complete and operable, normal wear and tear expected.

10. Insurance and Indemnification: (a) The Fire District agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "B", entitled "Standard Insurance Provisions", which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "B", the Fire District agrees:

(i) that except for the amount, if any, of damage contributed to, caused by, or resulting from the sole negligence of the County, the Fire District shall indemnify and hold harmless the County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the performance or failure to perform hereunder by the Fire District or third parties under the direction or control of the Fire District; and

(ii) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; and

(iii) in the event the Fire District 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 this provision, then the Fire District shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the Agreement.

(b) The Fire District understands and agrees that the County self-funds its casualty and liability exposures in accordance with Local Law 6-1986 that amended the Laws of Westchester County to add a new Chapter 295 providing for the establishment and management of a liability and casualty reserve fund. As such, in lieu of any insurance requirements the Fire District may have, the Fire District agrees to accept a letter from the County's Director of Risk Management confirming the County's self-insured status, in satisfaction of any such insurance requirements.

11. Compliance with Laws: The Fire District shall obey, perform and comply, at its own expense, with the provisions of all federal, state and local laws, rules, regulations, orders or ordinance and requirements of every kind and nature, which now exist or are hereinafter enacted or promulgated ("Laws") affecting the conduct of its activities in connection with this Agreement. Without limiting the generality of the foregoing, the Fire District further agrees to comply, at its own expense, with all Laws applicable to it as an employer of labor, including the Labor Law, Workers' Compensation Law, State Unemployment Insurance Law, Federal Social Security Law and all rules and regulations promulgated by the United States Department of Labor and/or the Industrial Commissioner of the State of New York and any other applicable federal, state or local rules and regulations and all amendments and additions thereto as such may be applicable to the activities that are permitted under this Agreement.

12. Risk of Operation: The Fire District represents that it has examined the WMD Vehicle and has determined it to be suitable for its intended use. The Fire District bears all risk

of loss in connection with the use of the WMD Vehicle while under its care, custody and control, and expressly releases the County from any and all liability to it, except for the amount, if any, of damage contributed to, caused by or resulting from the sole negligence or the intentional acts of the County.

13. No Liens. The Fire District shall execute, or cause to be executed, any documents deemed necessary by the County including, but not limited to, Uniform Commercial Code and release of lien forms to enable the County to file, register or record this Agreement or any other document deemed desirable by the County to protect the County's title to the WMD Vehicle. The Fire District shall keep the WMD Vehicle free and clear of all levies, liens and encumbrances.

14. Notices: 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 delivery, or sent by facsimile (with acknowledgment 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 Fire District:

Fairview Fire District
C/O Board of Fire Commissioners
19 Rosemont Blvd
White Plains, New York 10607

To the County:

Commissioner of Emergency Services
County of Westchester
4 Dana Road
Valhalla, New York 10595

With copies to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

15. Audits & Reports: (a) The Fire District agrees to utilize the WMD Vehicle only for the purposes and activities set forth in this Agreement and shall keep an accurate accounting of the WMD Vehicle and equipment contained therein received pursuant to this Agreement and the purpose for which the WMD Vehicle has been used by the Fire District. The Fire District will allow the County, the State and pertinent federal agencies to conduct periodic visits for the purposes of inspection, inventory of the WMD Vehicle and equipment contained therein and auditing the records required hereunder. The Fire District shall establish and maintain complete and accurate written records, documents, reports, accounts and any other such writing relating to its possession and use of all WMD Vehicle provided pursuant to this Agreement. These records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter.

(b) The Fire District shall prepare and deliver to the Commissioner at least annually, or as requested by the County, all information which is needed by the County to prepare any reports required to be filed with any Federal, State or other regulatory authority or agency. Such information shall include, without limitation, the mileage of the WMD Vehicle, the number of passengers using the WMD Vehicle. Fire District shall conform its reports to any format reasonable requested by the Department. The Fire District shall complete any forms necessary for the County to report to the State or federal government with regard to the WMD Vehicle under the Grants Agreement.

16. Assignment: The Fire District shall not assign, sublet, subcontract or otherwise dispose of this Agreement, or any right, duty or interest herein, without the prior written consent

of the County. Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County shall be null and void.

17. Non-Discrimination: The Fire District expressly agrees that neither it nor any contractor, subcontractor, employee, or any other person acting on its behalf shall discriminate against or intimidate any employee or other individual on the basis of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or carrier status during the term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Fire District acknowledges and understands that the County maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others.

18. Remedies Cumulative: The failure of the County to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment for the future of such term or condition, but the same shall remain in full force and effect. Acceptance by the County of any performance due hereunder with knowledge of a breach of any term or condition hereof, shall not be deemed a waiver of any such breach and no waiver by the County of any provision hereof shall be implied.

19. Entire Agreement: This Agreement and its attachments constitute the entire agreement between the Parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It 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.

In the event of any conflict between the term of this Agreement and the terms of any schedule or attachment hereto, it is understood that the terms of this Agreement shall be controlling with respect to any interpretation of the meaning and intent of the Parties.

20. Counterparts: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

21. Choice of Law & Venue: This Agreement shall be governed, construed and enforced in accordance with the laws of the State of New York. In addition, the Parties hereby agree that any cause of action arising out of this Agreement shall be brought in the County of Westchester.

22. Severability: If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the Parties prior to the determination of such invalidity or unenforceability. In the event of any ambiguity in any of the terms of this Agreement, it shall not be construed for or against any party hereto on the basis that such party did or did not author the same. The use of headings is for the convenience of the Parties and are not deemed part of the Agreement.

23. Recitals and Headings: The recitals are hereby incorporated by reference. The headings herein are inserted for the convenience of the parties only and shall not be deemed to be a part of this Agreement.

24. Approval: This Agreement shall not be enforceable until signed by both Parties and approved by the Office of the County Attorney.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK/ SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Fire District and the County hereto have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____

Susan Spear
Commissioner,
Department Emergency Services

FAIREVIEW FIRE DISTRICT

By: _____

Name: _____

Title: _____

Approved by the Fire District's Board on the _____ day of _____, 2025.

Authorized by the Westchester County Board of Legislators by Act No. _____ duly adopted on
the _____ day of _____, 2025.

Approved:

Assistant County Attorney
The County of Westchester

k/bara/DES/2024 Fairview Fire District AGR ON134876

FIRE DISTRICT'S ACKNOWLEDGMENT

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

On the day of _____ in the year 2025,
_____, known to me, or proven on the basis of satisfactory evidence,
to be the individual who has subscribed to the within instrument, personally appeared before me
and acknowledged to me that she/he executed the same in his/her duly authorized capacity, and
that by his/her signature on the instrument, the individual, or the person on whose behalf the
individual acted, executed the instrument and acknowledged, if operating under a trade name,
that the certificate required by the New York State General Business Law, Section 130 has been
filed as required therein.

Notary Public

CERTIFICATE OF AUTHORITY
(Fire District)

I, _____, certify that I am the
(Officer other than officer signing contract)

_____ of the _____
(Title) (Name of Fire District)

(the "Fire District") a corporation duly organized in good standing under the _____

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____ who signed said
(Person executing agreement)

agreement on behalf of the Fire District was, at the time of execution _____ of
(Title of such person),

the Fire District, that said agreement was duly signed for on behalf of said Fire District by

authority of its _____ thereunto duly authorized,
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this ____ day of _____, 2025, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(Title)

the municipal corporation described in and which executed the above certificate, who being by
me duly sworn did depose and say that he, the said _____
resides at _____, and that
he/she is the _____ of said municipal corporation.
(Title)

Notary Public County

SCHEDULE "A"

DESCRIPTION OF VEHICLE

MAKE:

MODEL:

YEAR:

VIN #

NEW YORK PLATE:

DRAFT

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS **(Fire District)**

1. Prior to commencing work, and throughout the term of the Agreement, the Fire District 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. The Fire District 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 Fire District 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 Fire District 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 Fire District 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 Fire District to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Fire District from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Fire District 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 the Fire District'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 Fire District until such time as the Fire District shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Fire District 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 Fire District. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2 The Fire District 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) Full Commercial Auto Coverage consisting of Physical Damage on a direct and primary basis and Auto Liability coverage, respectively providing Comprehensive, Collision, and Auto Liability insurance. Auto Liability Insurance with a minimum limit of liability per occurrence of \$5,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$5,000,000, unless otherwise indicated in the contract specifications. Uninsured and Underinsured coverage matching the insured's minimum auto liability limit, as well as mandatory Personal Injury Protection (PIP) must be provided. Auto coverage must be provided by way of a primary & noncontributory policy endorsement. 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 Fire District 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 Fire District.

SCHEDULE "C"

[INSERT WESTCHESTER COUNTY DRIVERS MANUAL, STARTING ON NEXT PAGE]

DRAFT

SCHEDULE "D"
REQUEST FOR APPROVAL TO DRIVE AN OFFICIAL COUNTY OF WESTCHESTER
VEHICLE

DRAFT



DEPARTMENT OF LAW, Division Of Risk Management

REQUEST FOR APPROVAL TO DRIVE AN OFFICIAL COUNTY OF WESTCHESTER VEHICLE

Kandy Davenport
Director of Risk Management
MOB I Suite 241

Please send to rmou@westchestergov.com 914-995-2740

Departmental Administrative Unit - • Complete This Section

From: _____ Phone #: _____
Department: _____ Fax #: _____
Return Address: _____
Contractor: _____ LGFS CODE _____
DEPT. CODE _____

Contract Number: _____ Contract Name: PSEF- Public Safety Emergency Force

Term of Contract: _____ to _____ Account Codes: 388800

Please attach letter from the County Executive's Office – Executive Order No. 8-1998

CONTRACTOR INFORMATION

I AUTHORIZE THE COUNTY OF WESTCHESTER / OFFICE OF RISK MANAGEMENT TO OBTAIN AND MONITOR MY
DRIVING RECORD FOR THE TERM OF THIS CONTACT

SIGNATURE

Name: _____
Last First Initial

Address: _____

Date of Birth: ____ / ____ / ____ Sex: Male: ____ Female: ____

Last four digits of your of your Social Security #

NYS Driver's License #

--	--	--	--	--	--	--	--	--	--

APPROVED

DENIED

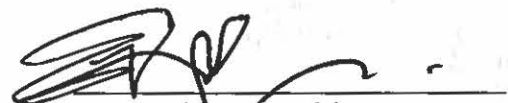


Kenneth W. Jenkins
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Community Services Board:

NOW, THEREFORE, I, Kenneth W. Jenkins, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Dr. John C. Douglas, 42 Riverbank Court, New Canaan, Connecticut as a member of the Westchester County Community Services Board, for the term June 6, 2025 to December 31, 2028.

Given under my hand
and seal this 6th day
of June, 2025.



Kenneth W. Jenkins
County Executive

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914) 995-2900

westchestercountyny.gov



Kenneth W. Jenkins
County Executive

June 6, 2025

Dr. John Douglas, MD, MBA, MS
42 Riverbank Court
New Canaan, CT 06840

Dear Dr. Douglas,

It is my pleasure to appoint you to serve as a member of the Westchester County Community Service Board, effective today, Friday, June 6, 2025. This appointment is for a term to expire on December 31, 2028.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact the Department of Community Mental Health at (914) 995-5244 for the date, place, and time of the upcoming meeting for your participation.

According to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,

A handwritten signature in black ink, appearing to be "K. W. Jenkins", written over a horizontal line.

Kenneth W. Jenkins
Westchester County Executive

KWJ/ts

cc: Honorable Board of Legislators
Joan McDonald, Director of Operations
Michael Orth, Commissioner, Dept. of Community Mental Health

John C. Douglas, MD, MBA, MS

42 Riverbank Court, New Canaan, CT 06840
Email: johncdouglas@gmail.com
Cell: 619.787.1717

Education & Medical Training

New York University School of Medicine, Addiction Psychiatry Fellowship, Diploma awarded, 07/2013-06/2014
Emory University School of Medicine, General Psychiatry Residency, Diploma awarded, 07/2010-06/2013
University of California, San Diego, Rady School of Management, MBA awarded, 09/2007-06/2009
Loma Linda University Medical Center, Pediatric Internship, Diploma awarded, 07/2006-06/2007
Georgetown University School of Medicine, MD awarded, 08/2002-05/2006
Georgetown University Graduate School, MS awarded, Physiology & Biophysics, 08/2000-07/2001
University of California, Los Angeles, BS awarded, Microbiology & Molecular Genetics, 01/1996-06/2000

Licenses & Certifications

Board Certified, Addiction Medicine, American Board of Preventative Medicine, 01/01/2019-12/31/2029
Board Certified, Addiction Psychiatry, American Board of Psychiatry & Neurology, 09/29/2014-12/31/2024
Board Certified, Psychiatry, American Board of Psychiatry & Neurology, 09/23/2013-12/31/2024
Physician License, Connecticut Department of Public Health, 06/18/2014-08/31/2025
Physician License, The University of the State of New York Education Department, 03/14/2013-07/31/2026
Physician License, Georgia Composite Medical Board, 08/01/2010-08/31/2025
Physician License, Medical Board of California, 08/01/2007-08/31/2025
Controlled Substance Registration, Connecticut Department of Consumer Protection, 06/19/2014-02/28/2025
Controlled Substance Registration Certificate, US Drug Enforcement Administration, 12/19/2007-06/20/2025
Basic Life Support Healthcare Provider Certificate, 10/21/2003-10/31/2026

Work Experience

St. Vincent's Hospital Westchester, Division of St. Joseph's Medical Center, Chief of Outpatient Services, Harrison NY, 09/2024-Present

- Oversee all outpatient mental health and addiction treatment services for St. Vincent's Hospital, including Crisis Prevention and Response Team, Intensive Crisis Residence, multiple Partial Hospitalization Programs, multiple Intensive Outpatient Programs, Personalized Recovery Oriented Services, Outpatient Addiction and Mental Health Clinic Services
- Psychiatry residency training program faculty member
- Member of Executive Leadership Team
- Manage and maintain survey readiness for OMH, OASAS, and Joint Commission
- Provide education for staff development
- Provide direct psychiatric and addiction treatment for patients
- Consult on complex patients throughout the hospital system related to mental health and addiction treatment

Westchester Jewish Community Services, Medical Director, Westchester, NY, 04/2019-08/2024

- Supervised and managed all medical staff, including psychiatrists, nurse practitioners, and licensed practical nurses for the largest community outpatient provider of mental health services in Westchester County, NY
- Recruited, hired, and trained all new psychiatric and nursing staff
- Lead Safety Committee overseeing safety procedures for all of WJCS
- Participated in Quality Improvement, Incident Review, and Utilization Review committees
- Provided direct psychiatric and addiction treatment for patients
- Consulted on complex patients throughout WJCS
- Provided education for staff development
- Coordinated and presented multisite lectures to enhance proficiency in mental health and addiction treatment

- Wrote, presented, and secured \$300,000 in grant funding for Substance Use Disorder Intensive Outpatient Program with ambulatory detoxification and induction onto Medication Assisted Treatment, such as Suboxone and Vivitrol, from UJA Federation of New York, February 2022
- Wrote, presented, and secured \$125,000 in grant funding for Licensed Practical Nurse Integrated Care Program, from Phelps Healthcare Foundation, February 2021
- Raised \$100,000 from private donor to update medical equipment and recruit psychiatric staff, November 2019

Silver Hill Hospital, Service Chief, Outpatient Addiction Program, New Canaan, CT, 08/2014-03/2019

- Developed, launched, and managed six-week intensive outpatient program to treat people struggling with addiction and any comorbid mental health problems
- Completed initial psychiatric evaluations and formulated treatment plans
- Provided weekly psychotherapy and medication management, including with Suboxone and Vivitrol
- Managed outpatient detoxification from opioids and other substances when safe and necessary
- Supervised daily operations and all support staff, including nurses, social workers, and office managers
- Oversaw all marketing and development of new patient referral sources
- Provided community education on addiction and mental health through TV, radio, and newspaper interviews
- Gave clinical presentations for local organizations and major national conferences

Grady Memorial Hospital, Moonlighting Psychiatrist, Atlanta, GA, 05/2011-06/2012

- Independent psychiatrist evaluating and treating patients in need of emergency psychiatric care

Emory Cares 4 U, Advisory Board Member, Atlanta, GA, 10/2011-06/2013

- Advisor in creating suicide prevention plan for Emory University students
- Instructor for Emory University faculty and students to identify and refer suicidal people

Life Science & Medical Business Consultant, San Diego, CA, 04/2008-06/2010

- Developed strategy for psychiatrists from Vista Hill Foundation to provide telepsychiatry services
- Identified pharmaceuticals with high growth potential to license or acquire for Cypress Bioscience, Inc.
- Revised business plan for Immunovative Therapies, Ltd. to develop and commercialize immunotherapy for cancer

Burrill & Company, Venture Group, Summer Associate, San Francisco, CA, 06/2008-08/2008

- Evaluated venture capital investment opportunities to develop and commercialize new life science technologies

The Scripps Research Institute, Patent Lawyer Legal Assistant, San Diego, CA, 05/2002-08/2002

- Performed legal research to support health science related patents

Leadership & Teaching Experience

Silver Hill Hospital, Quality Improvement Activities, 11/2017-03/2019

- Managed team of psychiatrists in developing solutions to hospital systems problems which affect medical staff
- Led implementation of hospital wide system to provide Narcan to patients with opioid use disorder
- Member of Admissions Task Force to optimize patient scheduling and flow
- Member of Collaborative Care Task Force to improve communication and teamwork among staff

Emory University School of Medicine, Department of Psychiatry, Chief Resident, 07/2012-06/2013

- Optimized and managed flow of admissions and discharges at Grady Memorial Hospital for two inpatient psychiatric units with total of 31 beds. Grady is the main public hospital for Atlanta, GA and the largest hospital in the state.
- Successfully negotiated with social work leadership to provide hospital-wide support for the psychiatry consult service
- Developed and launched Community Psychiatry Rotation for all first-year psychiatry residents
- Launched moonlighting program for internal medicine residents to complete physical exams on psychiatric patients
- Led training of first year resident psychiatrists in motivational interviewing
- Managed orientation, scheduling, and teaching for all residents and medical students

Emory University School of Medicine, President, House Staff Organization, 08/2011-06/2013

- Represented and advocated for needs of over 1,200 residents and fellows in 91 different programs
- Worked with Graduate Medical Education Office to amicably secure 6% salary increase for all residents and fellows
- Established annual award for residents and fellows who excel in professionalism collaborating across specialties
- Successfully implemented videoconferencing of monthly meetings at multiple hospital sites
- Led and coordinated monthly organizational meetings, social events, and volunteer activities

Emory University Department of Psychiatry, Residency Admissions Committee Member, 10/2012-03/2013

- Evaluated, interviewed, and participated in ranking applicants for General Psychiatry Residency Program

Emory University Department of Psychiatry, Graduate Medical Education Representative, 07/2011-06/2012

- Represented and advocated for needs of all psychiatry residents and fellows to Graduate Medical Education Office

Rider University Department of Graduate Education, Guest Lecturer, 05/2010-03/2011

- Taught annual lectures on telepsychiatry and online models for psychotherapy to counseling graduate students

UCSD School of Management, Teaching Assistant, Opportunity & Business Model Analysis, 03/2009-06/2009

- Taught MBA students how to evaluate business opportunities and write business plans

UCSD School of Management, Life Science & Technology Group, Vice President of Finance, 03/2008-03/2009

- Organized and managed fund raising for speaking events with biotech and high-tech business leaders
- Advised faculty research scientists in working with technology transfer offices to commercialize their inventions

Georgetown University School of Medicine, Teaching Assistant, Medical Neuroscience Course, 03/2003-06/2003

- Led lab workshops with human cadaver brains to teach medical students neuroanatomy and neuroscience

Georgetown University School of Medicine, Class of 2006 Vice President, 08/2002-06/2003

- Represented and advocated for needs of my medical school class, organized fund raising, and coordinated social events

Publications & Presentations

Substance Use & Co-occurring Disorders Training Series: What Clinicians Need to Know

- Lead monthly virtual training series for psychiatrists, nurse practitioners, psychologists, and social workers on treating individual substance use and co-occurring disorders, Sponsored by The Westchester County Department of Community Mental Health and WJCS, 03/2024-07/2024

Designer Drugs of Abuse: History, Clinical Assessment, and Psychiatric Management

- Lecture presented, American Psychiatric Association Institute on Psychiatric Services, 10/2019

Behavioral Addictions and their Treatments Today

- Workshop presented, American Psychiatric Association Annual Meeting, 05/2017

Motivational Interviewing

- Book chapter, *Pocket Guide to Addiction Assessment and Treatment*. American Psychiatric Association; 2016:285-296.

Marijuana: What Clinicians Need to Know

- Lecture presented, Cape Cod Symposium on Addictive Disorders, 09/2016
- Lecture presented, West Coast Symposium on Addictive Disorders, 06/2016
- Lecture presented, American Psychiatric Association Annual Meeting, 05/2016
- Lecture presented, American Psychiatric Association Institute on Psychiatric Services, 10/2015

Emerging Drugs of Abuse

- Lecture presented, West Coast Symposium on Addictive Disorders, 05/2015
- Lecture presented, American Psychiatric Association Institute on Psychiatric Services, 10/2014

- Lecture presented, National Conference on Addiction Disorders, 08/2014
- Article published, *AAAP News: The Official Newsletter of the American Academy of Addiction Psychiatry*, 2013;24(1).
- Workshop presented, American Academy of Addiction Psychiatry 24th Annual Symposium, 12/2013

Results Utilizing Motivational Enhancement Therapy to Connect Patients with Psychiatric Services

- Poster presented, American Academy of Addiction Psychiatry 24th Annual Symposium, 12/2013

Pilot Analysis of Incorporating Resume Training into Addiction Treatment

- Abstract published, *American Journal on Addictions*, July/August 2012;21(4):397.

Awards

Fellow, American Psychiatric Association, 05/2018

- Elected honorary distinction for making significant contributions to the field of psychiatry

Forensic Seminar Scholar Award, Emory University School of Medicine, 06/2013

- Recognized for outstanding participation in completing all didactic seminar training for the Forensic Psychiatry Fellowship

Recognition of Outstanding Leadership, Emory University School of Medicine, 06/2013

- Honored for leadership achievements as President of all residents and fellows for two consecutive years

Resident Travel Scholarship, American Academy of Addiction Psychiatry, 09/2012

- Received scholarship to attend 23rd Annual Meeting & Symposium due to outstanding potential in addiction psychiatry

Venture Roundtable Business Plan Competition Winner, CONNECT, 04/2009

- As winner of San Diego County-wide business plan competition, wrote and presented to venture capital firms for funding, business plan for EyeCyte, Inc. to develop and commercialize retinal stem cell therapy

Entrepreneur Challenge Business Plan Competition Winner, University of California, San Diego, 01/2009

- Secured seed funding as winner of university business plan competition through writing business plan for BodySure, Inc. to develop skin cancer screening device

Professional Memberships

New York State Office of Addiction Services and Supports (OASAS), Medical Advisory Panel, 05/2022-02/2024

- OASAS oversees one of the nation's largest substance use disorder systems of care with approximately 1,700 prevention, treatment, harm reduction and recovery programs serving over 731,000 individuals per year

In-Home Addiction Treatment Institute, Inc., Board of Directors, 10/2022-07/2023

American Academy of Addiction Psychiatry, 09/2012-Present

American Psychiatric Association, 09/2010-Present

Personal Information

Hobbies: electric bicycle riding, making family videos with iMovie, science fiction and fantasy movies

Additional Language Skills: Spanish – basic conversational

Kenneth W. Jenkins
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Probation Advisory Board:

NOW, THEREFORE, I, Kenneth W. Jenkins, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Jonathan Seiden, 1077 Warburton Avenue, Apt. 411, Yonkers, New York as a member of the Westchester County Probation Advisory Board, for the term June 6, 2025 to December 31, 2027.

Given under my hand
and seal this 6th day
of June, 2025.



Kenneth W. Jenkins
County Executive

WESTCHESTER COUNTY

Kenneth W. Jenkins
County Executive

June 6, 2025

Mr. Jonathan Seiden
1077 Warburton Avenue, Apt. 411
Yonkers, NY 10701

Dear Jonathan,

It is my pleasure to appoint you to serve as a member of the Westchester County Probation Advisory Board, effective today, Friday, June 6, 2025. This appointment is for a term to expire on December 31, 2027.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact the Department of Probation at (914) 995-3501 for the date, place, and time of the upcoming meeting for your participation.

According to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,



Kenneth W. Jenkins
Westchester County Executive

KWJ/ts

cc: Honorable Board of Legislators
Joan McDonald, Director of Operations
Rocco Pozzi, Commissioner, Dept. of Probation

Jonathan Seiden

jhseiden13@gmail.com • (914) 714-1848 • Yonkers, NY

Action Researcher – Strategic Partner – Justice Advocate

- ❖ Results-driven professional with experience in policy development, strategic planning, and program implementation
- ❖ Proven ability to lead and implement cross-sector initiatives for organizing and supporting frontline and at-risk populations
- ❖ Expertise in criminal justice systems, literature, and discourse in New York City
- ❖ Core Competencies:
 - Systems Thinking and Innovation
 - Consulting and Strategic Partnerships
 - Data Analysis and Presentation
 - Process Improvement and Change Management
 - Facilitation and Training
 - Internal and External Messaging

Experience

Criminal Justice Agency (CIA) & Mayors Office of Criminal Justice (MOCJ), New York, NY 2025

Public Safety Communications Consultant

- Draft communications focused on NYC's innovations, findings, and strategies in criminal justice and public safety
- Translate complex system developments and evaluative insights into accessible knowledge products including reports, policy briefs, dashboards, memos, guides, and infographics for diverse audiences

Hile Group, Normal, IL 2019 – 2024

Safety Culture Performance Consultant

- Led 10+ client service portfolios, including proposal writing, budget oversight, stakeholder coordination, project management, final service and product deliveries, and performance assessment
- Developed and executed strategic plans for organizations with at-risk frontline workers, including policy changes, facilitated taskforces, custom training, and messaging campaigns
- Coached individuals and teams of executives, managers, and front-line workers on safety leadership topics and skills, including empathy, prevention, accountability, intervention, procedural legitimacy, and post-traumatic growth

NYC Mayor's Office of Criminal Justice, New York, NY 2017 – 2019

Research Analyst

- Led criminal justice system reform task forces, including coordinating, presenting to, and facilitating collaboration among representatives from law enforcement, courts, city agencies, and community-based organizations.
- Developed and implemented program evaluation frameworks for jail reduction initiatives to ensure program performance accountability and facilitate effective stakeholder participation
- Conducted original analyses synthesizing and evaluating complex administrative data for over 50 million NYC court appearances to inform and guide policy recommendations

University of Chicago Crime Lab, Chicago, IL 2016 - 2017

Research Assistant

- Conducted high-volume background research on prediction and prevention programs across 10+ police departments and the Department of Defense including correspondence with experienced law enforcement officials
- Wrote summary reports and memos for distribution to data analysts to inform machine learning algorithm development and high-level stakeholders to inform policy development

Civic Consulting Alliance, Police Accountability Task Force, Chicago, IL 2016

Policy Research Intern

- Conducted high-volume policy research concerning police best practices, U.S. Department of Justice reports, municipal statutes, and collective bargaining agreements at the requests of 54 diverse Task Force participants
- Prepared 30 - 40 written report summaries and memos to be distributed to Task Force working groups to serve as the basis for final policy proposals across 5 focus areas

Education

University of Chicago, AB'17 Psychology and Comparative Human Development, minor in Philosophy

Academic Honors: University of Chicago Dean's List 2013-2016

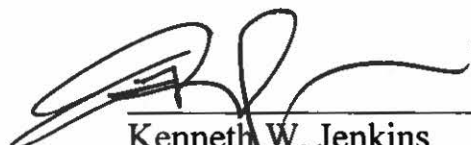


Kenneth W. Jenkins
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Youth Board:

NOW, THEREFORE, I, Kenneth W. Jenkins, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Haley Pilgrim, 277 E. 5th Street, Mount Vernon, New York as an at-large member of the Westchester County Youth Board, for the term May 20, 2025 to December 31, 2025.

Given under my hand
and seal this 20th day
of May, 2025.



Kenneth W. Jenkins
County Executive

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914) 995-2900

westchestercountyny.gov



Kenneth W. Jenkins
County Executive

May 20, 2025

Ms. Haley Pilgrim
227 E 5th Street,
Mount Vernon, NY 10553

Dear Haley,

It is my pleasure to appoint you to serve as an "At-Large" member of the Westchester County Youth Board, effective today, Tuesday, May 20, 2025. This appointment is an "unexpired" term, to expire on December 31, 2025.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact the Youth Bureau at (914) 995-2753, for the date, place, and time of the upcoming meeting for your participation.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,

A handwritten signature in black ink, appearing to be "KWJ", with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

KWJ/ts

cc: Honorable Board of Legislators
Joan McDonald, Director of Operations
Ernest McFadden, Exec. Director, Youth Bureau

Haley Pilgrim, Ph.D.

616-558-7962 | [LinkedIn.com/in/haleypilgrim/](https://www.linkedin.com/in/haleypilgrim/) | hpilgrim@sas.upenn.edu | She/her pronouns

EXPERIENCE

Publicis Sapient, New York

2023 - Present

Principal / Senior manager

- Led cross-functional teams in the successful delivery of complex digital transformation projects, consistently exceeding project goals and timelines
- Developed end to end business case and run rate model for utilities company to exit service relationship, saving \$5M

Bain & Company, Washington DC

2021 –2023

Management Consultant

Accelerated performance transformation for a top 200 University

- Designed quantitative and qualitative approach for assessing program portfolio of 150+ majors
- Created communication materials for Board of Trustees, Provost, and faculty to share to community of 17K students

Strategy and operational plan development for start-up

- Worked closely with CEO to develop five-year strategic and operational plan; created board meeting materials
- Led market research, analyzed trends, and identified employer needs to create compelling value prop

Spin-off planning for a \$6B food processing company

- Developed model to quantify potential separation dis-synergies for IT and identified areas for savings of \$10M
- Built separation planning package for c-suite, including gov. structure, road map, key risks, and mitigation actions

Global marketing expense management process optimization of a \$30B beverage company

- Conducted an in-depth analysis of existing processes to identify areas for improvement to allow for rapid iterations
- Redesigned the processes, policies, and systems used to plan, track, manage the effectiveness of, and report on marketing investment through managing competing interests of two business units

Global COVID PMO for an organization with 13,000 employees

- Navigated global organizational structures and aligned objectives with cross-functional teams to coordinate responses across regions to emerging COVID situations as a PMO for 15 executive leaders
- Conducted regular reviews of the organization's COVID response, including performance metrics, to identify opportunities for improvement and refine the PMO framework

University of Pennsylvania, Philadelphia, PA

2015 –2021

Graduate Associate

- Created strategies to promote awareness around equitable practices in the selection, evaluation and training of incoming Resident and Graduate Associates to become the most racially diverse staff of 12 college houses
- Developed an inclusive living environment for students from across the US and world through monthly educational social programming

Social Justice Research Academy, Philadelphia, PA

2018 –2020

Senior Teaching Fellow

- Trained new Teaching Fellows with workshops on: Data-Driven Instruction, Race and Diversity, and Lesson Planning
- Designed a social justice curriculum focused on instilling high schoolers with tools to be leaders in their communities

EDUCATION

University of Pennsylvania, Philadelphia, PA

2021

Ph.D., Sociology

Northwestern University, Evanston, IL

2011 - 2014

B.S., Organizational Dynamics, Minor: Sociological Research

SELECTED DEI LEADERSHIP

Black at Bain (BABs) Coordinator

2021- 2023

- Revitalized BABs through creating an executive board, doubling cultural events, and obtaining executive buy-in

SAGE Publishing DEI Consultant

2020-2021

- Edited 12 videos for accuracy and accessibility to accompany several titles on diversity concepts such as color-blind-racism, White privilege, stereotypes, and intersectionality

Penn Graduate and Professional Students Assembly President

2018 – 2019

- Set strategic vision and strategy for diversity campaigns, leading to implantation of an institutional-wide bias reporting form, the creation of the first-generation low-income graduate community, and sexual harassment reform committee
- Restructured 2.2M budget to increase funding to marginalized groups by 220%

Inaugural Chair of the Inclusion, Diversity, Equity Access, and Leadership Council

2017 – 2018

- Co-designed an organization-wide inclusion strategy as a recommendation for the Provost and Diversity Officer

COUNTY OF WESTCHESTER
OATH OF OFFICE
For Appointees to County Boards and Commissions

STATE OF NEW YORK)

COUNTY OF WESTCHESTER)

) ss.:
)

I, haley pilgrim do solemnly swear (or affirm) that I will support
(Print or Type Name)

the constitution of the United States, and the constitution of the State of New York, and that I will faithfully
discharge the duties of the office of youth board in and for the
(Print or Type Board Name)

County of Westchester, according to the best of my ability.

Date: June 7, 2025

Haley Pilgrim

Haley Pilgrim

(Signature)

Sworn to and subscribed before me this 07 day of June,
2025.

ALVARO EDMUNDO NIEVES

(Signature)

Polk Florida

haley pilgrim

(Print or Type Name)

Online Notary

(Title of Official Administering Oath)



ALVARO EDMUNDO NIEVES
Notary Public - State of Florida
Commission # 14432988
Expires on January 21, 2029

Notarized remotely online using communication technology via Proof.

Mail original Oath of Office to Office to Andrew Ferris, Office of the County Executive, 148 Martine Ave., Room 916D, White Plains, NY 10601 for filing within thirty (30) days of the commencement of the term of office or the notice of appointment.




Kenneth W. Jenkins
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Women's Advisory Board:

NOW, THEREFORE, I, Kenneth W. Jenkins, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Reverend Margaret Fountain-Coleman, 99 Young Avenue, Yonkers, New York as an at-large member of the Westchester County Women's Advisory Board, for the term May 29, 2025 to December 31, 2025.

Given under my hand
and seal this 29th day
of May, 2025.



Kenneth W. Jenkins
County Executive

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914) 995-2900

westchestercountyny.gov



Kenneth W. Jenkins
County Executive

May 29, 2025

Reverend Margaret Fountain-Coleman
99 Young Avenue
Yonkers, NY 10710

Dear Rev. Fountain-Coleman,

It is my pleasure to appoint you to serve as an "At-Large" member of the Westchester County Woman's Advisory Board effective today, Thursday, May 29, 2025. This appointment is an "unexpired" term to expire on December 31, 2025.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact the Office for Women at (914) 995-5972 for the date, place, and time of the upcoming meeting for your participation.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,

A handwritten signature in black ink, appearing to be "KWJ", written over a horizontal line.

Kenneth W. Jenkins
Westchester County Executive

KWJ/ts

cc: Honorable Board of Legislators
Joan McDonald, Director of Operations
Robi Schlaff, Director, Office for Women

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

Telephone: (914) 995-2900

Email: CEO@westchestercountyny.gov

Margaret Fountain Coleman, MEd, MEd-Leadership, MDiv, ThM
99 Young Ave. Yonkers, New York 10710
(914) 224-6022
mdfcoleman46@aol.com

"My ability to motivate students and share a love of learning fosters a successful classroom environment..."

"I would welcome becoming part of 'the village that raises the child' in your district."
Jenny Lysaker

Professional Profile

Eager to bring students and their families into the twenty-first century using a unique combination of educational expertise coupled with experience working with children from diverse backgrounds with varied learning styles and academic abilities.

Master Degree in Educational Leadership/Supervision; Master Degree in Elementary Education/Students with Disabilities; Master in Divinity; Master in Theology and Bachelor's Degree in Administration of Justice with concentration in Legal Studies.

Experienced in the use of technology and other educational software.

Dedicated to enthusiastic and dynamic teaching as a means of creating and nurturing a lifelong love of knowledge in children.

Education, Honors, and Certifications

College of St. Rose
Albany, New York
August 2016

Master of Educational Leadership/Supervision

Mercy College
Dobbs Ferry, New York
December 2010

Master of Education: Elementary Education K-6 and
Students w/Disabilities

Duke University Divinity School
Durham, North Carolina
Master of Divinity-May 2001
Master of Theology-May 2002

Virginia Commonwealth University
Richmond, Virginia
August 1986

Provisional/Professional Certifications

NY State Department of Education. Professional Licensure. Elementary Education K-6/Students with Disabilities. 2011

Key Qualifications

Certified in Elementary (K-6) Education and Special Education.

Plan and instruct each subject area using a wide variety of teaching aids, motivational and implementation strategies to engage students in active learning.

Incorporate learning modality principles into classroom and individual instruction. Develop and conduct inter-grade activities. Utilize various resources to promote active learning within the classroom environment.

Implement technological approaches to subject material. Research educational resources on the Internet. Assist with information retrieval.

Computer Skills

- Microsoft Windows, Microsoft Word
- Working knowledge of technology

Employment: Professional Development in Education

- Yonkers Public Schools-Yonkers, New York
January 2017-June 2017

Committee of Special Education Liaison: Provide building support alongside building PTS team and administration in addressing the needs of the special education population within the building as well as providing support to address needs of the general education students at risk. Support teachers in both special education and general education with RTI Tier 1-3 instructional/behavioral support strategies. Work collaboratively with the PTS team as well as the YPS District office in scheduling CSE meetings and program reviews.

- Yonkers Public Schools-Yonkers, New York
September 2014-Present

Communication Skills Program-Special Education Teacher (2017-Present):

Provide direct teaching instruction for students in a 15:1:1 accommodation setting. Students have specialized programs to meet both their academic and speech/language delays. Work collaboratively with psychologist, speech therapist, occupational/physical therapist and other resource personnel to ensure student success.

Core Instructional: Reading, English, Math, Social Studies, and Science

Therapeutic Intervention Program-Special Education Teacher (2014-2017):

Provide direct teaching instruction for students in a 12:1:1 accommodation setting. Students have specialized programs to meet both their academic and behavioral needs. Students have various learning disabilities that require differentiated instruction with accommodations. Work collaboratively with psychologists, speech therapist, occupational/physical therapist and other resource personnel to ensure student success.

Core Instructional: Reading, English, Math, Social Studies, and Science

Technology: Web-based/Classroom Resources: BrainPop; ABC Math

- Halifax County Public Schools- Halifax County, Virginia 24558
September 2010-May 2014

Self-Contained Special Education Teacher (2013-2014): Provide direct teaching responsibility for students in grades K-2. Students have varied learning and physical disabilities that require differentiated instruction with the use of various technological resources. Provide core instruction to students. Supervise 4 additional staff who are para-professionals for students.

Core Instructional: Reading, English, Math, Social Studies, and Science

Technology: SMARTBoard; Elmo; Dynovox

Web-based/Classroom Resources: SuccessMaker (Reading/Math); BrainPop; ABC Math; Reading A-Z; Wilson Foundations; Reading Milestones

Collaborative Special Education Teacher (2011-2013). Provide collaborative instruction and support within a general education classroom to students with identified special education disabilities as well as those performing below grade level. Provide core content area instruction (Reading and Math) to students with disabilities functioning below grade level. Prepare students with disabilities for State mandated tests assessments. Grades: 2-4

Core Instructional: Reading, English, Math, Social Studies, and Science
Technology: SMARTBoard; Elmo
Web-based/Classroom Resources: SuccessMaker (Reading/Math); BrainPop;
ABC Math; Reading A-Z; Wilson Foundations; Reading Milestones

- Halifax County Public Schools Halifax County, Virginia 24558
January 2010-May 2010

Para-Professional Math Specialist. Provide math support for those students identified for remediation. Small groups and class instruction on math strategies for those students in preparation of Benchmark Testing and State SOL's.

- Tuckahoe Union Free School District Eastchester, New York 10703
October 2005-December 2010

Teacher Assistant- (Tenured Position). Provided para-professional support in self-contained Special Education Classroom for grades 3-5. Assist lead teacher with reading proficiency, balanced-literacy, mathematical comprehension, and social integration. Also, responsible for at least two periods of teacher direct instruction in math, literacy, and phonics. Responsible for Math and Science push-in for general education curriculum. Teaching experience in Wilson Reading System, SMART Board technology.

- Tuckahoe Free Union School District Eastchester, New York 10703
October 2003-October 2005

Substitute Teacher. Provide teaching support for the Tuckahoe School District. Provide lead teacher support to grades K-12 in all curriculum levels.

Other Professional Employment

- Options, Inc. Durham, North Carolina 27703
January 1999-March 1999

Group Facilitator. Provided domestic violence intervention/prevention counseling at an alternative sentencing program for adult male offenders who were referred by the local/state judicial system. Facilitated weekly group meetings, case verbatim and assessments. Functioned as liaison for clients and director of program.

- NC Office of Public Defender Durham, North Carolina 27703
March 1992-August 1998

Senior Investigator/Office Supervisor. Dual position providing administrative and investigative support to the Public Defender in Durham County. Investigative duties consisted of locating and interviewing clients and witnesses for cases handled by the Public Defender's Office. Areas of expertise (felony cases): homicide, child abuse, and felony assaults. Gathered information pertinent to legal defense of clients, maintained case data and information, and served subpoenas

for criminal defense. Supervised all support staff and provided office management responsibilities.

- Halifax County Community Action, Inc. South Boston, Virginia
October 1987-March 1992

CAA Program Planner/Grant Administrator. Provided grant-writing support for the agency and its 1.5 million dollar per-year budgeted programs. Network liaison for the agency and other human-health agencies locally, state and federal. Maintained client/agency statistical data and monitored programs for agency director. Principle director of several programs within the agency such as: Homeless Program, Emergency Food and Shelter Program, and the Infant Inter-Agency Program. Provided counseling support for clients who were marginalized and displaced.

Professional Staff Development Workshops/Training

My Sister's Keeper Coordinator (School 5-Yonkers Public School District) (September 2021-Present)
Diversity, Inclusion, and Equity Liaison – DEI (Yonkers Public School District) (September 2021-2022)
Benchmark Reading System (Yonkers Public School District)
I-Ready Math System (Yonkers Public School District)
Journey's Reading Program (Yonkers Public School District)
MAPS Training (Yonkers Public School District)
Reading A-Z
Running Records
Reading Milestones
Brain-Pop
SuccessMaker
Wilson Reading Program
SmartBoard Technology
Understanding and Modifying Behaviors in Children (November 2008)
Teacher Assistant Role with the ADD Student (February 2009)
Understanding Reading (March 2009)
Understanding Reading –Part II (October 2009)

Professional Affiliations

Westchester County Women's Advisory Board: (2018-2023)
Yonkers Women's Advisory Committee (2017- 2019)
Yonkers Branch of NAACP Education Chair (2020-Present)
Yonkers Branch of NAACP-Lifetime Membership (2018-Present)
National Council of Women- Hudson Valley Region (2017-Present)
Yonkers Federation of Teachers (2014-Present)
South Boston Town Council-South Boston, Virginia (Councilperson 2013-2014) Virginia Education Association
Village of Tuckahoe- Tuckahoe, New York (Trustee: 2007-2009)



Kenneth W. Jenkins
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Women's Advisory Board, due to the unexpired term of Francille Mullen:

NOW, THEREFORE, I, Kenneth W. Jenkins, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Erica Winter, 923 Esplanade, Pelham, New York as the District 11 representative member of the Westchester County Women's Advisory Board, for the term May 29, 2025 to December 31, 2025.

Given under my hand
and seal this 29th day
of May, 2025.



Kenneth W. Jenkins
County Executive

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914) 995-2900

westchestercountyny.gov



Kenneth W. Jenkins
County Executive

May 29, 2025

Ms. Erica Winter
923 Esplanade
Pelham, NY 10803

Dear Erica,

It is my pleasure to appoint you to serve as a member of the Westchester County Woman's Advisory Board effective today, Thursday, May 29, 2025. This appointment is an "unexpired" term for District 11, to expire on December 31, 2025.


Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact the Office for Women at (914) 995-5972 for the date, place, and time of the upcoming meeting for your participation.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,



Kenneth W. Jenkins
Westchester County Executive

KWJ/ts

cc: Honorable Board of Legislators
Joan McDonald, Director of Operations
Robi Schlaff, Director, Office for Women

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White Plains, New York 10601

Telephone: (914) 995-2900

Email: CEO@westchestercountyny.gov

CONSULTING EXPERIENCE

Erica Winter, LLC - Principal

New York, NY

São Paulo, Brazil

Training Design & Facilitation*Aug 2015 to present**Aug 2010 to Aug 2015*

- Developed and launched an in-person Sexual Harassment Prevention and Bystander Training program targeted towards New York businesses, now required to provide all employees with interactive sexual harassment training, which exceeds NY State's and NY City's sexual harassment prevention mandates and changes entrenched undesirable behaviors, positively impacting business culture while limiting employer liability.
- Developed the 2019, 2018, and 2017 United Nations Ethics Leadership Dialogues, an annual training program, which guides managers to lead ethics dialogues with their staff. Developed programs for manager led discussions related to conflicts of interest, speaking up, whistleblowing, respectful dissent, exchanging gifts, sexual exploitation and abuse, human trafficking, discrimination, harassment, and abuse of authority, retaliation, and political activities.
- Developed and facilitated customized ethics training, including prevention of sexual harassment, harassment, and discrimination, bystander, FCPA & UK Bribery Act, etc.
- Co-facilitated the Interamerican Development Bank's Portuguese-language ethics training in Brazil, designed to help staff better understand the Code, identify ethical dilemmas, and develop a skill set to speak up when confronted with ethical dilemmas in the workplace based on Mary Gentile's "Giving Voice to Values". Facilitated Pan American Health Organization's ethics program in Brazil.

Outreach, Communications & Policy Work

- Drafted and revised harassment prevention policies in the private sector.
- Reviewed and rewrote the UN Ethic Office's outreach and public information materials including the website, improving its communication and outreach campaign in 2017.
- Drafted the World Bank Group Ethics office administrative procedures manual and updated it periodically since 2005. Drafted the Outside Interest Committee administrative manual and case tracking system manual, including manuals for staff and senior management financial disclosure programs. Drafted case intake procedures for WBG Ethics Office and protocol for handling misconduct allegations.

Investigations

- Investigated allegations of misconduct, including harassment and sexual harassment in various Latin American countries and Washington for the Pan American Health Organization.
- Conducted desktop analysis of retaliation cases, providing a comprehensive factual and legal analysis of cases for UNICEF ethics office.

EDUCATION

Master In Business Administration with focus In HR Management*2003*

Universidad del Salvador, Buenos Aires, Argentina - Field Project on eHR in Argentina, defended in April 2003. Submitted coursework and presented in Spanish and English.

BA in Political Science & Certificate in Latin American Studies*1996*

Dickinson College, Carlisle, PA - Latin American Studies thesis on Afro-Brazilian Religion.

EMPLOYMENT EXPERIENCE

The World Bank Group - Washington, DC

Ethics Analyst, Office of Ethics & Business Conduct

May 2005 - July 2010

- Managed personal, operational, and institutional conflicts of interest and reputational risks, recommending safeguards and management strategies, guiding WBG staff and managers on ethics matters. Resolved and investigated workplace conflicts, half of which involved allegations of wrongdoing.
- Facilitated the World Bank Group's ethics training for various audiences including orientation, internship, and junior professional programs.
- Participated in financial conflict discussions with staff program participants, explaining potential conflicts identified, and providing a conflict management strategy and instructions for handling perceived or real conflicts of interest.
- Drafted the WBG ethics office periodic reports, interpreting data, and creating pivot charts and tables for all management reports.
- Contributed to the code of ethics, employment policy changes & outreach materials; maintained case tracking system, metrics & drafted case tracking system manual.
- Developed newsletters, pamphlets and web pages for the World Bank Group's ethics office and contributed to the Codes of Conduct.

LANGUAGES SKILLS

- Native English and Brazilian Portuguese
- Spanish fluency and proficiency

OUTSIDE ACTIVITIES

- Junior League of Pelham - Membership Committee Chair
- Westchester Women's Agenda
- Progressive Women of Pelham - Member of the Board
- Pelham Schools PTA Council - Chair of Pedestrian Safety Committee
- Pelham Schools PTA - Membership Chair (2016-2019)
- Troop Leader and Founder, USA Girl Scouts Overseas in São Paulo, Brazil (2013 to 2015).
- Executive Board Member of the American Society of the River Plate in Buenos Aires, Argentina - Organized the 2002 annual gala raising over \$70,000 for local charities.
- President (1995), VP-Chaplain (1994) and Social Chair (1993) of the Dickinson College Delta Delta Delta.

RECOGNITION & PROFESSIONAL DEVELOPMENT

- The Institute for Global Ethics Certified Trainer for the Institute's Ethical Fitness Seminar in 2006
- The World Bank Group Living Our Values Trained Facilitator in 2009
- The World Bank Group Performance Award Recipient in 2000
- Recipient of the World Bank Group Spot Award three times in 2004, once in 2008 and once in 2013
- 7 Steps to Investigate Alleged Employee Misconduct - Global Compliance Brightline Learning Division in 2007
- Managing Ethics in Organizations Executive Development Course at Center for Business Ethics, Bentley College
- World Bank internal training on Sexual Harassment, Resilience, Career Guidance Skills, Conflict Competency, Gifts, Political, Integrity Awareness, Information Security Awareness, among others.



Kenneth W. Jenkins
County Executive

June 30, 2025

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

Honorable Members of the Board of Legislators:

Attached for your consideration is a Local Law, which, if approved by your Honorable Board, would authorize the County of Westchester (the "County") to enter into intermunicipal agreements ("IMAs") with municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located both within and outside of the physical boundaries of Westchester County (collectively the "Participating Municipalities"), in order to establish a new Mutual Aid and Rapid Response Plan for the police departments of the Participating Municipalities (the "Plan"). The purpose of the Plan is to formalize operational procedures for law enforcement assistance between Participating Municipalities. The Plan would only be utilized in those instances when the police response necessitated by the event is beyond the capability of a requesting municipality. The term of the IMAs shall be five (5) years commencing on July 31, 2025 and continuing through July 30, 2030.

Local Law No. 6-1989 authorized the County to enter into IMAs with municipalities located in Westchester in order to effectuate the original Plan. Thereafter, IMAs were subsequently authorized by your Honorable Board to establish updated versions of the Plan. As your Honorable Board may recall, the current IMAs were authorized by Local Law 13-2020, the IMAs were subsequently executed, and are due to expire on July 30, 2025.

Participating Municipalities make their police personnel and equipment available to each other in accordance with the Plan when an emergency condition exists which is beyond the scope of an individual municipality's police resources. The County's Department of Public Safety Services (the "Department") can also provide police services during emergency conditions as part of the Plan.

The Department has advised that prevailing world and national security situations, constantly increasing diverse incidents including health epidemics, the ever increasing flow of intelligence, and actual threats directed against once benign sites and facilities necessitate that the operational plans annexed to the proposed IMAs be flexible and subject to revision. Ongoing strategic and

Office of the County Executive

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148 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2900 E-mail: ceo@westchestecountyny.gov



tactical planning by the law enforcement professionals who will execute the Plan is essential. Based upon the forgoing, it is essential that the IMAs provide that the approved Plan be flexible. Toward this end, revisions to the proposed Plan will be approved and implemented by the Participating Municipalities through the Westchester County Chiefs of Police Association, which would be granted authority by their respective municipalities to amend the Plan as necessary during the term of the IMAs. The governing bodies of the Participating Municipalities would continue to retain budgetary authority over their respective police departments and thus, control the amount of resources that can be devoted to the Plan. However, these IMAs would grant authority to the Westchester County Chiefs of Police Association to determine the operational details of the Plan without need for legislative authorization each time an amendment to the Plan is required. In addition, should any additional municipalities located outside of Westchester County wish to be a part of the Plan, the Westchester County Chiefs of Police Association shall be further authorized to amend the Plan in order to add those new municipalities.

Pursuant to New York General Municipal Law Section 209-m, the chief executive officer of a local government, whenever he or she deems that the public interest requires it, may request that the chief executive officer of any other local government detail, assign and make available for duty and use in the local government for which the request is made any part of the forces, equipment and supplies of the police department, police force or parkway police force of the local government of which the request is made. The chief executive officer of the local government of which the request is made is authorized and empowered to grant the request so made. Furthermore, a local government may, by local law, delegate to the chief of police of its police department or police force the aforementioned powers granted to a chief executive officer to request and grant police assistance. The proposed Local Law, if approved by your Honorable Board, will delegate to the Commissioner/Sheriff of the Department the powers granted to the County Executive as chief executive officer to request and grant police assistance under New York General Municipal Law Section 209-m.

Approval of the local law submitted herewith would be an important step toward furthering the County's commitment to provide a Police Mutual Aid and Rapid Response Plan to serve the needs of the County and the participating municipalities. Accordingly, I request and recommend your favorable action on the proposed Local Law.

Sincerely,

A handwritten signature in black ink, appearing to read 'KWJ', with a long horizontal flourish extending to the right.

Kenneth W. Jenkins
County Executive

KWJ/jpi
Attachments

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

Your Committee is in receipt of legislation which, if adopted, would authorize the County of Westchester (the “County”) to enter into intermunicipal agreements (“IMAs”) with municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located both within and outside of the physical boundaries of Westchester County (collectively the “Participating Municipalities”), in order to establish a new Mutual Aid and Rapid Response Plan for the police departments of the Participating Municipalities (the “Plan”). The purpose of the Plan is to formalize operational procedures for law enforcement assistance between Participating Municipalities. The Plan would only be utilized in those instances when the police response necessitated by the event is beyond the capability of a requesting municipality. The term of the IMAs shall be five (5) years commencing on July 31, 2025 and continuing through July 30, 2030.

Your Committee has been informed that Local Law No. 6-1989 authorized the County to enter into IMAs with municipalities located in Westchester in order to effectuate the original Plan. Thereafter, IMAs were subsequently authorized by your Honorable Board to establish updated versions of the Plan. As your Honorable Board may recall, the current IMAs were authorized by Local Law 13-2020, the IMAs were subsequently executed, and are due to expire on July 30, 2025.

The Department has advised that Participating Municipalities make their police personnel and equipment available to each other in accordance with the Plan when an emergency condition

exists which is beyond the scope of an individual municipality's police resources. The County's Department of Public Safety Services ("Department") can also provide police services during emergency conditions as part of the Plan.

The Department has further advised that prevailing world and national security situations, constantly increasing diverse incidents including health epidemics, the ever increasing flow of intelligence, and actual threats directed against once benign sites and facilities necessitate that the operational plans annexed to the proposed IMAs be flexible and subject to revision. Ongoing strategic and tactical planning by the law enforcement professionals who will execute the Plan is essential. Based upon the forgoing, it is essential that the IMAs provide that the approved Plan be flexible. Toward this end, revisions to the proposed Plan will be approved and implemented by the Participating Municipalities through the Westchester County Chiefs of Police Association, which would be granted authority by their respective municipalities to amend the Plan as necessary during the term of the IMAs. The governing bodies of the Participating Municipalities would continue to retain budgetary authority over their respective police departments and thus, control the amount of resources that can be devoted to the Plan. However, these IMAs would grant authority to the Westchester County Chiefs of Police Association to determine the operational details of the Plan without need for legislative authorization each time an amendment to the Plan is required. In addition, should any additional municipalities located outside of Westchester County wish to be a part of the Plan, the Westchester County Chiefs of Police Association shall be further authorized to amend the Plan in order to add those new municipalities.

Your Committee has been informed that pursuant to New York General Municipal Law Section 209-m, the chief executive officer of a local government, whenever he or she deems that the public interest requires it, may request that the chief executive officer of any other local government detail, assign and make available for duty and use in the local government for which the request is made any part of the forces, equipment and supplies of the police department, police force or parkway police force of the local government of which the request is made. The chief executive officer of the local government of which the request is made is authorized and empowered to grant the request so made. Furthermore, a local government may, by local law, delegate to the chief of police of its police department or police force the aforementioned powers granted to a chief executive officer to request and grant police assistance. The proposed Local Law, if approved by your Honorable Board, will delegate to the Commissioner/Sheriff of the Department the powers granted to the County Executive as chief executive officer to request and grant police assistance under New York General Municipal Law Section 209-m.

Your Committee has been advised that the proposed IMAs do not meet the definition of an action under the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of your Honorable Board.

It should be noted that approval of the Local Law authorizing the County to enter into the IMAs requires the affirmative vote of a majority of the voting strength of your Honorable Board.

Your Committee has carefully considered the proposed legislation and recommends your Honorable Board's favorable action on the annexed Local Law.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

C:jpi/6.9.25

FISCAL IMPACT STATEMENT

SUBJECT: Mutual Aid and Rapid Response Plan

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses:

Annual Amount _____

Describe: N/A

Potential Related Operating Budget Revenues:

Annual Amount _____

Describe: N/A

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Siva Gopalkrishna

Title: Director-Administrative Services

Department: Public Safety

Date: February 9, 2025

Reviewed By: 

Budget Director

Date: 6/17/25

RESOLUTION NO. - 2025

RESOLVED, that a public hearing shall be held in accordance with requirements of law, in the Board of Legislators Chambers, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 on the ____ day of _____, 2025 at _____ .m. upon a proposed Local Law entitled “A LOCAL LAW to authorize the County of Westchester to enter into Intermunicipal Agreements in order to establish a new Mutual Aid and Rapid Response Plan for the police departments of participating municipalities to be effectuated by Intermunicipal Agreements and to delegate to the Commissioner / Sheriff of the Department of Public Safety Services the powers granted to a chief executive officer to request and grant police assistance”; and be it further

RESOLVED, that the Clerk of the Board of Legislators be and hereby is authorized and empowered to cause notice of such public hearing to be published in the official newspaper of the County at such times and in such manner as required by law.

Dated: _____, 2025
White Plains, New York

LOCAL LAW INTRO. NO. ____ – 2025

A LOCAL LAW to authorize the County of Westchester to enter into Intermunicipal Agreements in order to establish a new Mutual Aid and Rapid Response Plan for the police departments of participating municipalities and to delegate to the Commissioner / Sheriff of the Department of Public Safety Services the powers granted to a chief executive officer to request and grant police assistance.

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

Section 1. The County of Westchester (“County”) be and hereby is authorized to enter into inter-municipal agreements (“IMAs”) with municipal corporations as defined in Article 5-G of the New York State General Municipal Law and located both within and outside of the physical boundaries of Westchester County (collectively the “Participating Municipalities”), in order to establish a new Mutual Aid and Rapid Response Plan for the Police Departments of these Municipalities (the “Plan”) to carry out the purposes described in Section 209-m of the New York General Municipal Law. The Plan is to be reviewed and revised as necessary and revisions to the Plan will be approved and implemented by the Westchester County Chiefs of Police Association. Such revisions may include, but are not limited to, updates in protocols and additions of new municipalities and their police departments located within or outside of the physical boundaries Westchester County to participate in the Plan.

§ 2. The term of the IMAs shall commence on July 31, 2025 and have a term of five (5) years terminating on July 30, 2030.

§ 3. The Commissioner / Sheriff of the Department of Public Safety Services is hereby delegated the powers granted to a chief executive officer to request and grant police assistance described in Section 209-m of the New York General Municipal Law.

§4. The County Executive or his 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.

INTERMUNICIPAL AGREEMENT made this day of ,
2025 by and between:

THE 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

THE «MUNICIPALITY», a municipal corporation of the State of New York having an office and place of business at «Address», «City», New York, «Zip_Code»,

(hereinafter referred to as the “Municipality,” and collectively with other signatory municipalities including the County, as the “Municipalities” or “Signatory Municipalities”).

WHEREAS, the purpose of the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York (the “Plan”) is to formalize operational procedures for Law enforcement assistance to participating agencies; and

WHEREAS, the Signatory Municipalities have executed the Plan by which each Municipality agrees to make available its police personnel and equipment to the others upon the occurrence of a condition which is beyond the scope of its police resources; and

WHEREAS, due to prevailing world, national and local security situations, the ever increasing flow of intelligence, and actual threats directed against once benign sites and facilities, the parties desire that the Plan be flexible and subject to review and revision as necessary in a timely manner; and

WHEREAS, the Signatory Municipalities desire, inter alia, to ratify and execute this Agreement in order to effectuate the Plan and to agree on the procedures for timely review and revision of the Plan; and

WHEREAS, said Plan is governed by and liabilities and costs are apportioned pursuant to the provisions of New York State General Municipal Law (“General Municipal Law”) Section 209-m which provides, inter alia, that absent agreement to the contrary, the municipality receiving police aid (the “Requesting Municipality”) shall reimburse the municipality providing such aid (the “Assisting Municipality”) for any money paid by it for police salaries and other expenses incurred by it including damage to, or loss of, equipment and supplies.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: Definitions

(1) Chief Executive Officer: The officer within a Signatory Municipality who is authorized pursuant to General Municipal Law Section 209-m to request or grant a request for police assistance from another Signatory Municipality.

(2) Department Head: Any police chief, Commissioner or other official in command or acting command of the police department or police force of a Signatory Municipality.

(3) Requesting Municipality: Any Signatory Municipality requesting the assistance of the police force of another Signatory Municipality pursuant to the terms of this Agreement.

(4) Assisting Municipality: Any Signatory Municipality providing assistance to a Requesting Municipality pursuant to the terms of this Agreement.

(5) Emergency: Shall have its common dictionary definition.

(6) Signatory Municipality: Any municipality that has signed this Agreement, including the County.

SECOND: A true and accurate copy of the Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York (hereinafter the "Plan"), is annexed hereto and incorporated herein as Schedule "A." The Parties further agree to the Plan, as it may be amended from time to time, in accordance with the review and revision procedures set forth in said Plan and this Agreement.

THIRD: This Agreement shall commence on July 31, 2025 (the "Commencement Date") and terminate on July 30, 2030, unless terminated sooner in accordance with the provisions hereof. Any prior agreement signed by a Signatory Municipality for this purpose shall be deemed terminated upon the commencement of this Agreement.

FOURTH: The Signatory Municipalities hereby agree to render appropriate police services, in accordance with the Plan, to any Requesting Municipality whenever

the Chief Executive Officer of that municipality deems the general public interest requires it. All such requests for assistance shall be made by the Chief Executive Officer, Department Head or other authorized police officer of the Requesting Municipality and granted by the Chief Executive Officer, Department Head or other authorized police officer of each Assisting Municipality as set forth in the Plan.

FIFTH: The cost of police services provided pursuant to this Agreement shall be paid by the Requesting Municipality subject to the following exceptions:

- (a) The police services provided by the County shall be without cost to the Requesting Municipality.
- (b) The police services provided by each Assisting Municipality shall be reimbursed as provided in Section 209-m of the General Municipal Law, as same may be amended, except as provided for herein.
- (c) The Requesting Municipality shall reimburse each Assisting Municipality for all liability for damages arising out of acts performed by the Assisting Municipality in rendering aid.
- (d) That except for the amount, if any, of damage contributed to, caused by, or resulting from the intentional wrongs or reckless conduct of each Assisting Municipality, the Requesting Municipality shall defend, indemnify and hold harmless each Assisting Municipality, their officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly from the rendering of aid by each Assisting Municipality;

(e) In addition, the Requesting Municipality shall provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly resulting from the rendering of aid by each Assisting Municipality and to bear all other costs and expenses related thereto.

(f) Notwithstanding anything to the contrary contained herein, the Requesting Municipality shall not be liable for any damages resulting from any intentional wrongs or reckless conduct by the Assisting Municipality.

(g) The requesting Municipality shall reimburse each Assisting Municipality for all expenses incurred pursuant to the provisions of Section 207-c of the General Municipal Law, as same may be amended, and for any award of compensation made pursuant to the Workers' Compensation Law for salaries and expenses paid to officers of each Assisting Municipality who are injured while rendering assistance to the Requesting Municipality pursuant to the Agreement.

(h) All of the provisions of this Section FIFTH, including but not limited to the obligations of Signatory Municipalities to reimburse costs, to be liable for damages, and to defend, indemnify and hold harmless other Signatory Municipalities shall be applicable and enforceable whether or not the police aid requested and/or rendered by any Signatory Municipality is within or outside of the scope of the Plan and/or General Municipal Law Section 209-m.

SIXTH: Any party to this Agreement may withdraw at any time, upon thirty (30) days written notice to each of the other Signatory Municipalities, and thereafter such withdrawing party shall no longer be a party to this Agreement, but this Agreement and

the Plan shall continue to exist among the remaining parties and Signatory Municipalities.

SEVENTH: (a) The Westchester County Chiefs of Police Association (“WCCOPA”) shall be responsible for the administration and future amendments or revision of the Plan. Administration shall entail, but not be limited to, the development of an organized effort, identification of county-wide special equipment, the addition or removal of participating municipalities or police departments to the Plan, whether they operate within or outside of the physical boundaries of Westchester County, and interface with auxiliary services and agencies for the development of protocols and assumed responsibilities;

(b) A sub-committee of the WCCOPA will review the Plan at least once a year and formulate recommendations for amendments or revisions as necessary; and

(c) In order to effectuate the purposes of this Section and to authorize WCCOPA to determine the operational details of the Plan without need for legislative authorization each time an amendment to the Plan is required, the Municipality represents and warrants that its representative(s) at WCCOPA is/are duly authorized to administer the Plan and to authorize any and all revisions to the Plan on behalf of the Municipality.

EIGHTH: The rights and obligations set forth in this Agreement shall be binding upon and shall inure to the benefit of each municipality which has executed this Agreement with the County.

NINTH: As to any Signatory Municipality, this Agreement shall not be enforceable until signed by both parties and all applicable legal approvals have been obtained.

TENTH: If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the parties prior to the determination of such invalidity or unenforceability.

ELEVENTH: 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 sent by hand or overnight courier, to the respective addresses 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.

To the County:

Terrance Raynor, Commissioner-Sheriff
County of Westchester Department of Public Safety
1 Saw Mill River Parkway
Hawthorne, New York 10532

with a copy to:

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

To the Municipality:

TWELFTH: In addition to the aforementioned New York General Municipal Law Section 209-m, this Agreement shall be subject to any applicable laws, rules and regulations.

THIRTEENTH: This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

[NO FURTHER TEXT ON THIS PAGE. SIGNATURE PAGE FOLLOWS].

DRAFT

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

THE COUNTY OF WESTCHESTER

By _____
Name: Terrance Raynor
Title: Commissioner of Public
Safety / Sheriff

THE «MUNICIPALITY»

By _____
Name: _____
Title: _____

Authorized and approved by the Westchester County Board of Legislators on the _____
day of _____, 2025.

Authorized and approved by the _____ of the
(Governing Board's Name)

(Name of Municipality)
at a meeting duly held on the _____ day of _____, _____.

Approved:

Senior Assistant County Attorney
County of Westchester
S/Iannace/DPS/Mutual Aid IMA 6.10.25

MUNICIPALITY'S ACKNOWLEDGEMENT

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

On this ____ day of _____, 20____, before me personally came _____
_____, to me known, and known to me to be the _____ of _____
_____, the municipal corporation
described in and which executed the within instrument, who being by me duly sworn did depose
and say that he/she, the said _____
resides at _____ and that he/she is the _____ of
said municipal corporation.

Notary Public County

CERTIFICATE OF AUTHORITY
(Municipality)

I, _____, certify that I am the
(Officer other than officer signing contract)

_____ of the _____
(Title) (Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the _____

(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____ who signed said
(Person executing agreement)

agreement on behalf of the Municipality was, at the time of execution _____ of
(Title of such person),

the Municipality, that said agreement was duly signed for on behalf of said Municipality by
authority of its _____ thereunto duly authorized,
(Town Board, Village Board, City Council)

and that such authority is in full force and effect at the date hereof.

(Signature)

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

On this ____ day of _____, 20 __, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____
_____,
(Title)

the municipal corporation described in and which executed the above certificate, who being by
me duly sworn did depose and say that he, the said _____
resides at _____, and that
he/she is the _____ of said municipal corporation.
(Title)

Notary Public

County

SCHEDULE "A"

[The Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York is attached].

DRAFT



Kenneth W. Jenkins
County Executive

June 20, 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 review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget (the "Capital Budget Amendment"), as well as adopt a related bond act ("Bond Act") to finance the following capital project:

RP056 – Playland Infrastructure, Rides and Site Work ("RP056").

The proposed Capital Budget Amendment will amend the County's 2025 capital budget to create a new appropriation in the amount of \$12,000,000 for project RP056.

The Bond Act, in the amount of \$12,000,000, would fund design, construction and construction management to reconstruct, rehabilitate and make operational various rides, facilities and other associated infrastructure and site work at Playland Park.

Following bonding authorization, design will be scheduled and will take approximately eight (8) months to complete and will be performed by outside consultants. Construction will take approximately twelve (12) months to complete and will commence upon execution and approval of construction contracts.

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, a copy of the Planning Board report is herewith attached for your Honorable Board's review.

Based on the importance of this project to the County, your Honorable Board's favorable action on the proposed Capital Budget Amendment and Bond Act is most respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "KWJ", with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

KWJ/KOC/jpg/nn

Office of the County Executive

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

Telephone: (914) 995-2900

E-mail: ceo@westchestergov.com

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act amending the County of Westchester's (the "County") 2025 Capital Budget (the "Capital Budget Amendment"), as well as adoption of a related bond act (the "Bond Act") which, if approved, would authorize the County to issue \$12,000,000 in bonds to finance capital project RP056 – Playland Infrastructure, Rides and Site Work ("RP056").

The proposed Capital Budget Amendment will amend the County's 2025 capital budget to create a new appropriation in the amount of \$12,000,000 for project RP056.

The Bond Act, in the amount of \$12,000,000, which was prepared by the law firm of Hawkins Delafield and Wood, LLP, would finance design, construction and construction management to reconstruct, rehabilitate and make operational various rides, facilities and other associated infrastructure and site work at Playland Park.

Following bonding authorization, design will be scheduled and will take approximately eight (8) months to complete and will be performed by outside consultants. Construction will take approximately twelve (12) months to complete and will commence upon execution and approval of construction contracts.

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 documentation and concurs with this recommendation.

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, a copy of the Planning Board report is herewith attached for your Honorable Board's review.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act.

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 can only be enacted following adoption of the Capital Budget Amendment.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

c/jpg/6-10-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RP056

☐ **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 \$ 12,000,000 **PPU** 15 **Anticipated Interest Rate** 3.49%

Anticipated Annual Cost (Principal and Interest): \$ 1,045,376

Total Debt Service (Annual Cost x Term): \$ 15,680,647

Finance Department: maab bond buyer 6-24-25

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: 130

Prepared by: Dianne Vanadia

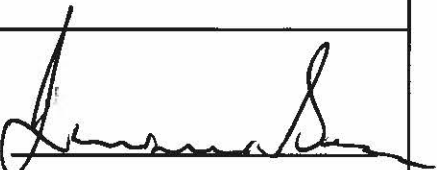
Title: Associate Budget Director

Department: Budget

Date: 6/24/25

Reviewed By:

RV 6/25/25




Budget Director

Date:

6/25/25

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 11, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RP056 PLAYLAND INFRASTRUCTURE, RIDES AND SITEWORK**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
06-10-2025 (Unique ID: 2969)

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: Any work that goes beyond reconstruction or replacement in kind may be subject to further review as may be required by SEQR.

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
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Director of Program Development – PRC Planning
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

An Act amending the 2025 County
Capital Budget Appropriations for
Capital Project RP056 PLAYLAND
INFRASTRUCTURE, RIDES AND SITE WORK

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 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation		\$12,000,000	\$12,000,000

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	\$12,000,000	\$12,000,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$0	\$12,000,000	\$12,000,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$12,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR VARIOUS INFRASTRUCTURE AND SITE WORK IMPROVEMENTS AT PLAYLAND PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$12,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$12,000,000 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 to the provisions of other laws applicable thereto, \$12,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of various infrastructure and site work improvements at Playland Park, including improvements to various rides, facilities, and other associated infrastructure and 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 \$12,000,000. The plan of financing includes the issuance of \$12,000,000 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. 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 \$12,000,000. 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 \$12,000,000 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)
 : ss.:
COUNTY OF NEW YORK)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20 _____ 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 _____, 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 day of , 20____.

The Clerk and Chief Administrative Office of the
County Board of Legislators 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 \$12,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR VARIOUS INFRASTRUCTURE AND SITE WORK IMPROVEMENTS AT PLAYLAND PARK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$12,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$12,000,000 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 design, construction and construction management of various infrastructure and site work improvements at Playland Park, including improvements to various rides, facilities, and other associated infrastructure and site work; all as set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued
and period of probable usefulness: \$12,000,000; 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

CAPITAL PROJECT FACT SHEET

Project ID:* RP056	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 06-10-2025
Fact Sheet Year:* 2025	Project Title:* PLAYLAND INFRASTRUCTURE, RIDES AND SITEWORK	Legislative District ID: 7,
Category* PLAYLAND	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2969

Overall Project Description

This project will address the critical need to reconstruct, rehabilitate and make operational various rides, facilities and other associated infrastructure and site work at Playland Park.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	12,000	0	0	0	0	0	0	12,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	12,000	0	0	0	0	0	0	12,000

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

Current Bond Description: This project will fund design, construction and construction management to reconstruct, rehabilitate and make operational various rides, facilities and other associated infrastructure and site work at Playland Park.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	12,000,000
Cash:	0
Total:	\$ 12,000,000

SEQR Classification:

TYPE II

Amount Requested:

12,000,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|---|

Comments:

A capital budget amendment in the amount of \$12,000,000 is requested and shown under review.

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

06-10-2025

Department of Public Works

RJB4

Date

06-10-2025

Budget Department

DEV9

Date

06-10-2025

Requesting Department

RCL3

Date

06-10-2025



Kenneth W. Jenkins
County Executive

Department of Environmental Facilities

Vincent F. Kopicki, P.E.
Commissioner

June 20, 2025

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

Dear Honorable Members:

I have been advised by the Commissioner of Environmental Facilities that the Town of Mt. Pleasant (the "Town") has requested pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 120 Pollywoggle Lane, Section 106.9, Block 4, Lot 41 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is being requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

I am advised that the analysis prepared by the Department of Environmental Facilities in the attached feasibility report ("Feasibility Report") dated March 31, 2025 indicates that the proposed removal of the Parcel represents a net decrease of 0.0023% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel from the District is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

As your Honorable Board knows, the County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators (the "Board") may only alter or change a district after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall

Office of the County Executive

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

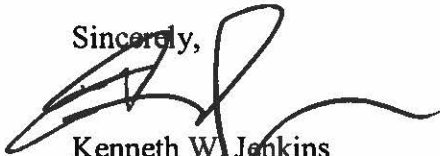
Telephone: (914)995-2900



direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Based upon the foregoing, I respectfully recommend that your Board adopt a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code in such matters. In addition, I urge your Board to file with the Clerk of the Board, the Feasibility Report which details the Parcel involved in the proposed change to the District boundaries, and, after the public hearing, adopt an Act which will accomplish the removal of the Parcel from the District.

Sincerely,



Kenneth W. Jenkins
County Executive

KWJ/VK/mcz
Attachments

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

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Mt. Pleasant (the “Town”) has requested, pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the “District”) be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 120 Pollywiggie Lane, Section 106.9, Block 4, Lot 41 (the “Parcel”) from the District, which Parcel is not currently connected to the County sewer system. This removal is being requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities (“Feasibility Report”) dated March 31, 2025 indicates that the proposed removal of the Parcel represents a net decrease of 0.0023% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcels is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators (the “Board”) to alter or change the sewer districts. However, the Board may only alter or change the districts after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee is advised that the removal of the Parcel would constitute an Unlisted Action under Article 8 of the Environmental Conservation Law, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQR regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcel from the District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: 120 Pollywiggie Lane, Saw Mill SSD, Mount Pleasant

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☒ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☒ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: 236-60-1610-9012

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: Parcel represents 0.0023% of the Full Equalized Value of the Saw Mill SSD

Anticipated Savings to County and/or Impact on Department Operations:

Current Year:

Next Four Years:

Prepared by: Steve Elie-pierre

Title: Director

Department: Maintenance

Date: March 31, 2025

Reviewed By:

Budget Director

Date:

6/23/25

RESOLUTION NO. – 2025

RESOLVED, that this Board hold a public hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant, more particularly described by street address and tax map designation as 120 Pollywiggles Lane, Section 106.9, Block 4, Lot 41, pursuant to Section 237.131 of the Laws of Westchester County. 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. Such notice shall be substantially in the form attached hereto.

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE SAW MILL VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF MT. PLEASANT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2025 AT .M. IN THE CHAMBERS OF THE WESTCHESTER COUNTY BOARD OF LEGISLATORS, 8TH FLOOR, 148 MARTINE AVENUE, WHITE PLAINS, NEW YORK FOR THE PURPOSE OF HEARING PERSONS OR PARTIES INTERESTED IN THE REMOVAL FROM THE SAW MILL VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF MT. PLEASANT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED MARCH 31, 2025, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

120 POLLYWIGGLE LANE, SECTION 106.9, BLOCK 4, LOT 41; and

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: , 2025

White Plains, New York

RESOLUTION NO -2025

WHEREAS, there is pending before this Honorable Board an Act to authorize the County to modify the Saw Mill Valley Sanitary Sewer District (the “District”) by removing one (1) parcel of property in the Town of Mt. Pleasant, which parcel is not currently connected to the County sewer system; and

WHEREAS, this Honorable Board has determined that the proposed removal would constitute an action under Article 8 of the Environmental Conservation Law, known as the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQR and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted” action, which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; and

WHEREAS, in accordance with SEQR and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant adverse impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:


RESOLVED, that based upon this Honorable Board’s review of the Short Environmental Assessment Form and the reasons set forth therein, this Board finds that

there will be no significant adverse impact on the environment from the removal of the one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District; and be it further

RESOLVED, the Clerk of the Board of Legislators is authorized and directed to sign the Determination of Significance in the Short Environmental Assessment Form, which is attached and made a part hereof, as responsible officer in Lead Agency; to issue this “Negative Declaration” on behalf of this Board in satisfaction of SEQRA; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TO: Vincent Kopicki, Commissioner
Department of Environmental Facilities

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

DATE: June 17, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR MODIFICATION OF
SAW MILL SANITARY SEWER DISTRICT – REMOVAL OF 120
POLLYWIGGLE LANE, TOWN OF MOUNT PLEASANT**

In response to your request for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

The proposed removal of a parcel from the County's sanitary sewer district has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for consideration by the Board of Legislators.

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

DSK/oav
Att.

cc: Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Commissioner of Planning
Steve Elie-Pierre, P.E., Director of Maintenance
Jeffrey Goldman, Senior Assistant County Attorney
Maximillian Zorn, Assistant County Attorney
Claudia Maxwell, Principal Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Removal of 1 Parcel from Saw Mill Valley Sanitary Sewer District			
Project Location (describe, and attach a location map): 120 Polywiggie Lane, Pleasantville (Town of Mount Pleasant), Westchester County, New York (Section 106.9, Block 4, Lot 41)			
Brief Description of Proposed Action: Removal of 1 parcel from the Saw Mill Valley Sanitary Sewer District. At the request of the property owners, the Town of Mount Pleasant has petitioned the County to remove the subject parcel from the County sewer district on the basis that the parcel was never connected to the sewerage system and the Town has no plans to extend local sewers to service this area. The parcel is 2 acres in size and is developed with a single-family residence. The residence is served by an on-site septic system. The proposed district modification will remove from ad valorem taxation, a property that has not, does not, nor is anticipated to receive district benefits.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestercountyny.gov	
Address: 148 Martine Avenue			
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

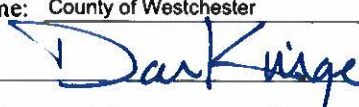
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

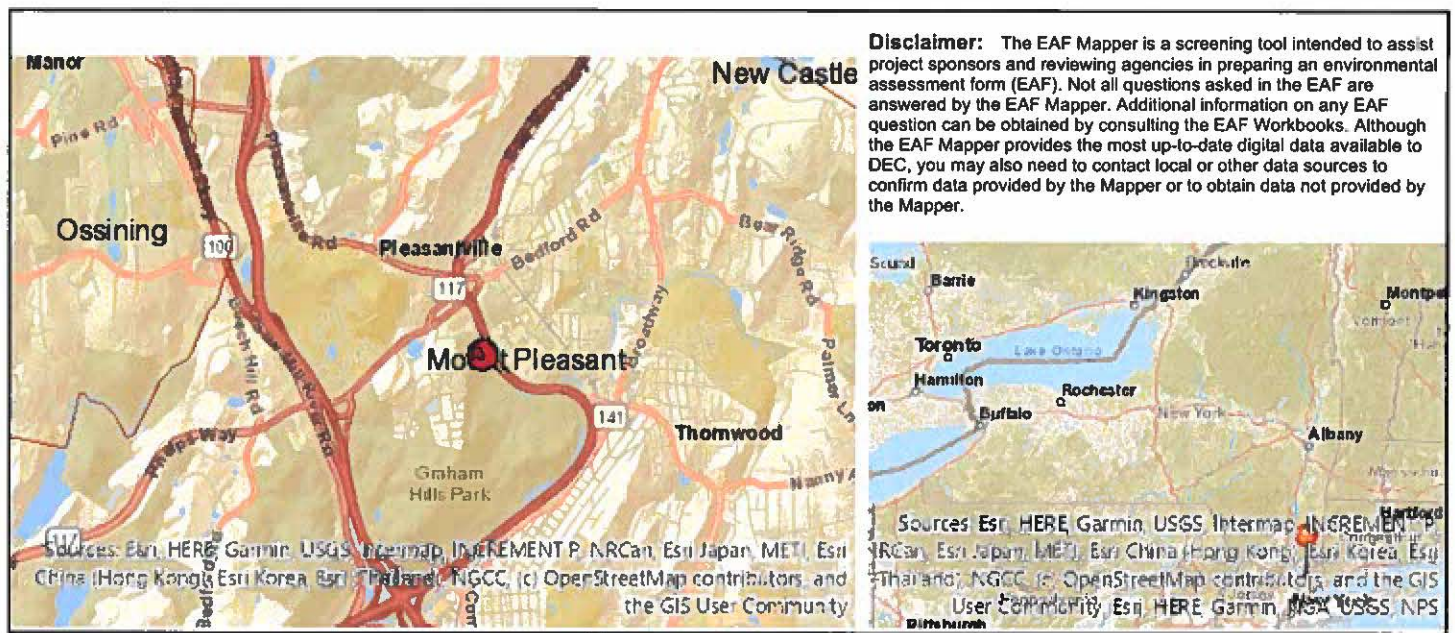
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>June 17, 2025</u>		
Signature: <u></u> Title: <u>Assistant Commissioner, Dept. of Planning</u>		

PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action involves an act by the County Board of Legislators in order to modify a County-established sewer district, which is similar in nature to "the legislative adoption of a plan" in that there are no direct impacts to the environment because the action does not involve physical changes. The proposed action would remove from a district property that is not receiving nor is anticipated to receive district services. The parcel is already developed with a residence that is served by a functioning on-site septic system. The Health Department has no record of septic problems or failures occurring at this site within the past five years, which may otherwise warrant inclusion in the district. Additionally, the property is located in the Town's R-40 One Family Residential zoning district zoning district. Therefore, aside from one new residence that could potentially be created if the 2-acre lot were to be subdivided, no new development is anticipated that would warrant a sewer connection. The nearest local sewer is located over 350 feet away. The Town does not have any plans to extend its local sewer lines to serve this property. Since the property was never connected to the sewer system, its removal from the district will have no physical impact on the County's sewer infrastructure.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk of the Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ACT NO. – 2025

**AN ACT to Modify the Saw Mill Valley
Sanitary Sewer District by the Removal of
One (1) Parcel of Property located in the
Town of Mt. Pleasant.**

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

Section 1. The property located in the Town of Mt. Pleasant, more particularly described as 120 Pollywiggles Lane, Section 106.9, Block 4, Lot 41 (the “Parcel”), is hereby removed from the Saw Mill Valley Sanitary Sewer District (the “District”).

Section 2. The Parcel is to be forgiven its obligation for future debt service requirement and is to relinquish its equity in existing sewage facilities in the District, and in return the District is relieved of its responsibility to provide sanitary sewer service and sewerage facilities to the Parcel.

Section 3. This Act, and the assessment area of the District as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such rolls shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcels were assessed on the roll on which said tax is levied.

Section 4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take any and all action necessary and appropriate to accomplish the purposes hereof.

Section 5. This Act shall take effect immediately.



Kenneth W. Jenkins
County Executive

Department of Environmental Facilities

Vincent F. Kopicki, P.E.
Commissioner

June 20, 2025

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

Dear Honorable Members:

I have been advised by the Commissioner of Environmental Facilities that the Town of Mt. Pleasant (the "Town") has requested pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 127 Palmer Lane, Section 107.13, Block 1, Lot 39 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is being requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

I am advised that the analysis prepared by the Department of Environmental Facilities in the attached feasibility report ("Feasibility Report") dated March 31, 2025 indicates that the proposed removal of the Parcel represents a net decrease of 0.0026% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel from the District is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

As your Honorable Board knows, the County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators (the "Board") may only alter or change a district after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall

Office of the County Executive

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

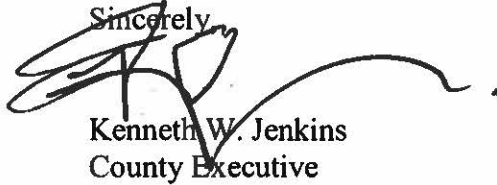
Telephone: (914)995-2900



direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Based upon the foregoing, I respectfully recommend that your Board adopt a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code in such matters. In addition, I urge your Board to file with the Clerk of the Board, the Feasibility Report which details the Parcel involved in the proposed change to the District boundaries, and, after the public hearing, adopt an Act which will accomplish the removal of the Parcel from the District.

Sincerely,

A handwritten signature in black ink, appearing to read 'KWJ', with a long, sweeping horizontal flourish extending to the right.

Kenneth W. Jenkins
County Executive

KWJ/VK/mcz
Attachments

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

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Mt. Pleasant (the “Town”) has requested, pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the “District”) be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 127 Palmer Lane, Section 107.13, Block 1, Lot 39 (the “Parcel”) from the District, which Parcel is not currently connected to the County sewer system. This removal is being requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities (“Feasibility Report”) dated March 31, 2025 indicates that the proposed removal of the Parcel represents a net decrease of 0.0026% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcels is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators (the “Board”) to alter or change the sewer districts. However, the Board may only alter or change the districts after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee is advised that the removal of the Parcel would constitute an Unlisted Action under Article 8 of the Environmental Conservation Law, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQR regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcel from the District. It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass this Act.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: 127 Palmer Lane, Saw Mill SSD, Mount Pleasant

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☒ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☒ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 236-60-1610-9012

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: Parcel represents 0.0026% of the Full Equalized Value of the Saw Mill SSD

Anticipated Savings to County and/or Impact on Department Operations:

Current Year:

Next Four Years:

Prepared by: Steve Elie-pierre

Title: Director

Department: Maintenance

Date: March 31, 2025

Reviewed By:

Budget Director

Date:

6/23/25

RESOLUTION NO. - 2025

RESOLVED, that this Board hold a public hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant, more particularly described by street address and tax map designation as 127 Palmer Lane, Section 107.13, Block 1, Lot 39, pursuant to Section 237.131 of the Laws of Westchester County. 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. Such notice shall be substantially in the form attached hereto.

PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE SAW MILL VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF MT. PLEASANT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2025 AT .M. IN THE CHAMBERS OF THE WESTCHESTER COUNTY BOARD OF LEGISLATORS, 8TH FLOOR, 148 MARTINE AVENUE, WHITE PLAINS, NEW YORK FOR THE PURPOSE OF HEARING PERSONS OR PARTIES INTERESTED IN THE REMOVAL FROM THE SAW MILL VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF MT. PLEASANT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED MARCH 31, 2025, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

127 PALMER LANE, SECTION 107.13, BLOCK 1, LOT 39; and

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: , 2025

White Plains, New York

RESOLUTION NO -2025

WHEREAS, there is pending before this Honorable Board an Act to authorize the County to modify the Saw Mill Valley Sanitary Sewer District (the “District”) by removing one (1) parcel of property in the Town of Mt. Pleasant, which parcel is not currently connected to the County sewer system; and

WHEREAS, this Honorable Board has determined that the proposed removal would constitute an action under Article 8 of the Environmental Conservation Law, known as the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQR and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted” action, which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; and

WHEREAS, in accordance with SEQR and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant adverse impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:


RESOLVED, that based upon this Honorable Board’s review of the Short Environmental Assessment Form and the reasons set forth therein, this Board finds that

there will be no significant adverse impact on the environment from the removal of the one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District; and be it further

RESOLVED, the Clerk of the Board of Legislators is authorized and directed to sign the Determination of Significance in the Short Environmental Assessment Form, which is attached and made a part hereof, as responsible officer in Lead Agency; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that this Resolution shall take effect immediately.

TO: Vincent Kopicki, Commissioner
Department of Environmental Facilities

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

DATE: June 13, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR MODIFICATION OF
SAW MILL SANITARY SEWER DISTRICT – REMOVAL OF 127
PALMER LANE, TOWN OF MOUNT PLEASANT**

In response to your request for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

The proposed removal of a parcel from the County's sanitary sewer district has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for consideration by the Board of Legislators.

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

DSK/oav
Att.

cc: Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Commissioner of Planning
Steve Elie-Pierre, P.E., Director of Maintenance
Jeffrey Goldman, Senior Assistant County Attorney
Maximillian Zorn, Assistant County Attorney
Claudia Maxwell, Principal Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Removal of 1 Parcel from Saw Mill Valley Sanitary Sewer District			
Project Location (describe, and attach a location map): 127 Palmer Lane, Thornwood (Town of Mount Pleasant), Westchester County, New York (Section 107.13, Block 1, Lot 39)			
Brief Description of Proposed Action: Removal of one parcel from the Saw Mill Valley Sanitary Sewer District. At the request of the property owners, the Town of Mount Pleasant has petitioned the County to remove the subject parcel from the County sewer district on the basis that the parcel was never connected to the sewerage system and the Town has no plans to extend local sewers to service this area. The parcel is 1.3 acres in size and is developed with a single-family residence. The residence is served by an on-site septic system. The proposed district modification will remove from ad valorem taxation, a property that has not, does not, nor is anticipated to receive district benefits.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestercountyny.gov	
Address: 148 Martine Avenue			
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

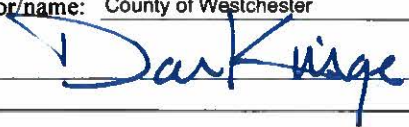
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

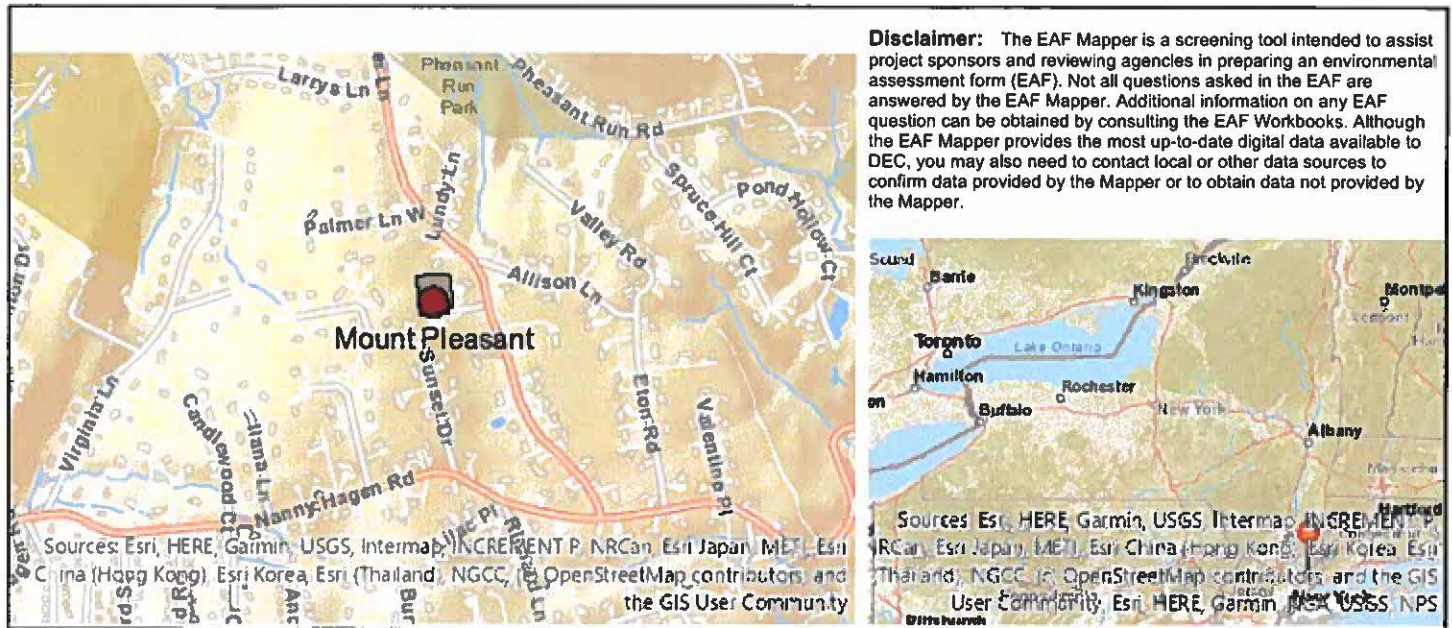
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>June 13, 2025</u>		
Signature: <u></u> Title: <u>Assistant Commissioner, Dept. of Planning</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

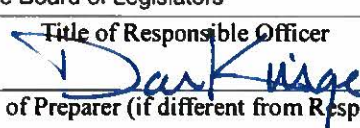
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action involves an act by the County Board of Legislators in order to modify a County-established sewer district, which is similar in nature to "the legislative adoption of a plan" in that there are no direct impacts to the environment because the action does not involve physical changes. The proposed action would remove from a district property that is not receiving nor is anticipated to receive district services. The parcel is already developed with a residence that is served by a functioning on-site septic system. The Health Department has no record of septic problems or failures occurring at this site within the past five years, which may otherwise warrant inclusion in the district. Additionally, the property is located in the Town's R-40 One Family Residential zoning district; as such, no new development is anticipated that would warrant a sewer connection. The nearest local sewer is located over 600 feet away. The Town does not have any plans to extend its local sewer lines to serve this property. Since the property was never connected to the sewer system, their removal from the district will have no physical impact on the County's sewer infrastructure.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
County of Westchester	
Name of Lead Agency	Date
Malika Vanderberg	
Print or Type Name of Responsible Officer in Lead Agency	Clerk of the Board of Legislators
	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)
	

PRINT FORM

ACT NO. – 2025

**AN ACT to Modify the Saw Mill Valley
Sanitary Sewer District by the Removal of
One (1) Parcel of Property located in the
Town of Mt. Pleasant.**

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

Section 1. The property located in the Town of Mt. Pleasant, more particularly described as 127 Palmer Lane, Section 107.13, Block 1, Lot 39 (the “Parcel”), is hereby removed from the Saw Mill Valley Sanitary Sewer District (the “District”).

Section 2. The Parcel is to be forgiven its obligation for future debt service requirement and is to relinquish its equity in existing sewage facilities in the District, and in return the District is relieved of its responsibility to provide sanitary sewer service and sewerage facilities to the Parcel.

Section 3. This Act, and the assessment area of the District as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such roles shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcels were assessed on the roll on which said tax is levied.

Section 4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take any and all action necessary and appropriate to accomplish the purposes hereof.

Section 5. This Act shall take effect immediately.



Kenneth W. Jenkins
Westchester County Executive

June 25, 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 ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,950,000 to finance the following capital project:

BSS19 – Infrastructure Improvements to Shelter Facilities – Grasslands Facility ("BSS19").

The Bond Act, in the amount of \$1,950,000, would finance the cost of infrastructure improvements to various County facilities, including façade repairs, replacement of exterior doors, drainage improvements, underground waterproofing, and rehabilitation of pavements and sidewalks at the County's Grasslands Shelter Facility.

The Department of Social Services ("Department") has advised that BSS19 addresses a multi-year cycle of improvements at the Grasslands Shelter Facility. The current request will focus on exterior rehabilitations which are required because the building components have reached the ends of their useful lives.

Design is currently being undertaken by in-house staff and a consultant, and is expected to be completed in the second quarter of 2025. It is estimated that construction will take six months to complete and will begin after award and execution of the construction contracts.

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

Sincerely,

A handwritten signature in blue ink, appearing to be "K. Jenkins", with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

**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 \$1,950,000 to finance capital project BSS19 – Infrastructure Improvements to Shelter Facilities – Grasslands Facility (“BSS19”). The Bond Act, which was prepared by the law firm Harris Beach Murtha, will finance the cost of infrastructure improvements to various County facilities, including façade repairs, replacement of exterior doors, drainage improvements, underground waterproofing, and rehabilitation of pavements and sidewalks at the County’s Grasslands Shelter.

The Department of Social Services (“Department”) has advised that BSS19 addresses a multi-year cycle of improvements at the Grasslands Facility. The current request will focus on exterior rehabilitations which are required because the building components have reached the ends of their useful lives.

Design is currently being undertaken by in-house staff and a consultant, and is expected to be completed in the second quarter of 2025. It is estimated that construction will take six 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, BSS19 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: _____, 20____
White Plains, New York

COMMITTEE ON

c mg/4-4-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS19

☐ 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 \$ 1,950,000 PPU 15 Anticipated Interest Rate 3.49%

Anticipated Annual Cost (Principal and Interest): \$ 169,870

Total Debt Service (Annual Cost x Term): \$ 2,548,055

Finance Department: Maab Bond Buyer 6-24-25

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: 21

Prepared by: Thomas M. Rooney Jr.

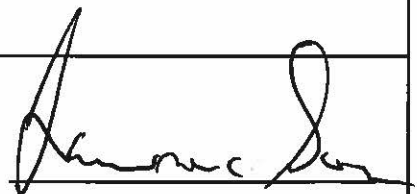
Title: Reimbursement Manager

Department: Social Services


Date: 6/25/25

Reviewed By:

DVB/28/28
ED 6/25/25
Date:


Budget Director
6/25/25

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 13, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BSS19 Infrastructure Improvements to Shelter Facilities - Grasslands Facility**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05/14/2025 (Unique ID: 2757)

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
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

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,950,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS TO VARIOUS COUNTY FACILITIES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,950,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,950,000 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, \$1,950,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of infrastructure improvements to various County facilities, including facade repairs, replacement of exterior doors, drainage improvements, underground waterproofing, and rehabilitation of pavements and sidewalks at the Grasslands Shelter; 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 \$1,950,000. The plan of financing includes the issuance of \$1,950,000 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 existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the 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 \$1,950,000. 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.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ 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 , 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 day of , 20__.

(SEAL) The Clerk and Chief Administrative Officer of the
County Board of Legislators
County of Westchester, New York

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 \$1,950,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS TO VARIOUS COUNTY FACILITIES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,950,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,950,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of infrastructure improvements to various County facilities, including facade repairs, replacement of exterior doors, drainage improvements, underground waterproofing, and rehabilitation of pavements and sidewalks at the Grasslands Shelter; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued: \$1,950,000; fifteen (15) years
and period of probable usefulness:

Dated: _____, 20__
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:* BSS19	<input type="checkbox"/> CBA	Fact Sheet Date:* 04-21-2025
Fact Sheet Year:* 2025	Project Title:* INFRASTRUCTURE IMPROVEMENTS 3, TO SHELTER FACILITIES - GRASSLANDS FACILITY	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* SOCIAL SERVICES	CP Unique ID: 2757

Overall Project Description

This project funds a multi-year cycle of infrastructure improvements at the Grasslands Shelter. This project funds the rehabilitation and upgrades of exterior, interior and site infrastructure which is at the end of its useful life. Infrastructure rehabilitation can include but are not limited to roof repairs, facade repairs, replacement of doors and windows, drainage improvements and underground waterproofing, rehabilitation of pavements and sidewalks, installation of additional drywells and runoff control, interior renovations, upgrade of mechanical and fire protection systems, chiller replacement, and LED lighting upgrades in common areas.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	13,520	1,950	1,750	0	9,820	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	13,520	1,950	1,750	0	9,820	0	0	0

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

Current Bond Description: The bond act will fund facade repairs, replacement of exterior doors, drainage improvements to prevent building leaks, underground waterproofing, and rehabilitation of pavements and sidewalks at the Grasslands Shelter.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,950,000
Cash:	0
Total:	\$ 1,950,000

SEQR Classification:

TYPE II

Amount Requested:

1,950,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> County Staff | <input type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|-------------------------------------|---|

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2024	1,950,000	FUNDS THE RECONSTRUCTION OF THE NORTH WING AND FACADE RESTORATION
2025	1,750,000	DESIGN

Total Appropriation History:

3,700,000

Total Financing History:

0

Recommended By:

Department of Planning
SEDR

Date
05-14-2025

Department of Public Works
RJB4

Date
05-22-2025

Budget Department
DEV9

Date
05-22-2025

Requesting Department
TTR1

Date
06-03-2025

INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - GRASSLANDS FACILITY (BSS19)

User Department : Social Services

Managing Department(s) : Public Works ; Social Services ;

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	13,520	1,950		1,750		9,820			
Non County Share									
Total	13,520	1,950		1,750		9,820			

Project Description

This project funds the rehabilitation and upgrades of exterior, interior and site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include but are not limited to roof repairs, facade repairs, replacement of doors and windows, drainage improvements and underground waterproofing, rehabilitation of pavements and sidewalks, installation of additional drywells and runoff control, interior renovations, upgrade of mechanical and fire protection systems, chiller replacement, and LED lighting upgrades in common areas.

Current Year Description

The current year request funds design.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	1,750,000			1,750,000

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
2024	1,950,000	Funds the reconstruction of the North Wing and facade restoration	AWAITING BOND AUTHORIZATION
Total	1,950,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,950,000		1,950,000
Total	1,950,000		1,950,000



Kenneth W. Jenkins
County Executive

June 25, 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 review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of One Million Twenty-Five Thousand (\$1,025,000.00) Dollars to finance the following capital project:

RB04I – Murray Avenue Bridge Over Community Park, Mamaroneck ("RB04I").

The Bond Act, in the amount of One Million Twenty-Five Thousand (\$1,025,000.00) Dollars, would finance the cost of planning for improvements to Murray Avenue Bridge over Community Park, Mamaroneck, including the rehabilitation of the existing structure, replacement of the brick parapet walls, asphalt approach resurfacing, waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work.

The Department of Public Works and Transportation ("Department") has advised that this bridge, which was built in 1929, has an annual daily traffic count of 3,441, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2023, the New York State Department of Transportation gave the bridge a condition rating of 4.68 and the bridge has continued to deteriorate. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Following bonding authorization, design will be scheduled and is anticipated to take eighteen (18) months. It is anticipated that the design work will be completed using consultants. Additionally, it is anticipated that construction will take approximately thirty-six (36) months and will begin after award and execution of the construction contracts, subject to construction bonding authorization by your Honorable Board.

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

Sincerely,

A handwritten signature in black ink, appearing to be "KW Jenkins", written over a horizontal line.

Kenneth W. Jenkins
Westchester County Executive

**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 \$1,025,000.00 to finance capital project RB04I – Murray Avenue Bridge Over Community Park, Mamaroneck (“RB04I”). The Bond Act, which was prepared by the law firm Harris Beach Murtha, will finance the cost of planning for improvements to Murray Avenue Bridge over Community Park, Mamaroneck, including the rehabilitation of the existing structure, replacement of the brick parapet walls, asphalt approach resurfacing, waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work.

The Department of Public Works and Transportation (“Department”) has advised that this bridge, which was built in 1929, has an annual daily traffic count of 3,441, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2023, the New York State Department of Transportation gave the bridge a condition rating of 4.68 and the bridge has continued to deteriorate. This rating system, using a scale of 1 (“hazardous”) through 7 (“new”), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Following bonding authorization, design will be scheduled and is anticipated to take eighteen (18) months. It is anticipated that the design work will be completed using consultants. Additionally, it is anticipated that construction will take approximately thirty-six (36) months and will begin after award and execution of the construction contracts, subject to construction bonding authorization by your Honorable Board.

The Department of Planning 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 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: _____, 2025.
White Plains, New York

COMMITTEE ON

c/mcz/6.9.25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB04I

☐ 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 \$ 1,025,000 PPU 5 Anticipated Interest Rate 2.72%

Anticipated Annual Cost (Principal and Interest): \$ 22,221

Total Debt Service (Annual Cost x Term): \$ 111,105

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

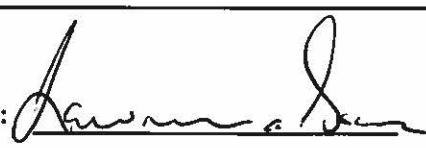
Number of Full Time Equivalent (FTE) Jobs Funded: 11

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/23/25


Reviewed By: 

*DU 6/24/25
CD 6/24/25*

Budget Director

Date: 6/25/25

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: May 7, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB04I MURRAY AVENUE BRIDGE OVER COMMUNITY PARK,
MAMARONECK (BIN 3348250)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04/10/2025 (Unique ID: 2844)

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 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
Maximilian Zorn, Assistant County Attorney
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

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,025,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR IMPROVEMENTS TO MURRAY AVENUE BRIDGE OVER COMMUNITY PARK, MAMARONECK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,025,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,025,000 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 (the "County"), 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, \$1,025,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of planning for improvements to Murray Avenue Bridge over Community Park, Mamaroneck, including the rehabilitation of the existing structure, replacement of the brick parapet walls, asphalt approach

resurfacing, waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,025,000. The plan of financing includes the issuance of \$1,025,000 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 specific object or purpose for which bonds authorized by this resolution is to be issued 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 \$1,025,000. 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.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ 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 _____, 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 day of , 20__.

(SEAL) The Clerk and Chief Administrative Officer of the
County Board of Legislators
County of Westchester, New York

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 \$1,025,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR IMPROVEMENTS TO MURRAY AVENUE BRIDGE OVER COMMUNITY PARK, MAMARONECK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,025,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,025,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of planning for the improvements to Murray Avenue Bridge over Community Park, Mamaroneck, including the rehabilitation of the existing structure, replacement of the brick parapet walls, asphalt approach resurfacing, waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$1,025,000; five (5) 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

CAPITAL PROJECT FACT SHEET

Project ID:* RB04I	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-05-2025
Fact Sheet Year:* 2025	Project Title:* MURRAY AVENUE BRIDGE OVER COMMUNITY PARK, MAMARONECK (BIN 3348250)	Legislative District ID: 7,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2844

Overall Project Description

This project will fund the rehabilitation of the existing structure. The structure was built in 1929 and is 50' long by 260' wide.

- | | | |
|---|--|--|
| <input checked="" 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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	9,531	1,025	0	8,506	0	0	0	0
Less Non-County Shares	3,653	0	0	3,653	0	0	0	0
Net	5,878	1,025	0	4,853	0	0	0	0

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

Current Bond Description: Funding is requested for design associated with the rehabilitation of the existing structure including replacement of the brick parapet walls, asphalt approach resurfacing, waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,025,000
Cash:	0
Total:	\$ 1,025,000

SEQR Classification:

Amount Requested:

1,025,000

Expected Design Work Provider:

- ☐ County Staff
 ☐ Consultant
 ☐ Not Applicable

Comments:

BCR: 4.68 (2023); AADT: 3,441

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	1,025,000	DESIGN

Total Appropriation History:

1,025,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

04-10-2025

Department of Public Works

RJB4

Date

04-11-2025

Budget Department

DEV9

Date

04-14-2025

Requesting Department

RJB4

Date

04-14-2025

MURRAY AVENUE BRIDGE OVER COMMUNITY PARK, MAMARONECK (BIN 3348250) (RB04I)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	9,531	1,025			8,506				
Non County Share	(3,653)				(3,653)				
Total	5,878	1,025			4,853				

Project Description

This project will fund the rehabilitation of the existing structure. The structure was built in 1929 and is 50' long by 260' wide.

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
2023	1,025,000	Design	AWAITING BOND AUTHORIZATION
Total	1,025,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,025,000		1,025,000
Total	1,025,000		1,025,000



Kenneth W. Jenkins
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

June 16, 2025

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

Dear Members of the Board of Legislators:

Attached for your consideration is an Act which, if adopted by your Honorable Board, will authorize the County of Westchester ("County") to enter into agreements with the law firms of Kaplan Kirsch, LLP ("Kaplan Kirsch") and the Wicks Group, PLLC (the "Wicks Group"), to provide legal advice to the County, in an "of counsel" capacity to the County Attorney, with respect to various issues affecting the Westchester County Airport (the "Airport"), for a one (1) year term commencing on August 1, 2025 and continuing through July 31, 2026, with the County reserving an option to renew the term of each agreement for up to five (5) additional periods of one (1) year each.

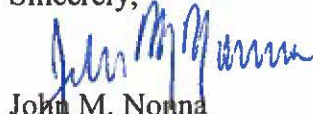
Since 2003, your Honorable Board has authorized the County to retain various law firms to provide legal counsel to the County in the highly specialized field of Airport law. These firms have provided guidance to the County concerning various legal issues affecting the Airport that require specific expertise, not otherwise available in-house, including, but not limited to, compliance with federal law and FAA regulations, application and enforcement of the terminal use procedures, the terminal use agreement and airport tenant agreements within the regulatory environment, as well as developments in airport law. Most recently, your Honorable Board authorized the County to continue to retain the Wicks Group to provide legal counsel in connection with the Delux Public Charter, LLC et al and White Plains Aviation Partners LLC cases. While these cases are on-going, my office continues to require the services of highly competent legal counsel to advise on other Airport-related matters. It should be noted that in 2004, Kaplan Kirsch assisted the County in obtaining approval of the County's Terminal Use Procedures from the Federal Aviation Administration.

Although these legal services are exempt from the County Procurement Policy pursuant to Section 3(a)x thereof, in an effort to gauge the marketplace of available legal talent in this area, on April 1, 2025 my office issued a Request for Proposals ("RFP") seeking proposals from qualified and experienced law firms specializing in Airport law. The RFP was posted on the County website. Copies of the RFP were also sent directly to various firms. Despite these efforts, only two (2) proposals were received in response to this solicitation; one from Kaplan Kirsch and the other from the Wicks Group.

In consideration for legal services rendered, the County will pay Kaplan Kirsch at the following hourly rates: Senior Partners and Of Counsel \$750.00, Partners \$700.00, Senior Counsel \$625.00, Associates \$500.00, Paralegals \$200.00. In consideration for legal services rendered, the County will pay the Wicks Group at the blended hourly rate of \$390.00 for all attorneys. Both firms will also be reimbursed, at cost, for all reasonable and necessary out of pocket expenses and disbursements. In no event will the total amount payable by the County for both agreements exceed the sum of Two Hundred Thousand (\$200,000) Dollars, in the aggregate.

For the foregoing reasons, I most respectfully recommend the enactment of this proposed Act so that the County may receive the services of qualified and experienced Airport counsel.

Sincerely,



John M. Nonna
Westchester County Attorney

JMN/jpg
Attachments

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

Your Committee is in receipt of a communication from the County Attorney, recommending the enactment of an Act which, if adopted, will authorize the County of Westchester ("County") to enter into agreements with the law firms of Kaplan Kirsch, LLP ("Kaplan Kirsch") and the Wicks Group, PLLC (the "Wicks Group"), to provide legal advice to the County, in an "of counsel" capacity to the County Attorney, with respect to various issues affecting the Westchester County Airport (the "Airport"), for a one (1) year term commencing on August 1, 2025 and continuing through July 31, 2026, with the County reserving an option to renew the term of each agreement for up to five (5) additional periods of one (1) year each.

Your Committee is advised that since 2003, your Honorable Board has authorized the County to retain various law firms to provide legal counsel to the County in the highly specialized field of Airport law. These firms have provided guidance to the County concerning various legal issues affecting the Airport that require specific expertise, not otherwise available in-house, including, but not limited to, compliance with federal law and FAA regulations, application and enforcement of the terminal use procedures, the terminal use agreement and airport tenant agreements within the regulatory environment, as well as developments in airport law. Most recently, your Honorable Board authorized the County Attorney to continue to retain the Wicks Group to provide legal counsel in connection with the Delux Public Charter, LLC et al and White Plains Aviation Partners LLC cases. While these cases are on-going, the County Attorney continues to require the services of highly competent legal counsel to advise on other Airport-related matters. Your Committee is informed that in 2004, Kaplan Kirsch assisted the County in obtaining approval of the County's Terminal Use Procedures from the Federal Aviation Administration.

Your Committee is advised that although these legal services are exempt from the County Procurement Policy pursuant to Section 3(a)x thereof, in an effort to gauge the marketplace of available legal talent in this area, on April 1, 2025 the County Attorney issued a Request for Proposals ("RFP") seeking proposals from qualified and experienced law firms specializing in Airport law. The RFP was posted on the County website. Copies of the RFP were also sent directly to various firms. Despite these efforts, only two (2) proposals were received in response to this solicitation; one from Kaplan Kirsch and the other from the Wicks Group.

Your Committee is advised that in consideration for legal services rendered, the County will pay Kaplan Kirsch at the following hourly rates: Senior Partners and Of Counsel \$750.00, Partners \$700.00, Senior Counsel \$625.00, Associates \$500.00, Paralegals \$200.00. In consideration for legal services rendered, the County will pay the Wicks Group at the blended hourly rate of \$390.00 for all attorneys. Both firms will also be reimbursed, at cost, for all reasonable and necessary out of pocket expenses and disbursements. In no event will the total amount payable for both agreements exceed the sum of Two Hundred Thousand (\$200,000) Dollars, in the aggregate.

The Department of Planning has advised your Committee that based on its review, the authorization of the proposed agreements does not meet the definition of an “action” under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR Part 617 (“SEQR”). Please refer to the memorandum from the Department of Planning dated January 12, 2025, which is on file with the Clerk of the Board of Legislators. Therefore, no environmental review is required.

Please note that an affirmative vote of a majority of the members of your Honorable Board is required in order to approve the attached Act. Accordingly, your Board’s favorable action on the annexed Act is most respectfully urged and recommended.

Dated: _____, 2025
White Plains, New York

COMMITTEE ON

C:\jpg.06.16.2025

FISCAL IMPACT STATEMENT

SUBJECT: Airport- Legal Advice

☐ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☒ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense NTE \$200,000

Total Current Year Revenue \$ -

Source of Funds (check one): ☒ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: Fund: 161 Dept: 44 Unit: 4110 Object: 4420:01

Potential Related Operating Budget Expenses: Annual Amount NTE \$200,000

Describe: An Act authorizing the County to retain the law firms of Kaplan Kirsch, LLP and the Wiks Group, PLLC, to provide legal advice to the County on various issues affecting the airport for the term of August 1, 2025 to July 31, 2026 for a NTE amount of \$200,000.

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: N/A

Next Four Years: N/A

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: June 23, 2025

Reviewed By 

Budget Director

Date: 6/22/25

ACT NO. 2025- _____

AN ACT authorizing the County of Westchester to retain the law firms of Kaplan Kirsch, LLP and the Wicks Group, PLLC, to provide legal advice to the County of Westchester, in an “of counsel” capacity to the County Attorney, with respect to various issues affecting the Westchester County Airport, for the period from August 1, 2025 through July 31, 2026, with a County option to renew the term of each agreement for five (5) additional periods of one (1) year each.

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

Section 1. The County of Westchester (“County”) is hereby authorized to retain the law firms of Kaplan Kirsch, LLP (“Kaplan Kirsch”) and the Wicks Group, PLLC (the “Wicks Group”), to provide legal advice to the County, in an “of counsel” capacity to the County Attorney, with respect to various issues affecting the Westchester County Airport (the “Airport”), for a one (1) year term commencing August 1, 2025 and continuing through July 31, 2026, with a County option to renew the term of each agreement for up to (5) additional periods of one (1) year each, subject to the further approval of the Board of Legislators.

§ 2. In consideration for legal services rendered, the County is authorized to pay Kaplan Kirsch at the following hourly rates: Senior Partners and Of Counsel \$750.00, Partners \$700.00, Senior Counsel \$625.00, Associates \$500.00, Paralegals \$200.00. In consideration for legal services rendered, the County is authorized to pay the Wicks Group at the blended hourly rate of \$390.00 for all attorneys. Both firms shall also be reimbursed, at cost, for all reasonable and necessary out of pocket expenses and disbursements. In no event shall the total amount payable for both agreements exceed the sum of Two Hundred Thousand (\$200,000) Dollars, in the aggregate.

§ 3. The County Attorney, or his authorized designee, is hereby authorized to execute all instruments and to take all actions reasonably necessary to effectuate the purposes of this Act.

§ 4. This Act shall take effect immediately.

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

As your Honorable Board may know, by Resolution No. 223-2000, a proposal was submitted to the New York State Commissioner of Agriculture and Markets (the “NYS Commissioner”) to establish the Westchester County Agricultural District No. 1 (the “District”) and designate a review period every eight (8) years. The NYS Commissioner certified the lands designated in Resolution No. 223-2000 for districting effective July 19, 2001. Recertification of the District is once again necessary and is due to be completed on or before July 19, 2025.

Your Committee has been advised that pursuant to Section 303-a of the New York State Agriculture and Markets Law, your Honorable Board is required to take certain enumerated actions in recertifying the District. First is to publish a notice that a review is underway, second is to direct the Westchester County Agricultural and Farmland Protection Board (“AFPB”) to prepare a report and recommendations, and third is to schedule a public hearing.

The first two steps were previously authorized by your Honorable Board by Resolution No. 13-2025. The third step, the scheduling of the public hearing, was previously authorized by your Honorable Board by Resolution No. 21-2025 and an initial public hearing was duly held on March 24, 2025 to consider the original report and recommendations adopted by the AFPB, dated March 11, 2025. A second public hearing was duly held on June 16, 2025 to consider the AFPB’s amended report and recommendations dated April 15, 2025 (the “April 15th Amended Report”), which the AFPB prepared and submitted for District recertification.

Your Honorable Board is in receipt of the April 15th Amended Report that the District be recertified in accordance with certain modifications as described in the revised report and recommendations. Such modifications include the addition of nine (9) parcels of land totaling

approximately seventy-seven and seven tenths (± 77.7) acres and the re-inclusion of the Towns of New Castle, North Castle, Ossining and Pound Ridge as eligible municipalities.

Your Committee has been advised that recertification of the District be made according to the April 15th Amended Report, with one (1) modification: the removal of North Castle from the list of eligible municipalities for re-inclusion in the District.

Accordingly, transmitted herewith for your consideration is a Resolution, which if adopted, would authorize your Honorable Board to make the finding recommending to the NYS Commissioner that the District be recertified in accordance with the proposed modifications identified in the April 15th Amended Report, minus the re-inclusion of North Castle as a District-eligible municipality.

If your Honorable Board finds that the District should be recertified, then a certified copy of the adopted Resolution, along with the April 15th Amended Report, must be sent to the NYS Commissioner.

The Department of Planning has advised that, based on its review, the proposed Resolution finding that the District should be recertified in accordance with the proposed modifications, minus the re-inclusion of North Castle as a District-eligible municipality, has been classified as an “Unlisted action” under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQRA”). A Resolution, and proposed Negative Declaration, along with a Short Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQRA. Upon review, your Committee concludes that the proposed action will not have any significant adverse impact on the environment and recommends the adoption of the Resolution adopting the Negative Declaration.

Based upon the foregoing, your Committee recommends the adoption of the attached Resolution in order for the County to adopt the April 15th Amended Report and recertify the District according to the report's modifications, minus the re-inclusion of North Castle as a District-eligible municipality.

Dated: JUNE, 18 2025
White Plains, New York

COMMITTEE ON

c: mcz 6.18.25

Parks & Environment

Vedat Gashi

[Signature]

[Signature]

Housing & Planning

Vedat Gashi

[Signature]

[Signature]

FISCAL IMPACT STATEMENT

SUBJECT: 2025 Ag District Recertification

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$ -

Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses: Annual Amount 0

Describe: No impact.

Potential Related Operating Budget Revenues: Annual Amount 0

Describe: No impact.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: Recertification of the District is required by NYS Ag and Markets Law every eight years and is performed by Planning Department staff.

Next Four Years: Annual application period is required by New York State Agricultural Districts Law and performed by Planning Department staff and the members of the County Agriculture and Farmland Protection Board. A report will be provided to the BOL for recommendation to New York State.

Prepared by: Matthew Castro

Title: Principal Environmental Planner

Department: Department of Planning


Date: May 28, 2025

Reviewed By: 

Budget Director

Date: 5/28/25

TO: Maximillian Zorn, Junior Assistant County Attorney
Department of Law

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

DATE: March 27, 2025

SUBJECT: **SEQR DOCUMENTATION FOR 2025 RECERTIFICATION OF THE
WESTCHESTER COUNTY AGRICULTURAL DISTRICT WITH
MODIFICATIONS**

In response to a request by the Board of Legislators for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

This project has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for the action for consideration by the Board of Legislators.

Please contact my office if you require any additional information regarding these documents.

DSK/oav
Att.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca Lopez, Commissioner of Planning
Matthew Castro, Principal Environmental Planner/District Manager, SWCD
Claudia Maxwell, Principal Environmental Planner

RESOLUTION NO. ____ -2025

WHEREAS, there is pending before this Honorable Board a Resolution to authorize the County of Westchester to make the finding that the Westchester County Agricultural District No. 1 (“District”) be recertified in accordance with the proposed modifications identified in the report of the Westchester County Agricultural and Farmland Protection Board, minus the re-inclusion of North Castle as a District-eligible municipality. Such modifications include the addition of nine (9) parcels of land totaling approximately seventy-seven and seven tenths (± 77.7) acres and the re-inclusion of the Towns of New Castle, Ossining and Pound Ridge as eligible municipalities (“District Recertification”); and

WHEREAS, this Honorable Board has determined that the proposed District Recertification would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this District Recertification is classified as an “Unlisted action,” which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is conducting uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Short Environmental Assessment Form (“EAF”) has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed District Recertification and has reviewed the attached EAF and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached EAF, to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the EAF and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the District Recertification; and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the EAF, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of 6 NYCRR Part 617; and be it further

RESOLVED, that the Resolution shall take effect immediately.

Dated: _____, ____ 2025
White Plains, New York

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Recertification of Westchester County Agricultural District No.1			
Project Location (describe, and attach a location map): See attached list and map			
Brief Description of Proposed Action: The Westchester County Agricultural District was created in 2001 and must be recertified every eight years pursuant to New York State Agricultural Districts Law. As such, the Westchester County Agricultural District was recertified in 2011 and 2017 directed by the procedures provided in the aforementioned law. The proposed action by the Westchester Board of Legislators is to recommend continuation of the district with modifications to add certain parcels as described in the attachment to this EAF and as recommended by the Westchester County Agriculture and Farmland Protection Board to the Board of Legislators.			
Name of Applicant or Sponsor: Westchester County Board of Legislators, c/o Sunday Vanderberg, Clerk and CAO		Telephone: 914-995-4604 E-Mail: mav5@westchestergov.com	
Address: 800 Michaelian Office Building, 148 Martine Avenue, 8th Floor			
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

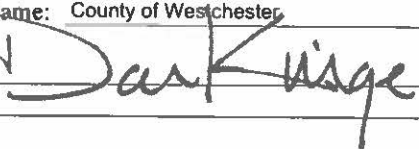
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>April 16, 2025</u>		
Signature: <u></u> Title: <u>Assistant Commissioner, Dept. of Planning</u>		

PRINT FORM

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attached addendum.

Refer to the Westchester County Agriculture and Farmland Protection Board
"Agricultural District Eight-Year Review Report" for more detail and a list of farms.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Westchester County Board of Legislators	
Name of Lead Agency	Date
Sunday Vanderburg	Clerk and Chief Administrative Officer
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Assistant Commissioner, Department of Planning

PRINT FORM

STATE ENVIRONMENTAL QUALITY REVIEW

ADDENDUM TO EAF

The Proposed Action is the recommendation by the Westchester County Board of Legislators to the New York State Commissioner of Agriculture concerning the recertification of the Westchester County Agricultural District, as provided for under Section 303-a of Article 25-AA of New York State Agriculture and Markets Law. Continuation or modification, including the addition of parcels of land within an agricultural district does not, in and of itself, supersede or modify existing land use ordinances or regulations. Consequently, the proposed action will not result in the physical alteration of the environment or otherwise have a negative impact on the environment. Rather, the continuation and modification of an existing agricultural district promotes the preservation of viable agricultural land and has other environmental benefits as described below.

The New York State Department of Agriculture and Markets has determined that modifications to an agricultural district are an Unlisted action with respect to SEQR. The County Board of Legislators is conducting uncoordinated review as permitted for Unlisted actions.

The Westchester County Agriculture and Farmland Protection Board (AFPB) reviewed the Westchester County Agricultural District, including the following items enumerated in Section 303-a.2.b. of Agricultural Districts Law:

- (1) the nature and status of farming and farm resources within such district, including the total number of acres of land and the total number of acres of land in farm operations in the district;
- (2) the extent to which the district has achieved its original objectives;
- (3) the extent to which county and local comprehensive plans, policies and objectives are consistent with and support the district;
- (4) the degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in such district and their influence on farming.

The AFBP received five applications in 2025 to add land to the district.

App #	Farm Name	SBL	Acres	Street Address	Municipality
2025-01	Turn and Bolt Farm	27.-1765-9	18.5	100-126 Wallace Rd	North Salem
2025-02	Clear Vision Farm	3.-1735-34	17.9	110 Hardscrabble Road	North Salem
2025-02	Clear Vision Farm	5.-1746-2	6.0	201 June Road	North Salem
2025-02	Clear Vision Farm	5.-1746-1	2.7	207 June Road	North Salem
2025-02	Clear Vision Farm	5-1746-3	2.7	6 Starr Ridge Road	North Salem
2025-02	Clear Vision Farm	5.-1746-12	7.0	12 Starr Ridge Road	North Salem
2025-03	Hunter Brook Tree Nursery	36.13-1-2	8.1	2145 Hunter Brook Road	Yorktown
2025-04	Stewart Watson Farm	9.-1767-7	1.6	223 Vail Lane	North Salem
2025-04	Stewart Watson Farm	9.-1767-3	1.9	225 Vail Lane	North Salem
2025-05	Heritage Farm	27.15-1-27.6	19.3	14 Lalli Drive	Somers

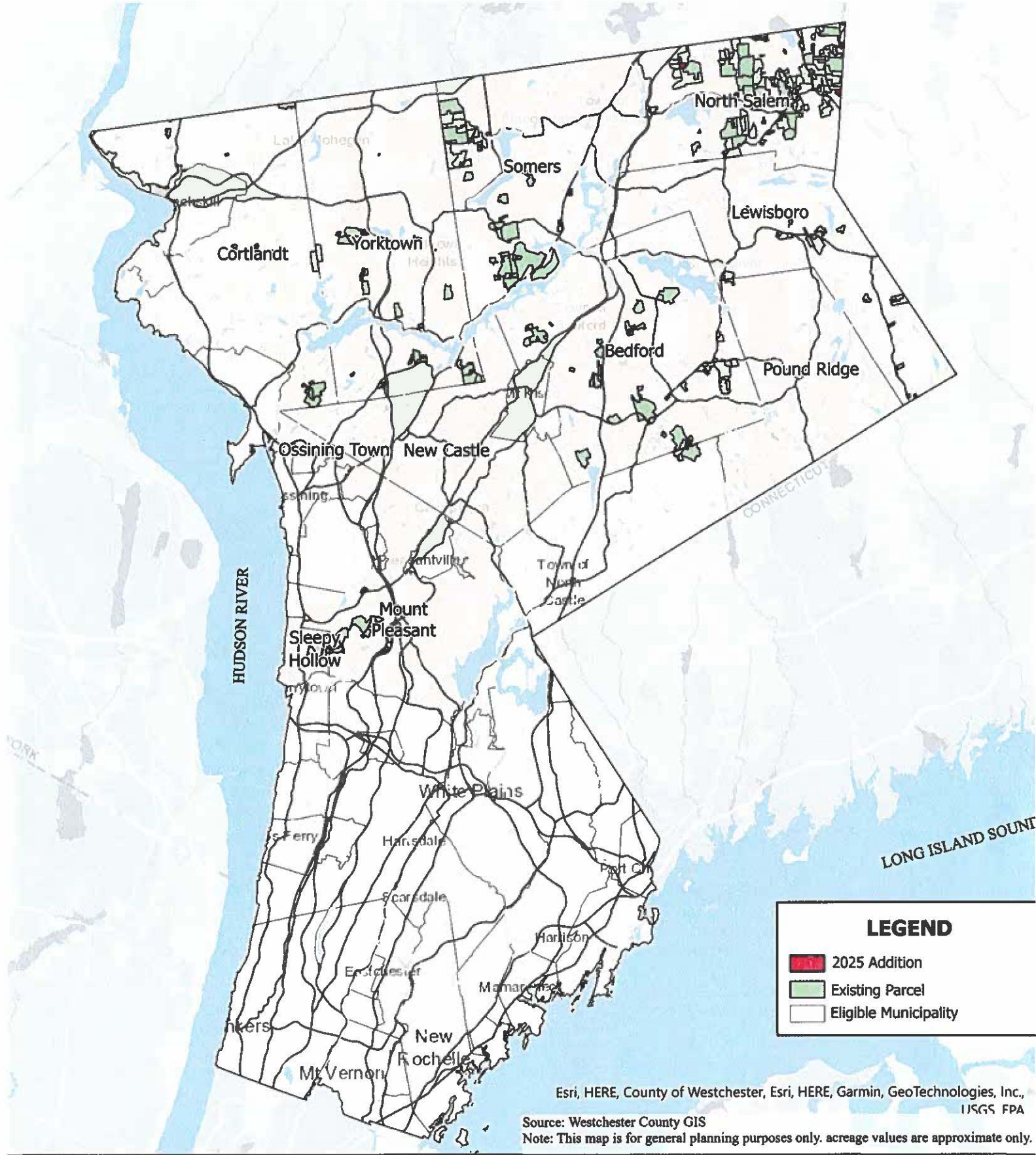
The AFPB, in its report, recommended continuation and modification of the district with the following modifications:

- (1) reinstatement of the towns of Ossining, New Castle, North Castle, and Pound Ridge as eligible municipalities for the purposes of including additional land within the district, subject to the provisions of Agriculture and Markets Law and the procedures determined by the Westchester County Board of Legislators.
- (2) Inclusion of the parcels associated with applications 2025-01, 2025-02, 2025-04, and 2025-05.

Agricultural land and the agricultural industry in Westchester County continue to be under considerable pressure to convert to other land uses, typically residential subdivision. Agricultural land contributes significantly to the quality of life in Westchester County by providing open space, links to cultural history, vegetative and wildlife habitat, and a local source of fresh food. The protection and enhancement of agricultural land is in furtherance of the County's goals, as Inclusion of Additional Parcels within the Westchester County Agricultural District described in the County Planning Board's long-range planning document, *Patterns for Westchester: the Land and the People*, and the County Agriculture and Farmland Protection Plan to protect natural and cultural resources, preserve open space and community character and reduce environmental impacts associated with development. The Westchester County Board of Legislators created the Agriculture and Farmland Protection Board and the Westchester County Agricultural District to protect agricultural land and enhance the agricultural industry in furtherance of these goals. New York State Agriculture and Markets Law requires that counties that have a certified agricultural district conduct an annual review of applications received for the inclusion of additional parcels of land within the agricultural district and submit recommendations, if warranted, to the New York State Commissioner of Agriculture.

Inclusion of additional agricultural parcels within the Agricultural District does not have a physical impact on the environment. Inclusion of land within the agricultural district furthers the goals and objectives of the County to:

- Preserve and protect the county's natural resources, including the drinking water supply;
- Assure a diverse and interconnected system of open space, supporting a variety of flora and fauna and providing contrast in the texture of the landscape;
- Enhance a broad economic base and economic opportunity within the county; and
- Protect the county's educational, cultural, historic and aesthetic resources for future generations.



RESOLUTION NO. – 2025

WHEREAS, by Resolution No. 223-2000, the County submitted a proposal to the New York State Commissioner of Agriculture and Markets (the “NYS Commissioner”) to establish the Westchester County Agricultural District No. 1 (the “District”) and designate a review period every eight (8) years. The NYS Commissioner certified the lands designated in Resolution No. 223-2000 for districting effective July 19, 2001. Recertification of the District is once again necessary and is due to be completed on or before July 19, 2025; and

WHEREAS, pursuant to Section 303-a of the New York State Agriculture and Markets Law, certain enumerated actions must be taken in order to recertify the District. First is to publish a notice that a review is underway, second is to direct the Westchester County Agricultural and Farmland Protection Board (“AFPB”) to prepare a report and recommendations, and third is to schedule a public hearing; and

WHEREAS, the first two steps were previously authorized by your Honorable Board by Resolution No. 13-2025. The third step, the scheduling of the public hearing, was previously authorized by your Honorable Board by Resolution No. 21-2025 and an initial public hearing was duly held on March 24, 2025 to consider the original report and recommendations adopted by the AFPB, dated March 11, 2025. A second public hearing was duly held on June 16, 2025 to consider the AFPB’s amended report and recommendations dated April 15, 2025 (the “April 15th Amended Report”), which the AFPB prepared and submitted for District recertification; and

WHEREAS, Section 303-a of the New York State Agriculture and Markets Law requires that the Board take certain additional, enumerated actions in relation to the recertification of the District; and

WHEREAS, this Board has reviewed the April 15th Amended Report prepared by the AFPB and has given due consideration to the proposals and statements made during the course of the public comment period and during the first and second public hearings, which were duly held on March 24, 2025 and June 16, 2025, respectively (together the “Public Hearings”).

NOW, THEREFORE, BE IT

RESOLVED, that the Westchester County Board of Legislators finds that the District should be modified for the reasons set forth in the AFPB April 15th Amended Report; and be it further

RESOLVED, that the modifications included in the AFPB April 15th Amended Report are appropriate, except for the re-inclusion of North Castle as a District-eligible municipality; and be it further

RESOLVED, that the Board adopts the evaluation, purposes, goals, and modifications set forth in the AFPB April 15th Amended Report, except for the re-inclusion of North Castle as a District-eligible municipality, with due consideration to the proposals and statements made during the public comment period and during the Public Hearings; and be it further

RESOLVED, that the Clerk of the Board is hereby authorized and directed to forward to the NYS Commissioner (i) certified copies of this Resolution; (ii) a description of the District,

including a map delineating the exterior boundaries of the District which shall conform to tax parcel boundaries; (iii) the tax map identification numbers for every parcel in the District; (iv) a copy of the AFPB April 15th Amended Report; and (v) copies of the testimonies given at the Public Hearings.

Dated: _____, ____ 2025
White Plains, New York

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

Your Committee is in receipt of a communication from the County Executive recommending that your Honorable Board adopt an Act which, if adopted would authorize the County of Westchester ("County"), acting by and through its Department of Social Services ("Department"), to enter into an intermunicipal agreement ("IMA") with the County of Putnam ("Putnam"). Pursuant to the proposed IMA, the County and Putnam will agree to continue to organize and implement programs and activities in accordance with the Workforce Innovation and Opportunity Act of 2014 ("WIOA"), in order to maintain the designation of Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, as required under the WIOA, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County. The proposed IMA would be for a term commencing on July 1, 2025 and continuing until: either 1.) both the County and Putnam act to rescind the IMA, 2.) federal or state authority ceases for the Westchester-Putnam Local Workforce Development Area to serve as the local implementation means for job-training programs, or 3.) June 30, 2030; whichever comes first.

Your Committee is advised that on July 22, 2014, the WIOA was signed into law, as successor to the Workforce Investment Act of 1998, as amended ("WIA"), and became effective on July 1, 2015. With the implementation and administration of WIOA, the then existing Local Workforce Investment Areas ("LWIAs") under the prior WIA were subsequently designated as Local Workforce Development Areas ("LWDAs"), upon the submission by local entities of a request for initial designation of their local areas as LWDAs, as required by WIOA.

Your Committee is further advised that, on April 14, 2015, the New York State Department

of Labor ("NYSDOL"), on behalf of the Governor of New York State, issued a technical advisory entitled the "Workforce Development System Technical Advisory #15-5" (the "Technical Advisory") which established policies and procedures necessary for the initial designation of said LWDAs. The local entities' requests for initial designation had to satisfy three (3) specific criteria set forth in the WIOA. One of the three (3) specific criteria was that an agreement would have to be in place between the chief elected officials of a single or multi-jurisdictional LWDA, such as the Westchester-Putnam Local Workforce Development Area. It should be noted that under WIA, there had been a multi-jurisdictional LWIA covering Westchester County (exclusive of the City of Yonkers, which has had its own LWIA) and Putnam County. Pursuant to the WIOA, the NYSDOL would then approve such requests for LWDA designation in consultation with the State Workforce Investment Board, in order for such LWDA to receive federal funds. It should be noted that under the prior WIA, there had been a multi-jurisdictional LWIA covering Westchester County (exclusive of the City of Yonkers, which has had its own LWIA) and Putnam County.

In connection with the foregoing, your Committee is also advised that on July 13, 2015, pursuant to Act 2015-126, your Honorable Board approved an intermunicipal agreement between the County and Putnam for the initial designation of the Westchester-Putnam Workforce Development Area ("WPWDA") as a LWDA for the purposes of WIOA, to continue to cover Westchester County (exclusive of the City of Yonkers) and Putnam County. Such inter-municipal agreement subsequently executed by the County and Putnam ("2015 IMA").

Your Committee is also advised that, on May 18, 2020, pursuant to Act No. 2020-88, your Honorable Board approved a subsequent intermunicipal agreement between the County and

Putnam for the County and Putnam to continue to organize and implement WPWDA programs and activities pursuant to WIOA (the “2020 IMA”) for the continued designation of WPWDA as LWDA to cover Westchester County (exclusive of the City of Yonkers) and Putnam County.

Your Committee is advised that the 2020 IMA is set to expire on June 30, 2025 and the County and Putnam desire to enter into the IMA to continue to organize and implement WPWDA programs and activities pursuant to WIOA.

The Department of Planning has advised that the actions under the IMA do not meet the definition of an “action” under the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR, Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of the Board of Legislators.

Your Committee believes that the proposed IMA with Putnam is in the best interests of the County because it not only promotes economic development and reduces unemployment within the regions, but it will also permit WPWDA to continue to organize and implement WPWDA programs and initiatives to the benefit of its residents.

Your Committee has been advised that an affirmative vote of a majority of the voting strength of your Honorable Board is required to adopt the annexed Act. After review and careful consideration, your Committee recommends favorable action upon the proposed Act.

Dated: 6/24, 2025
White Plains, New York

James Zeller Jr.
Emiliana Ullay
[Signature]

Manoff Ben
James Zeller Jr.
[Signature]

COMMITTEE ON:

Labor and
Human Rights

Human
Services

FISCAL IMPACT STATEMENT

SUBJECT: IMA InterMunicipal Agreement with Putnam County

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) ☐ GENERAL FUND ☐ AIRPORT ☐ SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 0

Total Current Year Revenue \$ -----0-----

Source of Funds (check one): ☐ Current Appropriations

☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: N/A

Potential Related Operating Budget Expenses: Annual Amount \$ _____

Describe: N/A

Potential Related Revenues: Annual Amount \$ _____

Describe: N/A

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: No Fiscal Impact

—

—

Next Four years: No Fiscal Impact

—

—

—

Prepared by: Mary Skirchak

Title: Accountantt III

Department: Social Services


Reviewed By: [Signature]

Budget Director

5/9/25

If you need more space, please attach additional sheets.

TO: Kenneth Jenkins, County Executive
John Nonna, County Attorney

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

DATE: January 14, 2025

SUBJECT: **ACTIVITIES NOT SUBJECT TO STATE ENVIRONMENTAL QUALITY REVIEW**

As required by the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 ("SEQR"), the Board of Legislators ("BOL") is the body that must assess the environmental significance of all actions that the BOL has discretion to approve, fund or directly undertake. The Planning Department has historically conducted the necessary environmental review for the BOL to undertake its responsibility under SEQR. Additionally, contracts going before the Board of Acquisition and Contracts ("BAC") must be reviewed for conformance with SEQR.

Pursuant to Section 617.2(b) of SEQR, "Actions" are defined as:

- (1) projects or physical activities, such as construction or other activities that may affect the environment by changing the use, appearance or condition of any natural resource or structure, that:
 - (i) are directly undertaken by an agency; or
 - (ii) involve funding by an agency; or
 - (iii) require one or more new or modified approvals from an agency or agencies;
- (2) agency planning and policy making activities that may affect the environment and commit the agency to a definite course of future decisions;
- (3) adoption of agency rules, regulations and procedures, including local laws, codes, ordinances, executive orders and resolutions that may affect the environment; and
- (4) any combinations of the above.

As has been done in prior years, the Planning Department, in an attempt to streamline the process for SEQR review and related document preparation for the BOL and BAC, has created a list of categories of activities **that do not meet the definition of an "action"** as defined in SEQR. This list (attached) references activities that are routine and which do not change the use, appearance or condition of any natural resource or structure, nor do they involve policies or regulations that may affect the environment. The creation of this list in no way eliminates the BOL's or BAC's responsibilities under SEQR. Rather, it establishes a workflow for items that are routine and do not, under the law, require environmental review.

Accordingly, the Planning Department advises that no environmental review is required and no SEQR documentation is necessary for submission with BOL legislation or with resolutions or contracts requiring BAC approval regarding activities on the attached list.

County departments and agencies may reference this memorandum in the legislation in order to document compliance with SEQR for actions listed herein. This memorandum should be considered in effect until rescinded or replaced, with replacements typically occurring annually in mid-January. As such, this memorandum should be kept on file with the Clerk of the Board of Legislators. Legislation should include a statement similar to the following: "The proposed project does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2025, which is on file with the Clerk of the Board of Legislators."

This memorandum will be distributed to all Commissioners as part of County operations.

Please contact me if you have any questions.

Att.

cc: Malika Vanderberg, Clerk and Chief Administrative Officer to the Board of Legislators
Joan McDonald, Director of Operations
Stacey Dolgin-Kmetz, Chief Deputy County Attorney
Tami Altschiller, Assistant Chief Deputy County Attorney
Andrew Ferris, Chief of Staff
Steve Bass, Director of Intergovernmental Relations
Paula Friedman, Assistant to the County Executive
Emily Saltzman, Deputy Director of Operations
Blanca Lopez, Commissioner of Planning

**ACTIVITIES THAT DO NOT MEET THE DEFINITION OF AN “ACTION”
PURSUANT TO SEQR AND ARE, CONSEQUENTLY, NOT SUBJECT TO SEQR**

1. BUDGETS AND AMENDMENTS

- Municipal budgets and amendments to them – The budgeting process merely sets aside funds without a commitment to their expenditure. Operating expenditures are typically for government-related activities that would also not meet the definition of an action. Even the establishment of the Capital Budget is not subject to SEQR because many of the capital projects are usually not definitive enough with respect to potential impacts to be reviewable at the time the budget is adopted. However, any subsequent authorization, such as bonding, to undertake a particular capital project is an action that requires SEQR compliance before it may be approved.
- The transfer of funds within the County operating and capital budgets for the purpose of balancing accounts – it is understood that these actions are purely budgetary, where accounts with excess funds are moved to accounts with existing or anticipated deficits. It is further understood that the activities covered by these accounts have either already occurred or been reviewed in accordance with SEQR, are Type II actions or actions that are not subject to SEQR, or are actions that will require future approval prior to being undertaken, at which time further SEQR review may be appropriate.
- Rescissions or reduction of bond acts to cancel unspent funds.

2. SERVICES

- Consultant services – Contracts or agreements that provide for administrative services, training, reports for Boards and Commissions, but not including studies or design of physical improvements, which has been listed under SEQR as Type II.
- Social Services – Actions or agreements that provide services to persons in need, such as employment assistance, financial counseling, family/domestic intervention and respite care.
- Youth services – Actions or agreements that provide for youth services, such as a Resource Allocation Plan, Invest-in-Kids Program, after-school programs, camp programs and head-start programs.
- Senior programs & services – Actions or agreements that provide for services to seniors, such as provision of information/education, home care, nutrition & transportation assistance, caregiver support, and acceptance of federal and state grants providing for such services (e.g., OAA Title III grants and NYSOFA grants, including CSE, CSI, CRC, EISEP, NYSTP, WIN & NSIP).
- Public Safety services – programs that promote public safety, such as STOP-DWI and Police Night Out; intermunicipal agreements (IMAs) for shared training, equipment and response to emergencies, including E-911; acceptance and administration of grants for law enforcement programs (e.g., JAG).
- Fire services – Fire district IMAs for shared training, equipment and response to emergencies.
- Legal services – Contracts for outside counsel, litigation or associated monetary settlements and collections.

- Medical Services – Contracts with medical providers for medical examinations, testing, vaccinations or medical treatment of County employees or the public.
- Mental Health Services – Contracts with agencies to provide treatment, services or education related to mental health.

3. PERSONNEL MATTERS

- Actions related to employment or employees.
- Contracts for temporary staff assistance.
- Legislation pertaining to establishment and membership of boards and commissions.

4. FINANCES

- Tax Anticipation Notes.
- Bond acts to finance tax certiorari payments.
- Banking contracts/agreements for money management services.
- Mortgage tax receipts disbursements (County Clerk).
- Refinancing of affordable housing mortgages.
- Payment in Lieu of Taxes (PILOT) agreements.

5. LAWS

New laws or amendments of existing laws that:

- Regulate the sale or use of products for the protection of public health.
- Regulate businesses for the protection of consumers.
- Pertain to consumer protection, not including professional licensing, which have been classified as Type II.
- Pertain to animal welfare, excluding regulations involving habitat management.
- Pertain to public safety.
- Pertain to taxation, such as establishment of new taxes or tax exemptions.
- Pertain to establishment or modification of fees.
- Pertain to notices, publications and record keeping.
- Pertain to hiring or contracting procedures.
- Pertain to the functioning of County government, such as term limits, board appointments, etc. that do not impact the environment.

6. MISCELLANEOUS

- Amendments to existing agreements for changes in name or consultants.
- Education/training programs, contracts for clinical instruction.
- Prisoner Transport IMAs.
- Tourism Promotion Agency designation.
- Software licenses.
- IMAs for temporary housing in existing facilities (homeless, inmate, troubled youths, domestic violence victims).

- Naming or renaming of streets, buildings, parks or other public facilities.

WCDP
JAN 2025

ACT NO. ____ - 2025

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the County of Putnam, pursuant to which Westchester and Putnam will agree to organize and implement activities pursuant to the Workforce Innovation and Opportunity Act of 2014, for the continued designation of the Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County.

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 ("IMA") with the County of Putnam ("Putnam"), pursuant to which the County and Putnam will agree to organize and implement programs and activities pursuant to the Workforce Innovation and Opportunity Act of 2014 ("WIOA"), for the continued designation of the Westchester-Putnam Local Workforce Development Area as a Local Workforce Development Area, to cover Westchester County (exclusive of the City of Yonkers) and Putnam County. The IMA shall be for a term commencing on July 1, 2025 and continuing until either: 1.) both the County and Putnam act to rescind the IMA, 2.) federal or state authority ceases for the Westchester-Putnam Local Workforce Development Area to serve as the local implementation means for job-training programs, or 3.) June 30, 2030; whichever comes first.

§2. The County Executive or his authorized designee is hereby authorized to execute and deliver all documents and take such actions as he deems necessary or desirable to accomplish the purposes hereof.

§3. This Act shall take effect immediately.

Multi Jurisdictional Chief Elected Officials Inter-Municipal Agreement

Local Workforce Development Area Westchester-Putnam

The County Executive of Westchester and the County Executive of Putnam, acting on their authority as the Chief Elected Officials entered into this inter-municipal agreement on the last date set forth below ("Agreement") in accordance with the Workforce Innovation and Opportunity Act (herein referred to as "WIOA") § 107 [c] [1] [B] in order to organize and implement initiatives and activities pursuant to WIOA and otherwise as proposed by the Governor of the State of New York for the purpose of administering and implementing WIOA in Westchester and Putnam counties.

Part 1- Designation of the Chief Elected Officials

1. For purposes of administering WIOA and for entering into and implementing agreements in accordance with that Act, the Chief Elected Officials, as defined in WIOA § 3 [9], shall be designated from the respective counties in the following manner: The County Executive of Westchester and the County Executive of Putnam.
2. Non-concurrence between the Counties shall be resolved as expeditiously as possible. Representatives of the two Counties shall meet and confer with one another to resolve issues of non-concurrence. If concurrence cannot be reached within a reasonable amount of time, steps shall be taken towards resolution through the State.

Part 2- Designation of Grant Recipient and Local Governmental Grant Sub recipient/ Fiscal Agent

1. The Chief Elected Officials recognize they are jointly responsible for WIOA Funds and agree to the appointment of Westchester County Executive, as the grant recipient ("Grant Recipient") who bears the fiduciary responsibility for these funds with the New York State Department of Labor.
2. The Grant Recipient designates Westchester County Department of Social Services ("DSS" or "local governmental grant sub recipient/fiscal agent"), to be the local grant sub recipient/fiscal agent to assist the Grant Recipient with the administration of the grant funds.
3. The local grant sub recipient/fiscal agent shall disburse such funds for grant activities at the direction of the Local Board (as defined below).
4. The Chief Elected Officials agree that the designated local governmental grant sub recipient/fiscal agent has reliable internal controls for financial management and disbursement of funds.
5. The name of the area is the "Westchester-Putnam Workforce Development Area."
6. This Agreement becomes effective on July 1, 2025. This Agreement (including any subsequent amendments) shall stay in effect until such time as: 1) both parties act to rescind the Agreement; 2) federal or state authority ceases for the Westchester-Putnam Workforce Development Area to serve as the local implementation means for job-training

programs; or 3.) June 30, 2030, whichever comes first. Should either party wish to rescind this Agreement, formal action seeking a rescission must be taken at least six months prior to the conclusion of the then current program year. The effective date of the rescission would then be the close of the then current program year.

6. No unilateral alteration of this Agreement shall be made. Modification to the Agreement by either county must be mutually negotiated and all requests to modify the Agreement must be presented in writing to the Chief Elected Officials.

Part 3- Composition of and Designation of Workforce Development Board

1. The Chief Elected Officials, as set forth in Part 1.1 above, will establish and appoint members to The Westchester-Putnam Workforce Development Board ("LWDB" or "Local Board" or "Workforce Development Board") to assist and carry out provisions of WIOA §§107 [a] & [b].
2. Every effort will be made to balance the selection geographically throughout the Westchester-Putnam Workforce Development Area as well as balance the selection of large and small business, and other related factors to as accurately as possible reflect the landscape of the Westchester-Putnam Workforce Development Area.

Modification of membership may be completed at any time by the LWDB once established subject to the confirmation and concurrence of the Chief Elected Officials, as set forth in Part 1.1 above.

Part 4 – Designation of One Stop Services and other responsibilities

1. As required by Section 121 (a) of WIOA, the Chief Elected Officials in cooperation with the Workforce Development Board, shall develop, administer, and approve the appropriate Memoranda of Understanding in establishing no less than one facility known as One Stop Center in the Westchester-Putnam Workforce Development Area.
2. The Chief Elected Officials shall also:
 - Review and approve the 4-year local plan developed by the Local Board, as required by WIOA § 108(a);
 - Review and approve actions taken by the Local Board to designate One Stop Operators as required by WIOA § 121 (d) (1);
 - Review and approve monitoring activities by the Local Board as required by WIOA § 121 (a)(3);
 - Review and approve the budget of the Local Board, as required by WIOA § 107(d)(12)(A); and
 - Negotiate and reach agreement on local performance accountability measures with the Local Board and the Governor of the State of New York as required under WIOA § 107(d) (9).
 - Comply, at their own expense, with the provisions of all applicable local, state and federal laws, rules and regulations relating to this Agreement. This Agreement shall be construed and enforced in accordance with the laws of the State of New York. In

- This Agreement is subject to the approval of the Westchester County Board of Legislators and the governing legislative body of Putnam County.

Kenneth W. Jenkins
Westchester County Executive

This intermunicipal agreement between the County of Westchester and the County of Putnam was approved as follows:

Approved by the Putnam County Legislature on the _____ day of _____, 2025.

Approved:

The County of Putnam

**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 a related bond act ("Bond Act") in the amount of \$3,600,000 in bonds of the County to finance capital project B0130 – Health Department Consolidation – 11 Martine Avenue, White Plains ("B0130").

Your Committee is advised that the Capital Budget Amendment will amend the County's current-year capital budget by adding capital project B0130 in the amount of \$3,600,000.

The Bond Act, in the amount of \$3,600,000, would finance alterations of building interiors and infrastructure to accommodate the consolidation of Department of Health offices into a single location at 11 Martine Avenue, White Plains. The offices are currently in leased space at 145 Huguenot Avenue, New Rochelle, and 10 County Center, White Plains, as well as County owned space at 112 East Post Road, White Plains, 25 Moore Avenue, Mount Kisco, and Building 2 at the Westchester County Airport. The work includes the acquisition and installation of open office systems, office furniture and equipment and data, telecommunication, and security equipment and related work.

Your Committee is advised that following bonding authorization, it is estimated that acquisition and installation of the open office systems, office furniture and equipment, and data, telecommunication, and security equipment will take four (4) months to complete.

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

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. Accordingly, the necessary Planning Board report for the Capital Budget Amendment is annexed.

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 to adopt both Acts.

Dated: June 23rd, 2025
White Plains, New York

James J. Kelly John F.
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Smith

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James J. Kelly John F.
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James J. Kelly John F.
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Redat fash

Budget & Appropriations

Public Works &
Transportation

Human Services

Dated: June 23, 2025
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

Committee(s) on:

Budget & Appropriations

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive, flowing style.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0130

☐ 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 \$ 3,600,000 PPU 5 Anticipated Interest Rate 2.80%

Anticipated Annual Cost (Principal and Interest): \$ 782,320

Total Debt Service (Annual Cost x Term): \$ 3,911,600

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: 39

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/6/25


Reviewed By: 

du 6/6/25
CP 6.6.25
Date:

Budget Director

6/8/25

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: April 23, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0130 Health Department Consolidation, 11 Martine Avenue, White Plains**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04/21/2025 (Unique ID: 2924)

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; and
- **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

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
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

RESOLUTION 25- 07
WESTCHESTER COUNTY PLANNING BOARD

**B0130 Health Department Consolidation, 11 Martine Avenue, White Plains
Capital Budget Amendment to the 2025 Capital Program**

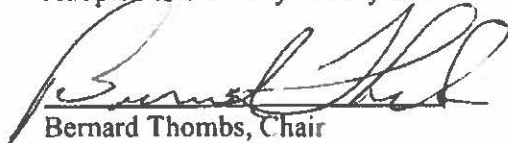
WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize the addition of a new project, **B0130 Health Department Consolidation, 11 Martine Avenue, White Plains** and add funding to the 2025 Capital Budget in the amount of \$3,600,000; and

WHEREAS, **B0130 Health Department Consolidation, 11 Martine Avenue, White Plains** will provide funding for alterations of building interiors and infrastructure to accommodate the consolidation of Department of Health offices and utilize office space at 11 Martine Avenue, White Plains NY. Project costs will include space improvements, acquisition and installation of data and telecommunication equipment, office furnishings and moving expenses; and

WHEREAS, the project is consistent with the policies of Westchester 2025, the County Planning Board's long-range land use policies, in that it is a capital improvement to keep physical equipment and facilities in good condition and extend their useful life; be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its report on the 2025 Capital Budget for a new capital appropriation of \$3,600,000 for **B0130 Health Department Consolidation, 11 Martine Avenue, White Plains**.

Adopted this 6th day of May 2025


Bernard Thombs, Chair

B0130 Health Department Consolidation, 11 Martine Avenue, White Plains

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2025	2026	2027	2028	2039	Under Review
Gross	3,600							3,600
Less Non- County Shares								
Net	3,600							3,600

Project Description

This project provides for funding for interior office improvements and infrastructure to accommodate the consolidation of Westchester County Department of Health offices into a single location utilizing office space at 11 Martine Avenue, White Plains NY. The offices are currently in leased space at 145 Huguenot Avenue, New Rochelle, and 10 County Center, White Plains, as well as county space at 112 East Post Road, White Plains, 25 Moore Avenue, Mount Kisco, and Building 2 at the Westchester County Airport. The work includes the acquisition and installation of open office systems; office furniture and equipment; data, telecommunication, and security equipment; and related work.

Appropriations/Requests

Under Review: \$3,600,000 for equipment and construction (to be appropriated in 2025 upon BOL approval)

Justification

In order for the mission of the Westchester County Department of Health to be fulfilled, it is essential that staff have adequate working space accessible in the White Plains government center. As part of the move to this location, the most up to date technology, equipment and furnishing will be installed to allow for a seamless transition.

Consistency with Programs or Plans:

The project is generally consistent with the policies of "*Westchester 2025*", the County Planning Board's long-range land use policies, in that it is a capital improvement to keep physical equipment and facilities in good condition and extend their useful life.

Planning Board Analysis:

PL1: This is a project without physical planning aspects of concern to the Planning Board.

An Act amending the 2025 County
Capital Budget Appropriations for
Capital Project B0130 HEALTH
DEPARTMENT CONSOLIDATION,
11 MARTINE AVENUE, WHITE
PLAINS

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 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation	\$0	\$3,600,000	\$3,600,000

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	\$3,600,000	\$3,600,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$0	\$3,600,000	\$3,600,000

Section 3. The ACT shall take effect immediately.

ACT NO. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ALTERATIONS TO BUILDING INTERIORS AND INFRASTRUCTURE TO ACCOMMODATE THE CONSOLIDATION OF DEPARTMENT OF HEALTH OFFICES INTO A SINGLE LOCATION AT 11 MARTINE AVENUE, WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

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, \$3,600,000 bonds of the County of Westchester (the “County”), or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of alterations to building interiors and infrastructure to accommodate the consolidation of Department of Health offices into a single location at 11 Martine Avenue, White Plains, all as set forth in the County’s Current Year Capital Budget, as amended. The estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$3,600,000. The plan of financing includes the issuance of \$3,600,000 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 the objects or purposes for which the bonds authorized by this Act are to be issued within the limitations of Section 11.00 a. 32. 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 \$3,600,000. 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 \$3,600,000 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, 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

COUNTY OF WESTCHESTER

I HEREBY CERTIFY that I have compared the foregoing Act No. ____ -2025 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 _____, 2025 and approved by the County Executive on _____, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate

seal of said County Board of Legislators this _____ day
of _____, 2025

(SEAL)

The Clerk and Chief Administrative Officer of the
County Board of Legislators

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025, 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. _____ – 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ALTERATIONS TO BUILDING INTERIORS AND INFRASTRUCTURE TO ACCOMMODATE THE CONSOLIDATION OF DEPARTMENT OF HEALTH OFFICES INTO A SINGLE LOCATION AT 11 MARTINE AVENUE, WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2025)

object or purpose:	to finance the cost of alterations to building interiors and infrastructure to accommodate the consolidation of Department of Health offices into a single location at 11 Martine Avenue, White Plains, including the acquisition and installation of open office systems; office furniture and equipment; data, telecommunication, and security equipment; and related work, all as set forth in the County's Current Year Capital Budget, as amended.
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amount of obligations to be issued
and period of probable usefulness: \$3,600,000; five (5) years

Dated: _____, 2025
White Plains, New York

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



CAPITAL PROJECT FACT SHEET

Project ID:* B0130	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 04-18-2025
Fact Sheet Year:* 2025	Project Title:* HEALTH DEPARTMENT CONSOLIDATION, 11 MARTINE AVENUE, WHITE PLAINS	Legislative District ID: 8,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 2924

Overall Project Description

This project provides for the alterations of building interiors and infrastructure to accommodate the consolidation of Department of Health offices into a single location at 11 Martine Avenue, White Plains. The offices are currently in leased space at 145 Huguenot Avenue, New Rochelle, and 10 County Center, White Plains, as well as county space at 112 East Post Road, White Plains, 25 Moore Avenue, Mount Kisco, and Building 2 at the Westchester County Airport. The work includes the acquisition and installation of open office systems; office furniture and equipment; data, telecommunication, and security equipment; and related work.

- | | | |
|---|--|--|
| <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	2025	2026	2027	2028	2029	Under Review
Gross	3,600	0	0	0	0	0	0	3,600
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,600	0	0	0	0	0	0	3,600

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

Current Bond Description: Funding is requested for the alterations of building interiors and infrastructure to accommodate the consolidation of Department of Health offices into a single location at 11 Martine Avenue, White Plains. The offices are currently in leased space at 145 Huguenot Avenue, New Rochelle, and 10 County Center, White Plains, as well as county space at 112 East Post Road, White Plains, 25 Moore Avenue, Mount Kisco, and Building 2 at the Westchester County Airport. The work includes the acquisition and installation of open office systems; office furniture and equipment; data, telecommunication, and security equipment; and related work.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	3,600,000
Cash:	0
Total:	\$ 3,600,000

SEQR Classification:

TYPE II

Amount Requested:

3,600,000

Comments:

The County of Westchester has entered into a lease for approximately 57,266 square feet of space located at 11 Martine Avenue in White Plains to consolidate the Department of Health offices into a single location. A capital budget amendment (CBA) in the amount of \$3,600,000 (shown under review) is requested to provide for the open office systems; office furniture and equipment; and data, telecommunication, and security equipment necessary to support the consolidation.

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning
DSK2

Date
04-21-2025

Department of Public Works
RJB4

Date
04-21-2025

Budget Department
DEV9

Date
04-22-2025

Requesting Department
RJB4

Date
04-22-2025

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 intermunicipal agreements with participating municipalities for the participating municipalities to install EV charging stations on municipally owned properties with the County contributing up to 50% of the costs to design, purchase and install the EV charging stations, less incentives, rebates and grants, for a total amount in the aggregated not to exceed \$5,000,000 and taking back a leasehold interest in the properties on which the charging stations are installed for a term which shall commence on execution and terminate when the bonds issued for the program have been paid in full.”

The public hearing will be held at m. on the day of , _____ 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.

**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 legislation implement a program to encourage and promote the purchase and installation of electric vehicle (“EV”) charging stations by municipalities (the “Program”) on municipally-owned property within Westchester (the “Properties”) as follows:

(i) Bond Act. A proposed Bond Act (the “Bond Act”), prepared by the law firm of Hawkins Delafield & Wood, LLP in the total amount of Five Million (\$5,000,000) Dollars to finance a component of Capital Project BPF39 – Electric Vehicle Charging Stations and Infrastructure. The proposed Bond Act is necessary to finance the costs associated with the purchase and installation of EV charging stations by municipalities under the Program.

(ii) Local Law. A proposed local law (the “Local Law”) which would authorize the County to enter into Intermunicipal Agreements (“IMA”) with each municipal corporation listed below that wishes to participate in the Program. Pursuant to the IMA, the County will reimburse up to fifty percent (50%) of the costs to purchase and install the EV charging stations as per approved budgets less any incentives, rebates, or grants received by the Participating Municipality for the EV charging stations (the “County Contribution”) for a total amount, in the aggregated, not to exceed Five Million (\$5,000,000) Dollars.

Your Committee is advised that the proposed IMAs will fund the design, purchase and installation of the EV charging stations and appurtenance thereto on the Properties, including the costs for construction of the infrastructure needed to install the EV charging stations (the “Projects”).

Below is a list of municipal corporations who wish to participate in the Program (the “Participating Municipality”) and the Properties on which they will install the EV charging stations:

LIST OF PROPERTIES IN EV CHARGING STATION MUNI PROGRAM			
Participating Municipality	#	Property	Street Address (or nearby)
Ardsley, V			
	1.	6.60-39-19	220 Heatherdell Road
	2.	6.50-34-1	507 Ashford Avenue
	3.	6.110-102-1, adjacent to playground	638 Ashford Avenue
Briarcliff Manor, V			
	4.	104.07-1-3	156 Scarborough Station Road
	5.	98.10-1-59	1111 Pleasantville Road
Bronxville, V			
	6.	3./1/3	5 Cedar Street
Cortlandt, T			
	7.	13.17-1-21	29 Westbrook Drive
	8.	23.11-1-31	1 Heady Street
	9.	54.5-2-49	45 Riverview Avenue
	10.	55.9-2-1.1	3 Memorial Drive
	11.	56.5-1-10	293A Furnace Dock Road
Dobbs Ferry, V			
	12.	Cedar Street between Main Street and Broadway	99 Cedar Street

	13.	3.80-36-1	11 Station Plaza
	14.	3.80-43-15	112 Main Street
	15.	3.80-36-43	99 Cedar Street
Elmsford, V			
	16.	Elm Place Between Rt 9A and N Stone Ave	37 Elm Place
	17.	Vreeland Ave Between Rt119 and Paulding St	11 Vreeland Avenue
Hastings on Hudson, V			
	18.	4.70-48-14	147 South Side Avenue
	19.	4.40-26-11	9 Edgars Lane
	20.	4.70-48-14	8 West Main Street
	21.	4.70-48-7	131 South Side Avenue
	22.	4.30-20-2	7 Maple Avenue
Irvington, V			
	23.	South Buckhout Street near West Clinton Avenue	240 S Buckout Street
	24.	2.80-29-11	12 S Astor Street
	25.	2.90-45-87	9 S Broadway
	26.	2.80-33-2	29 Bridge Street
	27.	Hudson Road West between Clifton Place and Ardsley Avenue West	Hudson Road West
	28.	2.111-59-54.3	170 Mountain Road
	29.	2.60-25-14	102 E Sunnyside Lane
Lewisboro, T			
	30.	43.15-2-14	11 Main Street
	31.	43.15-1-9	85 Spring Street
Mamaroneck, T			
	32.	1-26-518	120 Myrtle Boulevard
	33.	1-33-840	175 Myrtle Boulevard
Mount Kisco, T			
	34.	69.65-3-4	184 Carpenter Avenue
	35.	69.80-6-5	23 S. Moger Avenue

	36.	69.81-1-2	2 Kirby Plaza
	37.	80.25-2-1	29 Green Street
	38.	80.66-1-1	1 Wallace Drive
Mount Pleasant, T			
	39.	112.15-1-6	125 Lozza Drive
	40.	112.19-1-10	1 Town Hall Plaza
	41.	112.9-3-36	389 Elwood Avenue
	42.	117.19-1-2	2 Cleveland Street
New Rochelle, C			
	43.	1-246-0100	51 Lacount Place
	44.	1-100-0001	2 Pelham Road
North Castle, T			
	45.	108.03-1-67	17 Bedford Road
	46.	108.03-1-60	205 Business Park Drive
	47.	122.08-1-3	10 Clove Road
	48.	108.01-6-21	40 Maple Avenue
Peekskill, C			
	49.	33.29-4-16	900 Central Avenue
	50.	33.30-2-3	1050 Park Street
	51.	32.12-4-6	28 Water Street S
	52.	32.12-1-1-COMMON	414 Hudson Avenue
Port Chester, V			
	53.	142.62-1-28	222 Grace Church Street
Rye Brook, V			
	54.	141.35-2-50	37 Garibaldi Place
	55.	129.68-1-14	938 King Street
Scarsdale, V			
	56.	Chase Rd between Boniface Circle and Spencer Place	28 Chase Street
	57.	03.01.1	1001 Post Road

	58.	02.06.7.1	64 East Parkway
Sleepy Hollow, V			
	59.	115.11-1-3	55 Elm Street
	60.	115.11-4-41	21 Beekman Avenue
	61.	115.15-1-5	69 River Street
Tarrytown, V			
	62.	1.70-30-2	1 Depot Plaza
	63.	1.50-20-11	McKeel Avenue
	64.	1.70-29-43	238 W Main Street
	65.	1.70-33-23..V	17 S. Washington Street
White Plain, C			
	66.	130.36-3-2	93 Waller Avenue
	67.	125.84-4-8.2	5 Lyon Place
	68.	125.84-7-12	9 Chester Avenue
	69.	125.84-1-1	125 Court Street
	70.	131.09-4-18.1	550 Mamaroneck Avenue
	71.	126.53-1-7	9 North Kensico Avenue
	72.	125.68-5-1	365 Hamilton Avenue
Yonkers, C			
	73.	3.-3182-50.100	1130 Nepperhan Avenue
	74.	6.-6031-12.16	441 Central Park Avenue
	75.	1.-615-1	130 Fernbrook Street
	76.	1.-513-1	8 Buena Vista Avenue
	77.	3.-3182-120	1091 Nepperhan Avenue
	78.	1.-488-1	118 New Main Street
Yorktown, T			
	79.	16.06-1-17	1130 East Main Street

Your Committee is advised that each Participating Municipality shall be responsible for the operation, maintenance, scheduling, security and repair of the Projects and Properties at its expense.

Your Committee is advised that the County Contribution will be paid to the Participating Municipality for expenses properly incurred in connection with the design, purchase and installation of the Projects after the submission of all documentation requested by the County and approval of same by the Commissioner of the Department of Public Works and Transportation (the "Commissioner"). In addition, the County shall have the right to audit the documentation submitted in support of the purchase and installation of the Projects.

Your Committee is advised that the County shall not be liable for any costs and expenses in excess of the County Contribution, and the Participating Municipality shall be responsible to pay all costs and expenses above the County Contribution for its Project.

Your Committee is advised that the Commissioner may approve amendments to any individual scopes of work, budgets or not-to-exceed amounts for the individual IMAs, *provided, however*, the aggregate amount payable under all of the IMAs with the Participating Municipalities for the Program shall not exceed Five Million (\$5,000,000) Dollars.

Your Committee is advised that the term of each IMA shall commence upon execution and all IMAs shall terminate when the bonds for this Program have been paid in full

Your Committee is advised that the IMA will include a provision granting the County a leasehold interest in the respective Properties and Projects for the term of the IMA. The IMA also will provide that the use of the Projects will be open to all residents of the County. In addition, to the extent any fees are charged for the use of the Projects or any part of the Properties, the fees charged to non-residents of the Participating Municipality shall not exceed the fees charged to the Participating Municipality's residents.

Your Committee has been advised that, pursuant to Section 104.11(5)(d) of the Laws of Westchester County, authorization of the leasehold interest requires passage of a Local Law.

Attached for your Honorable Board's consideration is a Local Law which, if adopted, would authorize the County to enter into the aforementioned IMAs.

As your Honorable Board is aware, Section 209.141(4) 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.

The County is committed to expanding the use of electric vehicles within the Westchester to reduce greenhouse gas emissions and mitigate climate change. As per the U.S. Environmental Protection Agency, greenhouse gas emissions come from, among other things, the burning of fossil fuel from cars and trucks. Greenhouse gases trap heat and make the planet warmer. A warmer planet has a number of effects on the environment. One such effect is changes in the frequency, intensity and duration of extreme weather events. The County has experienced a number of extreme rain storms with many of the County's roadways and parkways becoming flooded.

In addition, according to the Director of the County Office of Energy Conservation and Sustainability, the County climate change poses a direct and immediate threat to Westchester residents, especially those in our most vulnerable communities. Increased flooding, extreme heat, and rising sea levels would devastate the Hudson River Valley and could make large portions of Westchester unlivable by the end of the century.

Through the proposed legislation, the County will enhance the EV charging infrastructure within the County by supporting the purchase of EV charging stations by the Participating Municipalities within the County.

Also, under the Program, the Participating Municipalities may purchase the EV charging stations through the use of the County contract let by the County Bureau of Purchase & Supplies for electric vehicle charging station. By permitting the Participating Municipalities to purchase off of the County contract, the Program will promote the standardization of the EV charging station technology and experience in Westchester and the City of New York, who is using the same charging manufacturer and system as the County.

In addition, pursuant to Section 191.51(2) of the Laws of Westchester County, the Westchester County Planning Board (the “Planning Board”) adopted Resolution 265-06 recommending Program. A copy of the resolution is attached hereto. A copy of the Commissioner of Planning’s memorandum is also 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 promulgated thereunder, 6 NYCRR Part 617 (“SEQR”), have been

met. The County's Department of Planning has advised your Committee that based on its review, the authorization of project on the all of properties, except one, may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). The Planning Department has advised that the proposed installation of EV charging stations at the Fernbrook site (Site #75 above) in Yonkers is a component of a larger project involving the creation of a new waterfront park that was classified as an Unlisted action under SEQR. The Planning Department has further advised that the Yonkers City Council served as Lead Agency, conducted coordinated review and issued a Negative Declaration for that project on December 10, 2024, and that the County was included as an involved agency in the environmental review of that project. Therefore, no further environmental review is required for this capital project. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

An affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act and an affirmative vote of the majority of your Honorable Board is required for the Resolution and Local Law. The Bond Act should be adopted prior to the Local Law.

Your Committee believes that the Program is in the best interests of the County, and,
therefore, recommends the favorable action of your Board on the annexed proposed legislation.

Dated: June 23rd, 2025
White Plains, New York

James Zeller Jones

Self
Nancy Brown

Robert J. Smith

Paul A. Smith

Self
James Zeller Jones

Nancy Brown

Robert J. Smith
Paul A. Smith

COMMITTEE ON

ran.6.3.2025

Budget & Appropriations

Public Works & Transportation

Dated: June 23, 2025
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

Committee(s) on:

Budget & Appropriations

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive, flowing style with a large, stylized "S" at the end.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPF39

☐ 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

Local Program

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 5,000,000 PPU 5 Anticipated Interest Rate 2.80%

Anticipated Annual Cost (Principal and Interest): \$ 1,086,556

Total Debt Service (Annual Cost x Term): \$ 5,432,780

Finance Department: Interest rates from June 5, 2025 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 54

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 6/5/25


Reviewed By: 

6/5/25

Budget Director

Date: 6/5/25

TO: Rachel Noe, Associate County Attorney
Department of Law

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

DATE: May 19, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPF39 Electric Vehicle Charging Stations and Infrastructure
(Municipal Locations)**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2853) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The current request will provide funds to municipalities to assist in the purchase and installation of electric vehicle charging stations at a total of 79 municipally-owned sites throughout the County. All but one may be classified as Type II pursuant to sections:

- **617.5(c)(7):** installation of telecommunication cables in existing highway or utility rights of way utilizing trenchless burial or aerial placement on existing poles;
- **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;
- **617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list; and
617.5(c)(31): purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

The addition of electric vehicle charging stations at the Fernbrook site in Yonkers is part of a larger project that involves the creation of a new waterfront park, which was classified as an Unlisted action under SEQR. The Yonkers City Council served as lead agency, conducted coordinated review and issued a Negative Declaration for the project on December 10, 2024. Since the County was included as an involved agency in the coordinated review process, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County for this project.

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

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
Gayle Katzman, First Deputy Commissioner, Dept. of Public Works & Transportation
Hernane De Almeida, Deputy Commissioner, Dept. of Public Works & Transportation
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation
Blanca Lopez, Commissioner of Planning
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner



Memorandum
Department of Planning

To: Rachel Noe, Associate County Attorney

From: Blanca P. López, Commissioner

Date: April 24, 2025

Subject: Information on the Planning Board Discussion regarding Capital Project: BPF39
Electric Charging Stations

During the April 1, 2025 County Planning Board meeting Capital Project BPF 39 was presented to the Board and an accompanying resolution was prepared to be voted on. The original resolution as presented to the board was a recommendation to approve the 674 ports located at 80 sites within 23 municipalities that had been identified for EV Charging Station installations under this Capital Project.

When it came time to vote for this resolution, concerns were brought up regarding one site in particular located in the Village of Dobbs Ferry, where two ports were identified to be installed. The site in question is located on Main Street, between Oak and Cedar Streets. Concerns were raised regarding the need for quick parking space turnover for business on Main Street in the Village of Dobbs Ferry. It was noted that Level 2 chargers take several hours (approximately 4–8 hours) to charge a typical electric vehicle, and longer for increasingly popular large SUVs and pickup trucks. As a result, a vehicle filling a parking space for this long reduces turnover of that space, and thus reduces customers for businesses that rely on high customer flow.

As such, a motion was made by Richard Hyman to approve all sites and ports listed on the resolution, except for the one site aforementioned. The motion was seconded by Commissioner Kathy O'Connor. All members were in favor except for one abstention and the resolution with changes to reflect the motion, passed.

After the meeting, the resolution was edited to reflect an approval of 672 ports, located in 79 sites, and within 23 municipalities, as shown in the attached signed resolution.

Please let me know if you need additional information.

RESOLUTION 25- 06
WESTCHESTER COUNTY PLANNING BOARD

2025 Capital Budget Amendment
Amendment of Planning Board Report on the 2025 Capital Projects
BPF39 Electric Vehicle Charging Stations and Infrastructure - Municipal Locations

WHEREAS, pursuant to Section 167.131 of the County Charter, the Planning Board must submit its recommendations with regard to the physical planning aspects of proposed capital projects not included in the county budget or change in the location of a capital project; and

WHEREAS, the NYS Governor's Charge NY initiative has recommended the acceleration and growth of the electric vehicle market in New York State through education, research, consumer outreach, and financial support for the installation of charging stations across New York; and

WHEREAS, the Department of Public Works and Transportation reviewed applications from municipalities for funding for this non-site specific capital funding project; and

WHEREAS, 672 ports located at 79 sites within 23 municipalities are recommended for funding through **BPF39 Electric Vehicle Charging Stations and Infrastructure** (see summary below); and

	Municipality	Ports		Municipality	Ports
Cities	New Rochelle	36	Villages	Ardsley	36
	Peekskill	32		Briarcliff Manor	10
	White Plains	75		Bronxville	4
	Yonkers	60		Dobbs Ferry	58
Towns	Cortlandt	19		Elmsford	8
	Lewisboro	12		Hastings	38
	Mamaroneck	8		Irvington	42
	Mount Kisco	32		Port Chester	23
	Mt Pleasant	41		Rye Brook	12
	North Castle	20		Scarsdale	66
	Yorktown	6		Sleepy Hollow	14
				Tarrytown	20
			Grand Total		672

WHEREAS, the Planning Board finds that the above sites and projects have been reviewed with respect to *Westchester 2025 Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning* adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, recommends the inclusion of the above listed sites to be funded using 2025 Capital Budget appropriations from Capital Project **BPF39 Electric Vehicle Charging Stations and Infrastructure**.

Adopted this 1st day of April 2025.



Bernard Thombs, Chair

LOCAL LAW INTRO. NO. ____ - 2025

A LOCAL LAW authorizing the County of Westchester to enter into intermunicipal agreements with participating municipalities for the participating municipalities to install EV charging stations on municipally owned properties with the County contributing up to 50% of the costs to design, purchase and install the EV charging stations, less incentives, rebates and grants, for a total amount in the aggregate, not to exceed \$5,000,000 and taking back a leasehold interest in the properties on which the charging stations are installed for a term which shall commence on execution and terminate when the bonds issued for the program have been paid in full.

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 intermunicipal agreements (the “IMA”) with the participating municipalities listed below (the “Participating Municipalities”) to provide funding for the Participating Municipalities to design, purchase and install Electric Vehicle (“EV”) charging stations and appurtenances thereto on the municipally-owned properties listed below, including the costs for construction of the infrastructure needed to install the EV charging stations (the “Projects”) for a term to commence upon execution and terminate on when the bond issued for this program have been paid in full:

LIST OF PROPERTIES IN EV CHARGING STATION MUNI PROGRAM			
Participating Municipality	#	Property	Street Address (or nearby)
Ardsley, V			
	1.	6.60-39-19	220 Heatherdell Road
	2.	6.50-34-1	507 Ashford Avenue
	3.	6.110-102-1, adjacent to playground	638 Ashford Avenue
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	4.	104.07-1-3	156 Scarborough Station Road
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	14.	3.80-43-15	112 Main Street
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	72.	125.68-5-1	365 Hamilton Avenue

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	76.	1.-513-1	8 Buena Vista Avenue
	77.	3.-3182-120	1091 Nepperhan Avenue
	78.	1.-488-1	118 New Main Street
Yorktown, T			
	79.	16.06-1-17	1130 East Main Street

§2. The County shall provide funding to reimburse the Participating Municipalities up to a 50% of the costs to design, purchase and install the EV charging stations for the Projects, as per approved budgets, less any incentives, rebates or grants received by the Participating Municipalities (the “County Contribution”), for a total amount, in the aggregate, not to exceed Five Million (\$5,000,000) Dollars.

§3. The County shall not be liable for any costs and expenses in excess of the County Contribution, and in the event the costs for the EV charging stations exceed the County Contribution, the Participating Municipality shall be solely liable to pay said excess.

§4. The Commissioner of the Department of Public Works and Transportation may approve amendments to any individual scopes of work, budgets or not-to-exceed amounts for the individual IMAs, *provided, however*, the aggregate amount payable under all of the IMAs with the Participating Municipalities for the program does not exceed Five Million (\$5,000,000) Dollars.

§5. The Participating Municipality shall be responsible for the operation, maintenance, scheduling, security and repair of the EV charging stations and Properties at its own expense.

§6. The EV charging stations shall be accessible and open to all Westchester residents. To the extent any fees are charged for the use of EV charging stations, the fees charged to non-residents of the Participating Municipality shall not exceed the fees charged to the Participating Municipality’s residents.

§7. The IMA will include a provision granting the County a leasehold interest in the respective Properties and Projects for the term of the IMA.

§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 Local Law shall take effect immediately.

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT (the "Agreement") made this ____ day of _____, 202__ (the "Commencement Date") by and between:

THE 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

_____, a municipal corporation of the State of New York having an office and principal place of business at _____ (hereinafter referred to as the "Municipality").

RECITALS:

WHEREAS, the County has established a program (the "Program") to encourage and promote electric vehicle ("EV") charging stations in Westchester County on municipally-owned property; and

WHEREAS, the Westchester County Board of Legislators adopted a Local Law and Bond Act No. _____ for capital project BPF39 on _____ in the amount of \$5,000,000.00 to finance the Program and authorized the County to enter into inter-municipal agreements with municipalities set forth in the Local Law to participate in the Program (the "Participating Municipalities"); and

WHEREAS, the Municipality is the owner of certain real property described in Schedule "A", which is attached hereto and made a part of this Agreement (individually, the "Property" and, collectively, the "Property(ies)"), and has filed an application with the County to participate in the Program; and

WHEREAS, the County wishes to enter into this Agreement with the Municipality for it to participate in the Program; and

WHEREAS, through the Program, the County wishes to reimburse the Municipality for a portion of the costs it incurs to design, purchase and install the EV charging station(s) and appurtenances thereto on the Property(ies), including the costs for construction of the infrastructure necessary to install the EV charging station(s), as set forth in this Agreement (individually, the “Project” and, collectively, the “Project(s)”); and

WHEREAS, Project(s) that qualify for County assistance under this Agreement are either (1) new EV charging stations project(s) as of the date of execution of this Agreement, or (2) EV charging station project(s) that are in progress but not substantially completed as of the date of execution of this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions contained herein, the parties 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 commence upon the Commencement Date and shall be equal to the life of any bonds issued by the County to fund the Program.

ARTICLE II

EV CHARGING STATION PROJECT(S)

Section 2.1. The Municipality shall provide or contract for all labor, materials and equipment needed to design, purchase and install the following Project(s) as described in the scope(s) of work, attached hereto and made a part hereof as Schedule “B”, and in accordance with the terms of this Agreement.

Parcel ID/ Properties on which the charging stations will be installed	Location Name	# Charging Stations

The Municipality shall submit within _____ days of the Commencement Date construction drawings and specifications (the “Construction Drawings”) signed and sealed by a professional engineer licensed in the State of New York for each Project. Construction Drawings shall include, but are not limited to, site plans, structural plans, mechanical plans and electrical plans. The Construction Drawings are to delineate all existing and proposed conditions and are to be developed in accordance with all applicable federal, state and local laws, rules, regulations, codes, standards, and requirements. No construction shall commence until the Construction Drawings are submitted to the County Commissioner of Public Works and Transportation or his duly authorized designee (the “Commissioner”). Such Construction Drawings will be deemed incorporated herein by reference. All work on the Project(s) shall be in conformance with the Construction Drawings unless otherwise approved by the Commissioner.

The Municipality shall undertake and complete the Project(s) in accordance with all applicable federal, state and local laws, rules, regulations, codes, standards and requirements.

The Municipality represents that procurement for the purchase and installation of the Project(s) will be pursuant to section 103 of the General Municipal Law as applicable. In no event shall the retention of contractor(s) by the Municipality for Project(s) relieve or otherwise discharge the Municipality from its obligations under this Agreement or create a third party beneficiary relationship between the County and such contractor(s), and the parties hereto expressly disclaim any intention to create such a relationship.

The design, purchase, and installation of the Project(s) will be carried on continuously, diligently and with dispatch to final completion, and said construction will be completed within _____ months of execution hereof unless extended with the written consent of the Commissioner.

Section 2.2. Approved budgets showing the total cost to design, purchase and install the Project(s) are set forth in Schedule “C”, which is attached hereto and made a part hereof (the “Budget(s)”).

In exchange for the Property(ies) and the Project(s) thereon being open and accessible to all County residents, the County agrees to finance a portion of the Budget(s) in a total amount not to exceed _____ \$ _____ DOLLARS (the “Funds”), payable following submission of invoices by the Municipality according to the terms set forth in this Agreement.

The Commissioner, in his/her sole discretion, may approve in writing an amendment to the scopes of work(s), Budget(s) and/or the not to exceed Funds amount, *provided, however*, the aggregate amount payable under this Agreement and under the agreements entered into between the County and all other Participating Municipalities under the Program shall not exceed \$5,000,000.00.

For purposes of this Agreement, the term “County Contribution” means an amount up to fifty percent (50%) of the total cost of the Project(s) as set forth in the Budget(s), subject to the following conditions, limitations and reductions:

(1) the fifty percent (50%) will be reduced if the Municipality receives funding from any other sources for the Project(s), such as incentives from Con Edison, or other incentives, rebates or grants. By way of example, if the total cost of a Project is \$200,000.00, then the County Contribution will be the following:

(i) If the Municipality receives \$100,000.00 in funding from other sources, the County Contribution will be \$100,000.00.

(ii) If the Municipality receives \$110,000.00 in funding from other sources, the County Contribution will be reduced to \$90,000.00.

(iii) If the Municipality receives \$80,000.00 in funding from other sources, the County Contribution will be \$100,000.00, and the Municipality shall be responsible for \$20,000.00.

(2) the fifty percent (50%) shall only reimburse for the cost of work performed:

(i) on the Property(ies), or

(ii) on public right of ways to access electricity for the Project(s) from power lines that are situated within public right of ways. The Municipality shall be responsible for obtaining prior written approval from the utility companies to access the public right of ways and power source.

(3) the fifty percent (50%) shall only reimburse for costs in the Budget(s) that come within the terms of this Agreement provided the Municipality is in compliance with the terms of the Agreement and in no event shall the total amount of the County Contribution exceed the not to exceed amount for the Funds set forth in above.

The Municipality shall be responsible for the total amount of the Budget for each Project, less the reimbursement by the County of the County Contribution, and should the total cost of any Project exceed its Budget amount, the Municipality shall be solely responsible for any such additional amount and remaining costs and expenses for the Project (collectively, the "Municipality Contribution").

The Municipality is solely responsible for any over expenditure or improper expenditure relating to the Projects, and the County assumes no responsibility for any over expenditure or improper expenditure.

Except as otherwise expressly stated in this Agreement, no payment shall be made by the County for out of pocket expenses or disbursements made in connection with the design, purchase and installation the Project(s).

The Funds to be paid with the proceeds of County bond proceeds will be paid in accordance with the payment provisions set forth in this Agreement.

The County will make payment of the Funds to the Municipality to reimburse the Municipality for costs in the Budget(s) that it incurs in accordance with the terms of this Agreement up to the amount of the County Contribution.

The County in its sole discretion may make an advance payment of up to one-half of the County Contribution for each Project upon submission of an invoice from the Municipality as set forth herein. Such advance payment shall be expended by the Municipality solely and exclusively to pay for the costs permitted as a County Contribution. As work progresses, the Municipality shall submit to the County receipts and other documentation satisfactory to the Commissioner showing use of the advance payment by the Municipality to pay for the costs permitted under this Agreement. Should a Project fail to be fully constructed and installed in accordance with the terms of this Agreement, the Municipality shall repay such advance payment to the County, or the County shall have the right to deduct such amount from any payment due the Municipality under any other contract entered into or subsequently entered into between the County and the Municipality. Upon the Project(s) being fully constructed and operational to the satisfaction of the Commissioner, the County shall pay the Municipality the remaining amount of the County Contribution (or the full amount of the County Contribution if no advance payment was made) to reimburse the Municipality for the costs incurred that constitute County Contribution costs upon it submitting an invoice as set forth herein.

The Municipality shall submit all requests for payment with an invoice, which shall be uniquely numbered, and paid only after submission of all requested documentation concerning the Project or costs and approval of the invoice by the Commissioner. The Municipality shall use best efforts to provide sufficient detail on the invoices and backup documentation to substantiate the basis of the costs permitted as a County Contribution. In no event shall final payment be made to the Municipality for a Project prior to the successful completion of the Project and the approval of same by the Commissioner.

The County will not be liable for any costs in excess of the County Contribution. The County will not be liable for any costs or expenses for the Project(s) paid by the Municipality prior to the execution of this Agreement.

The Municipality will promptly pay all agent(s), contractor(s) and subcontractor(s) for work performed in connection with the design, purchase and installation of the Project(s). In the event the cost to design, purchase and install the Project(s) exceeds the Budget amount for the Project, the Municipality shall be solely liable to pay said excess.

Funds shall be used to pay for costs permitted as a County Contribution incurred by the Municipality solely and exclusively for the Project(s) in accordance with the terms of this Agreement.

Prior to the making of any payments hereunder, the County, may, at its option, audit such books and records of the Municipality as are reasonably pertinent to this Agreement to substantiate the basis for payment. The Municipality will, and will require any agent(s), contractor(s) and sub-contractor(s), to make their books and records available to the County for audit and inspection at reasonable times and upon reasonable notice. The County will not be restricted from withholding payment for cause found in the course of such audit or because of failure of the Municipality to cooperate or cause cooperation of any agent(s), contractor(s) and sub-contractor(s) with such audit. The County will, in addition, have the right to audit such books and records for a term of not

less than seven (7) years subsequent to payment, noting that such records shall be retained for said period in accordance with State law.

At the County's request, the Municipality shall certify, or provide an audited report from a Certified Public Accountant in which the auditor certifies, that the County Contribution was spent in compliance with the Agreement and did not replace funds previously provided to the Municipality from another source, nor contributed to any surplus.

In the event an audit reflects overpayment by the County or that monies were not fully expended or that monies were improperly expended, then the Municipality shall reimburse to the County the amount of such overpayment, underpayment or improper payment within 30 days of notice from the County.

Payments hereunder to the Municipality by the County will operate to release the County from any and all obligations or liabilities to the Municipality and its respective agent(s), contractor(s) and sub-contractor(s) in connection herewith. Notwithstanding the foregoing, the County expressly disclaims the existence of any third party beneficiary relationship between the County and any such agent(s), contractor(s) and sub-contractor(s).

Section 2.3. The County shall have the right to enter the Property(ies) and conduct inspections of the Project(s). The County will take all necessary safety precautions in doing so and will conduct such inspections in such a way as to minimize any interference with the activities contemplated hereunder.

ARTICLE III

LEASE OF PROPERTY

Section 3.0. Subject to the terms and conditions of Article II, and in order to facilitate the issuance of County bonds and/or notes to finance the County Contribution,

the Municipality hereby grants to the County a lease permitting the County to use and occupy the Property(ies) and Project(s). It is also recognized and understood that the County's sole responsibility shall be to provide an amount not to exceed the amount of the County Contribution and the Municipality shall assume all other responsibilities for all other costs and expenses related to the Project(s) and the Property(ies).

Section 3.1. It is recognized and understood that the purpose of the lease described in Section 3.0 hereof is to give the County the necessary interest in the real property to be able to issue County bonds or notes to finance the County Contribution, and to ensure that the County and its residents shall receive a continuing benefit from the Project(s), and the County shall have no responsibilities, duties or liabilities to the Municipality or any third parties under the lease other than to provide funding as set forth in Section 2.2 above.

Section 3.2. The consideration for this lease shall be that the Municipality shall ensure that the Property(ies) and EV Charging Station Project(s) are open and accessible to all residents of the County.

Section 3.3. After execution of this Agreement, the Municipality shall be solely responsible for any and all other responsibilities, duties and liabilities related to the Property(ies) and Project(s), other than what the County has specifically committed to in Section 2.2 above. Nothing herein shall be construed to prevent the Municipality from seeking liability protection from third parties, such as from its contractors, but the County shall have no duty to look to any third party for contractual defense and indemnity as defined hereunder.

ARTICLE IV

RIGHTS AND RESPONSIBILITIES OF THE MUNICIPALITY

Section 4.0. In addition to, and not in limitation of the insurance requirements contained in Schedule "D" entitled "Standard Insurance Provisions", attached hereto and made a part hereof, the Municipality agrees that except for the amount, if any, of damage

contributed to, caused by or resulting from the sole negligence or intentional or willful misconduct of the County, its elected officials, officers, employees and agents:

(a) the Municipality shall indemnify and hold harmless the County, its elected officials, officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of the Project(s), the Property(ies), this Agreement, or the acts or omissions hereunder by the Municipality or third parties under the direction or control of the Municipality; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action brought against the Indemnities (defined in Section 4.0(c) below) arising directly or indirectly out of the Project(s), the Property(ies) or this Agreement and to bear all other costs and expenses related thereto; and

(c) the Municipality shall defend, indemnify and hold harmless the County, its 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, that may be imposed upon or incurred by or asserted against any of the Indemnities by reason of any of the following:

- (i) Work. Any construction, installation, repair, alteration, addition, replacement, restoration or other work done by or on behalf of Municipality in, on or about the Project(s) or Property(ies) or any part thereof;
- (ii) Use. The use, occupation, condition, operation, maintenance, management or supervision of or providing security for all or any portion of the Project(s) or Property(ies), by or on behalf of the Municipality;
- (iii) 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 its direction or control, or any of the Municipality's officers, agents, contractors, subcontractors, servants, employees, or invitees in connection with this Agreement, the Project(s) or the Property(ies);

- (iv) 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 Indemnatee unless arising from the negligent, intentional or willful conduct of an Indemnatee, or property occurring in, on, or about the Property(ies) or any part thereof, or adjoining or adjacent thereto;
- (v) Breach of Municipality's Obligation. Any failure or refusal on the part of the Municipality to perform its obligations pursuant to this Agreement; or
- (vi) Municipality's Obligations. 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.
- (vii) Breach of Representation or Warranties. Any material misrepresentation or material omission in any representations, warranties or covenants provided by the Municipality under this Agreement.

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(s) or the Property(ies).

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 this Agreement, then the Municipality shall reimburse the County's reasonably attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this Section of the Agreement.

The Municipality may provide proof of self-insurance in lieu of an insurance policy pursuant to Schedule "D". Any proof of self-insurance shall be subject to the approval of the County Director of Risk Management.

Section 4.1. The Municipality shall be responsible for the operation, management, maintenance and security of the Property(ies) and Project(s), including, but not limited to, all software and hardware services, networks, data management, customer support and operational services (collectively, “Management Agreements”) to support the operation of the Project(s), at the Municipality’s sole cost and expense, for the term of this Agreement. The Project(s) shall be operated as electric vehicle charging stations and shall be available to all County residents for the term of this Agreement.

To the extent any fees are charged by the Municipality either directly or through a Management Agreement, for the use of the Project(s) or Property(ies), the fees charged to non-residents of the Municipality shall not exceed the fees charged to the Municipality’s residents. All Management Agreements shall comply with the Tax Covenants set forth in Article VII of this Agreement.

Section 4.2. The Municipality shall, at its sole cost and expense, continuously throughout the term of this Agreement, provide reasonable and adequate security and safety for the Project(s) and Property(ies) through the Municipality’s police department or other agency designated to provide such police services.

Section 4.3. The Municipality shall, at its sole cost and expense, operate, manage, maintain, repair and properly supervise the Project(s) and Property(ies), it being understood and agreed that such operation, management, maintenance, repair and supervision shall be performed by the Municipality to the satisfaction of the Commissioner. The Municipality shall defend and indemnify the County from any liability that may arise from any failure of the Municipality to perform its obligations under this Subsection.

Section 4.4. Following the installation of each Project, the Project shall be available to all residents of the County as required by this Agreement.

Section 4.5. The Municipality shall, at its own cost and expense, promptly comply with all statutes, ordinances, rules, orders, regulations, codes and requirements of the federal, state, County and local governments and all insurance requirements applicable to the Project(s) and Property(ies) or any part thereof or applicable to this Agreement. After construction of a Project is completed, the Commissioner shall be entitled to enter the Property, or any part thereof, at any and all times for any and all purposes, without the need to obtain the consent or permission of the Municipality.

Section 4.6. All advertising and signage to be utilized by the Municipality in connection with the operation of the Property(ies) shall be subject to the prior written approval of the Commissioner and shall be provided in advance for review. The Municipality shall acknowledge the County's contribution towards each Project on any signs erected at the Property(ies) for the Project(s) and on any other publications, documents, etc. mentioning the Project(s).

Section 4.7. In the event the Municipality does not comply with a provision in this Article, the County shall have the right to cure such noncompliance upon thirty (30) days' notice from the County to the Municipality, except in emergencies when such notice period in the County's sole and unreviewable judgment shall be shorter. The cost to cure such noncompliance shall be borne by the Municipality. The failure of the Municipality to reimburse the County for the cost to cure such compliance within thirty (30) days of a written notice demanding such reimbursement shall be deemed a material breach of this Agreement.

Section 4.8. After completion of installation of the Project(s), the Municipality shall not install any fixtures or make any additions, development, improvements or alterations to the Project(s), other than routine maintenance or repair, without the prior written consent of the Commissioner, which shall not be unreasonably withheld. Any such additions, development, improvements or alterations shall be made at the Municipality's sole cost and expense unless otherwise agreed to by the County and the

Municipality. The Municipality shall submit all plans and specifications for all such additions, development, improvements and alteration to the Commissioner for approval. All such additions, development, improvements and alteration shall be completed in a thoroughly workmanlike manner and shall immediately become annexed to and be made a part of the Property.

Section 4.9. It is understood and agreed to between the parties that the Property(ies) are to be used during the term of this Agreement for the use and benefit of the County residents as EV charging station(s) as set forth in this Agreement.

Section 4.10. Except for the amount of funding to be advanced or reimbursed by the County under Section 2.2 above, the Municipality shall be responsible for all costs in relation to the Project(s), Property(ies) and this entire Agreement, 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 except as herein otherwise expressly set forth.

Section 4.11. The Municipality shall pay any and all taxes, assessments, special assessments, personal property and intangible taxes, gross receipts, sales, use or occupancy taxes, water and sewer charges, rates and rents, charges for public utilities, excises, levies, license and permit fees and other charges, general and special, ordinary and extraordinary, foreseen and unforeseen, of any kind and nature whatsoever, arising from the use or ownership of the Project(s) or the Property(ies) which shall or may be assessed levied, charged, confirmed or imposed upon or become payable out of or become a lien on the Property(ies) or any part thereof.

Section 4.12. The Municipality represents that it has complied with the requirements of the State Environmental Quality Review Act, and its implementing regulations, 6 NYCRR Part 617, ("SEQRA") with regard to the Project(s), including

conducting coordinated review with the County as an involved agency unless otherwise directed by the County.

Section 4.13. The provisions of this Article IV shall survive termination or expiration of this Agreement.

ARTICLE V

RESPONSIBILITIES OF THE COUNTY

Section 5.0. The County shall have no responsibility for anything other than that set forth in Section 2.2 above.

ARTICLE VI

REPRESENTATIONS OF THE MUNICIPALITY

Section 6.1. The Municipality represents and warrants as follows:

(a) The design, supervision and workmanship furnished by the Municipality with respect to the installation of the Project(s) will be in accordance with sounds and currently accepted scientific standards and best engineering practices;

(b) It will use its best efforts to assure and shall require in any contract documents with its contractors and subcontractors that all materials, equipment and workmanship furnished by contractors and subcontractor of the Municipality in performance of the work or any portion thereof shall be free of defects in design, material and workmanship, and all such materials and equipment shall be of first-class quality, shall conform with all applicable codes, specifications, standards and ordinances and shall have service lives and maintenance characteristics suitable for their intended purposes in accordance with sound and currently accepted scientific standards and best engineering practices;

(c) To the best of the Municipality's current knowledge and information the Budget(s) attached hereto and forming a part hereof as Schedule "C" lists the anticipated true and correct costs for the Project(s);

(d) The consummation of the transactions contemplated by this Agreement and the performance of the Municipality's obligations hereunder will not result in any breach of or constitute a default under other instruments or documents to which the Municipality is a party or by which it may be bounds or affect; and

(e) It is the fee title holder of the Property(ies).

ARTICLE VII

TAX COVENANTS

Section 7.0. Tax Covenants. For so long as any federally tax-exempt County bonds issued to finance the Project(s) remain outstanding, the Municipality covenants as follows (as used in this section, the term "bonds" shall also include short-term notes):

(a) The Municipality shall at all times do and perform all acts and things necessary or appropriate under any current and valid provision of law, and that are within the Municipality's control, in order to assure, in the opinion of the County's bond counsel, that the interest on County bonds shall not be included in the gross income of the owners of the County bonds for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"). The Municipality will take no action to cause the interest on the County bonds to be included in the gross income of the owners of the County bonds for federal income tax purposes under the Code.

(b) The Municipality shall not use or permit any use of the Project(s) purchased or installed with the proceeds of any County bonds, which, in the opinion of the County's bond counsel, would cause the County bonds to be or become "private activity bonds" within the meaning of Section 141 of the Code, and the Municipality hereby covenants that it shall not permit any individual or entity other than the County, the Municipality or any other unit or instrumentality of a State or local government acting through its officers and employees ("Non-Governmental Person") to "use directly or

indirectly in a trade or business carried on by such person” (within the meaning of Section 141 of the Code), any portion of the Project(s) without the prior written consent of the County.

(c) The Municipality will, and will require any agent(s), contractor(s) and sub-contractor(s), to cooperate with the County in providing documentation, certifications or other reasonably required information to support the conclusion that such bonds and/or notes meet the requirements of federal tax-exemption.

(d) The provisions of this Article VII shall survive the expiration or termination of this Agreement.

Section 7.1. Tax Compliance Procedures. In order to implement compliance with the tax covenants of Section 7.0 hereof, the County and the Municipality agree as follows:

(a) **County Consent Regarding Management Agreements.**

(i) **Procedure.** The Municipality shall not enter into any agreement for Private Business Use (as defined in Section 141 (b)(6) of the Code), including but not limited to any Management Agreement, for the Project(s) unless the Municipality first requests in writing the County's consent to such activity and the County so consents in writing.

(ii) **Indemnification.** The Municipality shall indemnify and hold the County harmless from any loss, cost, damage or expense arising from or connected with a claim of loss of the tax-exempt status of interest on the County's bonds as a result of the use of the Project(s), including Management Agreements, to which the County has not consented pursuant to this Subsection 7.1(a).

(b) **Certification by Municipality of Tax Compliance.**

(i) Annual Certification. At the request of the County, the Chief Executive Officer of the Municipality shall provide the County with a certification in the form acceptable to the County that the Municipality's Management Agreement(s), if any, are in compliance with the Code, regulations of the Treasury Department and pronouncements of the Internal Revenue Service.

(ii) Indemnification; Inability to Provide Certifications. The Municipality agrees to indemnify and hold the County harmless from and against any loss, cost or expense arising from or connected with any claim of loss of the tax-exempt status of interest on the County bonds as a result of (A) any material misrepresentation or material omission in a certification provided by the Municipality pursuant to this section or (B) notification by the Municipality that it is unable to provide the certification required by this subsection. The Municipality shall promptly notify the County of any inability to provide any certification required by this subsection and of the reason therefore and the Municipality further agrees expeditiously to provide to the County all information pertinent to its inability to provide such certification.

ARTICLE VIII

NOTICES

Section 8.0. 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 sent by hand or overnight courier, to the respective addresses 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.

To the County:

Commissioner of Public Works and Transportation
County of Westchester
148 Martine Avenue, Room 528
White Plains, New York 10601

with a copy to:

County Attorney
148 Martine Avenue, Room 600
White Plains, New York 10601

To the Municipality:

ARTICLE IX
MISCELLANEOUS

Section 9.0. Any purported delegation of duties or assignment of rights by either party to this Agreement without the prior express written consent of the other party is void.

Section 9.1. In the event that the Municipality materially defaults in the performance of any term, condition or covenant herein contained, the County, at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or any other lawful remedy, may terminate this Agreement upon ninety (90) days notice to the Municipality; provided, however, that the Municipality may defeat such notice by curing the default complained of within such notice period, or, if any such default is not curable within such notice period by promptly commencing to cure the default and diligently pursuing all necessary and appropriate action to effect such cure. This provision shall not affect the termination provision found in Section 4.7 of this Agreement. In the event this Agreement is terminated, the Municipality shall have one hundred eighty (180) days from the effective termination date to pay the County, as liquidated damages, the full amount paid by the County pursuant to this Agreement.

Section 9.2. 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. Nothing in this

Agreement shall act to confer third-party beneficiary rights on any person or entity not a party to this Agreement.

Section 9.3. 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 9.4. 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 contractor(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 9.5. This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

Section 9.6. 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 9.7. The Municipality agrees to observe and obey any and all federal, state and local laws, rules, regulations, and requirements, and to require its officers, agents, employees, contractors, and suppliers to observe and obey the same.

Section 9.8. 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.

Section 9.9. 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 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 9.10. The parties each agree to execute and deliver such further instruments and to obtain such additional authority as may be required to carry out the intent and purpose of this Agreement.

Section 9.11. 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 9.12. Failure of any party to insist upon strict performance of any term, condition or covenant of this Agreement shall not be deemed to constitute a waiver or relinquishment of such term, condition or covenant for the future right to insist upon and to enforce by injunction or by other legal or appropriate remedy strict compliance by any other party with such term, condition or covenant.

Section 9.13. Pursuant to Section 308.01 of the Laws of Westchester County, it is the goal of the County to use its best efforts to encourage, promote and increase the participation of business enterprises owned and controlled by persons of color or women in contracts and projects funded by all departments of the County. Under this Agreement it is recognized and understood that the County encourages the Municipality to do similarly.

Section 9.14. In the event that all or any part of the Property(ies) shall be taken in a condemnation proceeding, or by right of eminent domain, or by agreement by any governmental authority authorized to exercise such rights, then, and in any such event, any such condemnation proceeds payable to the County for its interest in the Property(ies) shall be distributed to the County.

Section 9.15. The Municipality represents that it has all requisite power and authority to execute, deliver and perform this Agreement, and this Agreement has been duly authorized by all necessary parties. The County represents that this Agreement has been approved by the Board of Legislators of the County of Westchester on the ____ day of _____, 2025 by Local Law No. _____-2025.

Section 9.16. The headings in this Agreement are for reference purposes only and shall not be used in construing the terms of this Agreement.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the County and the Municipality have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By _____
Hugh J Greechan, Jr. PE
Commissioner of Department of Public Works and
Transportation

THE MUNICIPALITY

By _____
(Name and title)

Authorized by Local Law No. _____ adopted by the Board of Legislators of the
County of Westchester on the _____ day of _____, _____.

Approved:

Associate County Attorney
County of Westchester
S/Noe/DPW/EV Charging Station IMA

MUNICIPALITY'S ACKNOWLEDGEMENT

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

On this _____ day of _____, 202__, before me personally came
_____, to me known, and known to me to be the
_____ of _____,
the municipal corporation described in and which executed the within instrument, who being by
me duly sworn did depose and say that he/she, the said _____
resides at _____
and that he/she is _____ of said municipal corporation.

Notary Public County

CERTIFICATE OF AUTHORITY
(Municipality)

I, _____,
(Officer other than officer signing contract)
certify that I am the _____ of the
(Title)

(Name of Municipality)
(the "Municipality") a corporation duly organized in good standing under the

(Law under which organized, e.g., the New York Village Law, Town Law, General
Municipal Law)
named in the foregoing agreement that _____

(Person executing agreement)
who signed said agreement on behalf of the Municipality was, at the time of execution

of the Municipality,
(Title of such person),
that said agreement was duly signed for on behalf of said Municipality by authority of its

(Town Board, Village Board, City Council)
thereunto duly authorized, and that such authority is in full force and effect at the date
hereof.

(Signature)

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

On this ____ day of _____, 202__, before me personally came _____
whose signature appears above, to me known, and know
to be the _____ of _____
(title)

the municipal corporation described in and which executed the above certificate, who
being by me duly sworn did depose and say that he/she, the said _____
resides at _____, and
that he /she is the _____ of said municipal
corporation.

(title)

Notary Public County

SCHEDULE "A"

(LIST OF PROPERTY(IES))

DRAFT

SCHEDULE “B”

SCOPE(S) OF WORK FOR EV CHARGING STATION PROJECT(S)

DRAFT

SCHEDULE C

BUDGET(S) FOR EV CHARGING STATION PROJECT(S)

DRAFT

SCHEDULE "D"

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.

2 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, as its interest may appear, 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, as its interest may appear, 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, as its interest may appear:
 - (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.



ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS AT VARIOUS MUNICIPAL LOCATIONS WITHIN THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,000,000 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 to the provisions of other laws applicable thereto, \$5,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the installation of electric vehicle (EV) charging stations and associated infrastructure at various municipal locations within the County, 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 \$5,000,000. The plan of financing includes the issuance of \$5,000,000 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 \$5,000,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 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 \$5,000,000. 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 \$5,000,000 as the estimated total cost of the aforesaid class of 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. 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)
 : ss.:
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20____ 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 _____, 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 _____ day of _____, 20____.

(SEAL)

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

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 \$5,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS AT VARIOUS MUNICIPAL LOCATIONS WITHIN THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,000,000 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 installation of electric vehicle (EV) charging stations and associated infrastructure at various municipal locations within the County, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued
and period of probable usefulness: \$5,000,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*
BPF39

☒ CBA

Fact Sheet Date:*
02-11-2025

Fact Sheet Year:*
2025

Project Title:*
ELECTRIC VEHICLE CHARGING
STATIONS AND INFRASTRUCTURE

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
2853

Overall Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSERDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

☒ Best Management Practices

☒ Energy Efficiencies

☒ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	87,000	45,000	5,000	10,000	10,000	10,000	7,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	87,000	45,000	5,000	10,000	10,000	10,000	7,000	0

Expended/Obligated Amount (in thousands) as of : 7,961

Current Bond Description: Funding is requested for the installation of electric vehicle (EV) charging stations and associated infrastructure at the various municipal locations (attached).

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	5,000,000
Cash:	0
Total:	\$ 5,000,000

SEQR Classification:

TYPE II/UNLISTED

Amount Requested:

5,000,000

Comments:

Energy Efficiencies:

THIS PROJECT PROMOTES THE USE OF ELECTRIC VEHICLES WHICH HELPS TO REDUCE GREENHOUSE GAS EMISSIONS.

Appropriation History:

Year	Amount	Description
2020	1,000,000	FUNDING FOR INITIAL PHASE
2022	1,000,000	ADDITIONAL INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS
2023	18,000,000	ADDITIONAL EV CHARGING STATIONS
2024	25,000,000	CONTINUATION OF THIS PROJECT
2025	5,000,000	CONTINUATION OF THIS PROJECT (MUNICIPAL LOCATIONS)

Total Appropriation History:

50,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	84	1,000,000	697,756	INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS ACROSS COUNTY
21	220	1,000,000	391,941	ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE
23	6	8,000,000	0	

Total Financing History:

10,000,000

Recommended By:**Department of Planning**

MLLL

Date

04-30-2025

Department of Public Works

RJB4

Date

05-05-2025

Budget Department

DEV9

Date

05-05-2025

Requesting Department

MLLL

Date

05-05-2025

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	87,000	45,000	8,047	5,000	10,000	10,000	10,000	7,000	
Non County Share			(337)						
Total	87,000	45,000	7,710	5,000	10,000	10,000	10,000	7,000	

Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSEDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	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
2020	1,000,000	Funding for initial phase	COMPLETE
2022	1,000,000	Additional installation of electric vehicle (EV) charging stations	COMPLETE
2023	18,000,000	Additional EV charging stations	\$8,000,000 - IN PROGRESS; \$10,000,000 AWAITING BOND AUTHORIZATION
2024	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	45,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	45,000,000	1,089,698	43,910,302
Federal Funds		282,250	(282,250)
State Funds		55,000	(55,000)
Total	45,000,000	1,426,948	43,573,052

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
84	20	1,000,000	12/01/21	143,750	302,244
			12/01/22	286,155	
			12/01/22	31,059	
			11/30/23	215,559	
			11/30/23	21,233	
220	21	1,000,000	11/30/23	356,797	608,059
			11/30/23	35,145	
6	23	8,000,000			8,000,000
Total		10,000,000		1,089,698	8,910,302

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,531,800 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 ON 41 NORTH DIVISION STREET, IN THE CITY OF PEEKSKILL, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,531,800; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,531,800 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 \$1,531,800, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 0.20 acres of real property located on 41 North Division Street, in the City of Peekskill and identified on the tax maps as Section 33.03: Block 1: Lot 1 (the "AFFH Property") from the current owner(s) of record at a cost of \$1,531,800, including acquisition and settlement

costs, in order to support the construction of 22 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 22 affordable AFFH rental units, including 22 off-site parking spaces, at the aggregate estimated maximum cost of \$1,531,800 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 The Children's Village (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 \$1,531,800. The plan of financing includes the issuance of \$1,531,800 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 \$1,531,800 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 \$1,531,800. 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 \$1,531,800 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 No. -20___ 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 , 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 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 \$1,531,800 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 ON 41 NORTH DIVISION STREET, IN THE CITY OF PEEKSKILL, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,531,800; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,531,800 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 0.20 acres of real property located on 41 North Division Street, in the City of Peekskill and identified on the tax maps as Section 33.03: Block 1: Lot 1 (the "AFFH Property") from the current owner(s) of record at a cost of \$1,531,800, including acquisition and settlement costs, in order to support the construction of 22 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 22 affordable AFFH rental units, including 22 off-site parking spaces, at the aggregate estimated maximum cost of \$1,531,800 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 The Children's Village (the "Developer"), its

successors or assigns. The Developer will construct a project which will include 22 affordable AFFH rental units, including 22 off-site parking spaces. The County's acquisition of the AFFH Property is set forth in the County's Current Year Capital Budget, as amended.

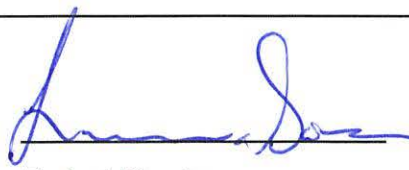
Amount of obligations to be issued
and period of probable usefulness:

\$1,531,800 - 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 #: <u>BPL30</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	
41 NORTH DIVISION STREET, CITY OF PEEKSKILL			
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$	1,531,800	PPU 30 Anticipated Interest Rate 4.23%
Anticipated Annual Cost (Principal and Interest):		\$	85,297
Total Debt Service (Annual Cost x Term):		\$	2,558,910
Finance Department: Interest rates from May 28, 2025 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:		N/A	
Prepared by:	<u>Blanca P. Lopez</u>	Reviewed By:  Budget Director Date: <u>6/2/25</u>	
Title:	<u>Commissioner</u>		
Department:	<u>Planning</u>		
Date:	<u>5/30/25</u>		

Capital Project Fact Sheet Form

Project ID: *
BPL30

☒ CBA

Fact Sheet Date: *
04/29/2025

Fact Sheet Year *
2025

Project Title: *
NEW HOMES LAND ACQUISITION
II

Legislative District ID:
1, 17, 16, 15, 14, 13, 12, 11, 10,
9, 8, 7, 6, 5, 4, 3, 2,

Category *
BUILDINGS, LAND &
MISCELLANEOUS

Department *
PLANNING

Unique Identifier
2926

Overall Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the 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. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

☐ Best Management

☐ Energy Efficiencies

☐ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☒ Other

Other Details

Five Year Capital Program (in Thousands)

	Estimate d Ultimate Total Cost	Prior Appropri ation	2025	2026	2027	2028	2029	Under Review
Gross	104,500	104,500	0	0	0	0	0	0
Less Non- County Shares	0	0	0	0	0	0	0	0
Net	104,500	104,500	0	0	0	0	0	0

Expended Obligated Amount (in thousands)
85,815

Current Bond Request / Description:

Bonding is requested to finance the acquisition of approximately 0.20 acres of real property located at 41 North Division Street in the City of Peekskill and identified on the tax maps as Section 33.03: Block 1: Lot: 1 (the "Property") in order to construct 22 units of rental housing that will Affirmatively Further Fair Housing (the "Affordable AFFH Units"). The Development will also include 10,000 square feet of space on the first floor and basement that will likely be used for small business incubator space and 22 off-site reserved parking spaces in the to be constructed addition to the nearby James Street Municipal Garage.

Financing Plan for Current Request:

Bond/Notes: 1,531,800

Cash: 0

Non-county
Shares: 0

Total: 1,531,800

SEQR Classification

TYPE II

Amount Requested

1,531,800

PPU

Description	Amount	Years
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Expected Design Work Provider

☐ County Staff ☐ Consultant ☒ Not Applicable

Comments

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL30 and to authorize the County to purchase the Development site including improvements (vacant former office building) from the current owner for an amount not to exceed \$1,531,800 to support the adaptive reuse of one residential building of three stories with 22 Affordable AFFH rental units and 22 off-site reserved 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 60% 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 The Children's Village (the "Developer") its successors or assigns for one dollar (\$1.00).

Energy Efficiencies:

THE BUILDING WILL BE CONSTRUCTED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING SYSTEMS AND WATER CONSERVING FIXTURES. THE DEVELOPMENT IS DESIGNED TO MEET THE GREEN BUILDING AND SUSTAINABILITY STANDARDS OF NYS HOMES AND COMMUNITY RENEWAL.

Appropriation History

Appropriation Year	Amount	Description
2014	5,000,000	CONTINUATION OF THIS PROJECT
2016	2,500,000	CONTINUATION OF THIS PROJECT
2017	7,200,000	\$2,200,000 LAND ACQUISITION FOR MT HOPE PLAZA FOR MT HOPE COMMUNITY REDEVELOPMENT CORP, LOCATED AT 65 LAKE ST. WHITE PLAINS AND \$5,000,000 CONTINUATION OF THIS PROJECT.
2018	8,000,000	CONTINUATION OF THIS PROJECT.
2019	5,000,000	CONTINUATION OF THIS PROJECT
2020	10,000,000	CONTINUATION OF THIS PROJECT
2021	16,800,000	CONTINUATION OF THIS PROJECT
2022	25,000,000	CONTINUATION OF THIS PROJECT
2023	25,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History
104,500,000

Financing History

Year	Bond Act #	Amount	Issued Amount	Description
15	204	460,000	460,608	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS ACQUISITION
15	267	284,000	284,375	ACQUISITION OF 322 KEAR STREET, YORKTOWN HEIGHTS
15	240	0	0	
15	235	1,840,000	1,840,000	ACQUISITION OF 80 BOWMAN AVENUE, VILLAGE OF RYE BROOK
16	59	210,800	211,079	5 STANLEY AVE - OSSINING
16	56	400,220	388,541	9 WATSON ST-CORTLANDT
16	24	353,000	290,732	104 PINE STREET, CORTLANDT- COST OF ACQUISITION
16	21	197,000	191,659	27 WALDEN COURT, UNIT #M YORKTOWN - COST OF ACQUISITION
16	18	385,000	0	164 PHYLLIS COURT, YORKTOWN - COST OF ACQUISITION
16	50	228,800	207,286	112 VILLAGE RD YORKTOWN
16	231	2,009,980	2,009,980	200 READER'S DIGEST ROAD CHAPPAQUA AFFIRMATIVELY FURTHERING AFFORDABLE HOUSING AMEND
16	53	219,050	0	18 MINKEL RD OSSINING
17	142	2,600,000	2,312,500	ACQUISITION OF LAND LOCATED ON ROUTE 22 IN LEWISBORO
17	172	1,250,000	1,250,000	ACQUISITION OF LAND AT 1847 CROMPOND ROAD PEEKSKILL
17	209	0	0	PURCHASE OF LAND AT 501 BROADWAY IN VILLAGE OF BUCHANAN
18	77	2,100,000	2,100,000	PURCHASE OF LAND LOCATED AT 65 LAKE STREET IN WHITE PLAINS FOR FAIR HOUSING
18	123	787,500	787,507	PURCHASE PROPERTY AT 5 HUDSON STREET IN YONKERS TO PRESERVE AFFORDABLE AFFH RENTAL UNITS
18	159	1,000,000	1,000,000	PURCHASE OF PROPERTY LOCATED AT HALSTEAD AVENUE TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING
18	155	0	0	PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE

Year	Bond Act #	Amount	Issued Amount	Description
18	186	3,000,000	3,000,000	PURCHASE OF REAL PROPERTY AT 25 SOUTH REGENT STREET IN PORT CHESTER TO FURTHER FAIR HOUSING
19	68	1,765,000	1,765,000	PURCHASE AND SUBSEQUENT CONVEYANCE OF PROPERTY LOCATED AT 227 ELM STREET IN YONKERS
19	182	1,375,000	0	
19	171	306,000	305,325	FINANCE THE PURCHASE OF REAL PROPERTY, INCLUDING THREE UNIT RENTAL BUILDING AT 162 LINCOLN
19	150	2,340,000	2,419,325	PURCHASE OF REAL PROPERTY LOCATED AT 645 MAIN STREET IN PEEKSKILL, FOR FAIR HOUSING
19	70	5,225,000	5,225,000	PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
20	206	5,000,000	5,000,007	AFFORDABLE HOUSING DEVELOPMENT 62 MAIN STREET, TARRYTOWN
21	47	5,000,000	5,000,000	AFFORDABLE HOUSING - POINT ST AND RAVINE AVE YONKERS
21	84	3,825,000	3,825,063	AFFORDABLE AFFH UNITS - GREENBURGH 1 DROMORE ROAD
21	93	1,400,000	1,399,999	AFFORDABLE AFFH UNITS - 76 LOCUST HILL AVE YONKERS
21	166	1,800,000	1,757,604	AFFH 51 MAPLE ST VILLAGE OF CROTON
21	178	5,000,000	4,999,999	AFFH 26 GARDEN ST NEW ROCHELLE
21	190	5,000,000	4,999,999	500 MAIN STREET NEW ROCHELLE
22	154	1,900,000	1,900,031	32, 36-38 MAIN STREET AND 1-3 RIVERDALE AVENUE CITY OF YONKERS
24	1	2,700,000	2,700,000	317, 319, 321 WARBURTON AVE AND 247-255 WOODWORTH AVE AND 32 POINT STREET
24	3	3,000,000	0	136 CROTON AVE, VILLAGE OF OSSINING
24	24	6,000,000	6,000,000	2&8 GROVE, 102&106 SOUTH TERRACE, 111&115 SO MACQUESTEN PARKWAY
24	26	6,125,000	0	1, 7-11, 25,29 & 33 NO MACQUESTEN PARKWAY
24	197	1,030,000	0	60 SOUTH KENSICO AVE, WHITE PLAINS
24	147	4,900,000	0	21-23 PARK AVE

Year	Bond Act #	Amount	Issued Amount	Description
24	130	7,560,000	0	455 MAIN ST NEW ROCHELLE
24	83	4,360,000	4,360,000	LAND ACQUISITION II - 30 WATER ST. OSSINING
25	6	10,000,000	0	99 CHURCH ST & 6 COTTAGE PLACE

Cash History

Year	Amount	Description
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Financing History Total

102,936,350

Recommended By:

Department of Planning
MLLL

Date
05/05/2025

Department of Public Works
RJB4

Date
05/05/2025

Budget Department
DEV9

Date
05/05/2025

Requesting Department
MLLL

Date
05/20/2025

NEW HOMES LAND ACQUISITION II (BPL30)

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	104,500	104,500	75,815						
Non County Share			(688)						
Total	104,500	104,500	75,127						

Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the 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. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. 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.

Appropriation History

Year	Amount	Description	Status
2014	5,000,000	Continuation of this project	COMPLETE
2016	2,500,000	Continuation of this project	COMPLETE
2017	7,200,000	\$2,200,000 Land acquisition for Mt Hope Plaza for Mt Hope Community Redevelopment Corp, located at 65 Lake St. White Plains and \$5,000,000 continuation of this project.	COMPLETE
2018	8,000,000	Continuation of this project.	COMPLETE
2019	5,000,000	Continuation of this project	COMPLETE
2020	10,000,000	Continuation of this project	COMPLETE
2021	16,800,000	Continuation of this project	COMPLETE
2022	25,000,000	Continuation of this project	DESIGN / CONSTRUCTION
2023	25,000,000	Continuation of this project	DESIGN / CONSTRUCTION
Total	104,500,000		

NEW HOMES LAND ACQUISITION II (BPL30)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	104,500,000	54,938,308	49,561,692
Others		688,010	(688,010)
Total	104,500,000	55,626,319	48,873,681

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
204 15	460,000	12/15/17	388,647	(609)
		12/15/17	71,360	
		12/15/17	603	
235 15	1,840,000	12/15/16	1,830,000	10,000
240 15				
267 15	284,000	12/15/17	239,947	(376)
		12/15/17	44,057	
		12/15/17	372	
18 16	385,000			385,000
21 16	197,000	12/15/16	191,659	5,341
24 16	353,000	12/15/16	290,732	62,268
56 16	400,220	12/15/17	327,838	11,679
		12/15/17	60,194	
		12/15/17	509	
59 16	210,800	12/15/17	178,102	(279)
		12/15/17	32,701	
		12/15/17	276	
50 16	228,800	12/15/17	174,902	21,513
		12/15/17	32,114	
		12/15/17	271	
53 16	219,050			219,050
231 16	2,009,980	12/15/16	1,999,980	10,000
142 17	2,600,000	12/01/21	2,312,500	287,500
172 17	1,250,000	12/10/18	1,250,000	
209 17				
77 18	2,100,000	12/10/19	1,205,036	
		12/10/19	237,964	
		12/01/21	657,000	
123 18	787,500	10/28/20	690,728	(8)
		10/28/20	96,780	
		10/28/20	26,688	
		10/28/20	(26,688)	
155 18				

NEW HOMES LAND ACQUISITION II **(BPL30)**

159	18	1,000,000	12/10/19	835,090	
			12/10/19	164,910	
186	18	3,000,000	12/10/19	2,505,271	
			12/10/19	494,729	
68	19	1,765,000	12/10/19	1,473,935	
			12/10/19	291,065	
70	19	5,225,000	12/10/19	4,363,348	
			12/10/19	861,652	
150	19	2,340,000	10/28/20	2,052,449	(79,325)
			10/28/20	287,575	
			10/28/20	79,302	
171	19	306,000	12/01/21	305,325	675
182	19	1,375,000			1,375,000
206	20	5,000,000	12/01/21	5,000,000	(7)
			11/30/23		
			11/30/23	7	
47	21	5,000,000	12/01/21	5,000,000	
84	21	3,825,000	11/30/23	3,482,077	(63)
			11/30/23	342,986	
93	21	1,400,000	12/01/22	1,273,444	
			12/01/22	126,556	
166	21	1,800,000	11/30/23	1,600,004	42,395
			11/30/23	157,601	
178	21	5,000,000	12/01/22	4,548,013	
			12/01/22	451,987	
190	21	5,000,000	12/01/22	4,548,013	
			12/01/22	451,987	
154	22	1,900,000	11/30/23	1,729,659	(31)
			11/30/23	170,372	
1	24	2,700,000			2,700,000
3	24	3,000,000			3,000,000
24	24	6,000,000			6,000,000
26	24	6,125,000			6,125,000
83	24	4,360,000			4,360,000

NEW HOMES LAND ACQUISITION II (BPL30)

130	24	7,560,000		7,560,000
147	24	4,900,000		4,900,000
197	24	1,030,000		1,030,000
6	25	10,000,000		10,000,000
Total		102,936,350	54,911,628	48,024,722

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,870,000 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 41 NORTH DIVISION STREET, IN THE CITY OF PEEKSKILL, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S HOUSING IMPLEMENTATION FUND II FAIR AND AFFORDABLE HOUSING CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,870,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,870,000 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 \$1,870,000, 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 41

North Division Street, in the City of Peekskill, identified on the tax maps as Section 33.03, Block 1, Lot 1 (the "AFFH Property") at a cost of \$1,870,000, 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 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 22 Affordable AFFH rental units at the aggregate estimated maximum cost of \$1,870,000 for said infrastructure improvements. The County shall enter into an Inter-municipal/Developer agreement with the City of Peekskill and The Children's Village, Inc. (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said 22 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 \$1,870,000. The plan of financing includes the issuance of \$1,870,000 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 \$1,870,000 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 \$1,870,000. 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 \$1,870,000 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 No. -20___ 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 , 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 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 \$1,870,000 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 41 NORTH DIVISION STREET, IN THE CITY OF PEEKSKILL, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S HOUSING IMPLEMENTATION FUND II FAIR AND AFFORDABLE HOUSING CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,870,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,870,000 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 infrastructure improvements associated with the construction of affordable rental units on property located at 41 North Division Street, in the City of Peekskill (the "AFFH Property") at a cost of \$1,870,000, 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 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 22 Affordable AFFH rental units at the aggregate estimated maximum cost of \$1,870,000 for said infrastructure improvements. The County shall enter into an Inter-municipal/Developer agreement with the

City of Peekskill and The Children's Village, Inc. (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said 22 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: \$1,870,000 - 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 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

41 NORTH DIVISION STREET, CITY OF PEEKSKILL

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,870,000 PPU 15 Anticipated Interest Rate 3.49%

Anticipated Annual Cost (Principal and Interest): \$ 160,086

Total Debt Service (Annual Cost x Term): \$ 2,401,290

Finance Department: Interest rates from May 28, 2025 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):

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

Department: Planning

Date: 5/30/25

Reviewed By: 

5/30/25


Budget Director

Date: 6/2/25

Capital Project Fact Sheet Form

Project ID: *

BPL1A

☒ CBA

Project Title: *

HOUSING IMPLEMENTATION
FUND II

Fact Sheet Date: *

04/29/2025

Fact Sheet Year *

2025

Legislative District ID:

1, 17, 16, 15, 14, 13, 12, 11, 10,
9, 8, 7, 6, 5, 4, 3, 2,

Category *

BUILDINGS, LAND &
MISCELLANEOUS

Department *

PLANNING

Unique Identifier

2927

Overall 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.

☐ Best Management

☐ Energy Efficiencies

☐ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☒ Other

Other Details

Five Year Capital Program (in Thousands)

	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

Current Bond Request / Description:

Bonding is requested to provide funding for certain infrastructure improvements for a 22 unit 100% affordable AFFH apartment building at 41 North Division Street in the City of Peekskill. 22 Parking spaces will be reserved for tenants at the nearby to be constructed addition to the James Street Municipal Parking Garage.

Financing Plan for Current Request:

Bond/Notes: 1,870,000

Cash: 0

Non-county
Shares: 0

Total: 1,870,000

SEQR Classification
UNLISTED

Amount Requested
1,870,000

PPU

Description

Amount

Years

Expected Design Work Provider

☐ County Staff

☐ Consultant

☒ Not Applicable

Comments

The County will enter into an Inter-Municipal/Developer Agreement with the City of Peekskill, and The Children's Village, Inc., its successors or assigns (the "Developer") to finance eligible infrastructure improvements associated with multi-family development to be constructed at 41 North Division Street in the City of Peekskill (the "City"), identified on the tax maps as Section 33.03, Block 1, 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 adaptively re-use an existing three-story building into 22 apartments all of which will affirmatively furthering fair housing (the "Affordable AFFH Units") which will be affordable to households who earn at or below 60% of Westchester County's Area Median Income.

The building will have one elevator and residential amenities such as a fitness center, an onsite management office, a resident lounge and laundry facilities. The building will have 9 studios, 10 one-bedroom and 3 two-bedroom apartments and 22 off-site parking spaces reserved for residents in the to be constructed addition to the James Street Municipal Parking Structure.

A total of \$1,870,000 will finance the construction of infrastructure improvements that may include but will not be limited to: new ramps, concrete flooring, drainage, electrical, fire suppression, signage, landscaping, waterproofing, construction management and County administrative cost.

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:

GREEN TECHNOLOGY SUCH AS THE INSTALLATION OF ENERGY STAR APPLIANCES, LIGHTING AND COOLING/HEATING SYSTEMS TO REDUCE THE EMISSIONS OF CARBON DIOXIDE INTO THE ENVIRONMENT.

Appropriation History

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

Financing History

Year	Bond Act #	Amount	Issued 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 ASSOCIATED 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	

Cash History

Year	Amount	Description
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Financing History Total

53,949,000

Recommended By:

Department of Planning
MLLL

Date
05/05/2025

Department of Public Works
RJB4

Date
05/05/2025

Budget Department
DEV9

Date
05/05/2025

Requesting Department
MLLL

Date
05/05/2025

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)

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

Appropriation 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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
164 15				
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	551,309	
		12/10/19	271,876	
		12/10/19	53,689	
		12/01/22	249,231	
		12/01/22	24,769	
206 15	500,000	12/15/17	262,311	5,494
		12/15/17	48,163	
		12/15/17	407	
		12/10/18	183,625	
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				
84 18	2,400,000	12/10/19	270,781	437,986
		12/10/19	53,472	
		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)

156	18				
188	18	1,300,000	04/30/20	27,188	144,159
			10/28/20	487,032	
			10/28/20	68,239	
			10/28/20	18,818	
			12/01/21	294,989	
			12/01/22	207,794	
			12/01/22	20,651	
			11/30/23	28,340	
			11/30/23	2,792	
183	18	4,400,000	12/01/21	1,765,006	399,018
			12/01/22	1,282,442	
			12/01/22	127,450	
			11/30/23	752,011	
			11/30/23	74,073	
72	19				
152	19	5,760,000	12/01/21	2,419,574	(5)
			12/01/22	2,776,495	
			12/01/22	275,931	
			11/30/23	262,180	
			11/30/23	25,825	
179	19	2,500,000			2,500,000
180	19				
51	20	5,000,000	12/01/21	148,675	(9)
			12/01/22	3,943,713	
			12/01/22	391,930	
			11/30/23	469,449	
			11/30/23	46,241	
97	20	5,000,000	12/01/21	43,723	1,641,751
			12/01/22	1,122,890	
			12/01/22	111,594	
			11/30/23	1,893,528	
			11/30/23	186,513	
201	20	2,500,000			2,500,000

HOUSING IMPLEMENTATION FUND II (BPL1A)

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

ACT NO. - 2025

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.20 acres of real property located at 41 North Division Street in the City of Peekskill 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 creating 22 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 +/- 0.20 acres of real property located at 41 North Division Street in the City of Peekskill, (the “Property”) to construct 22 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 ONE MILLION FIVE HUNDRED THIRTY-ONE THOUSAND EIGHT HUNDRED (\$1,531,800) DOLLARS.

§3. The County is hereby authorized to convey the Property to The Children’s Village, Inc., 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 60% 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 grant and accept any and all property rights necessary in furtherance hereof.

§5. The transfers of the Property shall be by such deeds as approved by the County Attorney.

§6. 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.

§7. This Act shall take effect immediately.

ACT NO. - 2025

AN ACT authorizing the County of Westchester (the "County") to enter into an inter-municipal developer agreement with the City of Peekskill and The Children's Village, Inc., 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 22 affordable rental units that will affirmatively further fair housing at 41 North Division Street in the City of Peekskill 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 Peekskill, and The Children's Village, Inc. (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 22 parking spaces in a 144 space addition to the existing James Street Municipal Parking Garage 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 22 affordable rental units which will affirmatively further fair housing ("AFFH") as set forth in 42 U.S.C. Section 5304(b)(2) (the "Affordable AFFH Units") at 41 North Division Street in the City of Peekskill 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 in an amount not to exceed ONE MILLION EIGHT HUNDRED SEVENTY THOUSAND (\$1,870,000) DOLLARS to finance 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 Peekskill, 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 will 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 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.

§3. The County is hereby authorized to grant and accept any property rights necessary in furtherance of the IMDA and the Affordable AFFH Units.

§4. The period of affordability of the Affordable AFFH Units shall be a minimum of fifty (50) years.

§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.

**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 \$10,000,000 to finance a component of capital project BPF39 – Electric Vehicle Charging Stations and Infrastructure ("BPF39"). The Bond Act, which was prepared by the law firm Hawkins Delafield and Wood, LLP, will finance the cost of installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations.

The Department of Public Works and Transportation (the "Department") has advised that this overall capital project funds the installation of EV charging stations and associated infrastructure at both County and municipal locations. However, the current bonding request will finance the cost of EV charging stations and associated infrastructure at various County locations only.

Your Committee is advised that following bonding authorization, design will begin and will be performed by both a consultant and in-house staff. The time frame for the design and construction will vary with location.

Your Committee notes that the County has previously authorized the issuance of bonds for various components of BPF39 as detailed in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, BPF39 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: June 23rd, 2025
White Plains, New York

[Handwritten signatures in blue ink]
Lenny Zeleny John
Willie
Nancy & Ben

[Handwritten signatures in blue ink]
Lenny Zeleny John
Willie
Nancy & Ben

c:\jpg 5-28-25

Budget & Appropriations

Public Works & Transportation

Dated: June 23, 2025
White Plains, New York

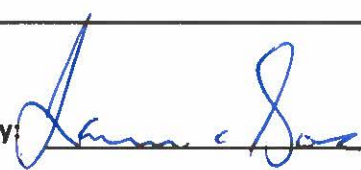
The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:


Budget & Appropriations

A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive, flowing style with a large, stylized "S" at the end.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BPF39</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	\$ 10,000,000	PPU	10
		Anticipated Interest Rate	3.10%
Anticipated Annual Cost (Principal and Interest):		\$ 1,173,647	
Total Debt Service (Annual Cost x Term):		\$ 11,736,470	
Finance Department: Interest rates from June 11, 2025 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:		108	
Prepared by:	<u>Robert Abbamont</u>	Reviewed By:	
Title:	<u>Director of Operations (Capital)</u>		Budget Director
Department:	<u>Public Works/Transportation</u>		
Date:	<u>6/11/25</u>	Date:	<u>6/12/25</u>

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 9, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPF39 Electric Vehicle Charging Stations and Infrastructure
(County Locations)**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2852) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The current request will fund various components, including:

- Design of the installation of electric vehicle (EV) charging stations at Croton Point Park, Glen Island Park, Tibbetts Brook Park, Alfonse J. Cerrato Bus Maintenance Facility, Michaelian Office Building parking structure and the Norwood E. Jackson Correctional Center parking structure;
- Purchase and installation of EV charging stations at Kensico Dam Plaza and Mohansic Golf Course;
- Purchase of Fast (Level 3) Chargers;
- Installation of EV charging stations at other County sites yet to be determined.

The current request may be classified as a Type II action pursuant to sections:

- **617.5(c)(7):** installation of telecommunication cables in existing highway or utility rights of way utilizing trenchless burial or aerial placement on existing poles;
- **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;
- **617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- **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; and

- **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

It is noted that while the Kensico Dam Plaza project qualifies as a Type II action, it had been previously reviewed by the County Board of Acquisition and Contract (A&C) in connection with the approval of a grant agreement with the New York State Energy Research and Development Authority (NYSERDA) that included EV charging stations at two other County parks (Lasdon Park and Ridge Road Park) in addition to Kensico Dam Plaza and was collectively classified as an Unlisted action. A&C issued a Negative Declaration for the NYSERDA agreement on February 27, 2025.

Generally, the purchase and installation of charging stations at existing parking facilities with nearby electrical access may be classified as Type II actions under the aforementioned sections. Further assessment will be needed of the sites listed for design only prior to implementation. Additionally, use of these funds for the installation of Fast Chargers and EV charging stations at other County sites that have yet to be determined will need to be evaluated as such sites are identified in order to ensure that it meets with the conditions of this Type II classification.

The addition of electric vehicle charging stations at new parking facilities or where electric service is not readily available at or near the project site will undergo further environmental review as may be required by SEQRA when funding approval for the larger project or contract approval for construction is requested.

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

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Gayle Katzman, First Deputy Commissioner, Dept. of Public Works & Transportation
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20 _____

BOND ACT AUTHORIZING THE ISSUANCE OF \$10,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$10,000,000 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 to the provisions of other laws applicable thereto, \$10,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations, 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 \$10,000,000. The plan of financing includes the issuance of \$10,000,000 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 \$10,000,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 90 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 \$10,000,000. 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 \$10,000,000 as the estimated total cost of the aforesaid class of 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. 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)
 : ss.:
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20____ 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 _____, 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 _____ day of _____, 20____.

(SEAL)

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

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 \$10,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$10,000,000 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 installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued
and period of probable usefulness: \$10,000,000; ten (10) years

Dated: _____, 20____
White Plains, New York

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



CAPITAL PROJECT FACT SHEET

Project ID:* BPF39	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-11-2025
Fact Sheet Year:* 2025	Project Title:* ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 2852

Overall Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSEDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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	2025	2026	2027	2028	2029	Under Review
Gross	87,000	45,000	5,000	10,000	10,000	10,000	7,000	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	87,000	45,000	5,000	10,000	10,000	10,000	7,000	0

Expended/Obligated Amount (in thousands) as of : 7,961

Current Bond Description: Funding is requested for the installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	10,000,000
Cash:	0
Total:	\$ 10,000,000

SEQR Classification:

TYPE II

Amount Requested:

10,000,000

Comments:

Energy Efficiencies:

THIS PROJECT PROMOTES THE USE OF ELECTRIC VEHICLES WHICH HELPS TO REDUCE GREENHOUSE GAS EMISSIONS.

Appropriation History:

Year	Amount	Description
2020	1,000,000	FUNDING FOR INITIAL PHASE
2022	1,000,000	ADDITIONAL INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS
2023	18,000,000	ADDITIONAL EV CHARGING STATIONS
2024	25,000,000	CONTINUATION OF THIS PROJECT
2025	5,000,000	CONTINUATION OF THIS PROJECT (MUNICIPAL LOCATIONS)

Total Appropriation History:

50,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	84	1,000,000	697,756	INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS ACROSS COUNTY
21	220	1,000,000	391,941	ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE
23	6	8,000,000	0	

Total Financing History:

10,000,000

Recommended By:**Department of Planning**

MLLL

Date

05-22-2025

Department of Public Works

RJB4

Date

05-22-2025

Budget Department

DEV9

Date

05-22-2025

Requesting Department

RJB4

Date

05-22-2025

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	87,000	45,000	7,530	5,000	10,000	10,000	10,000	7,000	
Non County Share									
Total	87,000	45,000	7,530	5,000	10,000	10,000	10,000	7,000	

Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSEDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	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
2020	1,000,000	Funding for initial phase	COMPLETE
2022	1,000,000	Additional installation of electric vehicle (EV) charging stations	COMPLETE
2023	18,000,000	Additional EV charging stations	\$8,000,000 - IN PROGRESS; \$10,000,000 AWAITING BOND AUTHORIZATION
2024	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	45,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	45,000,000	1,089,698	43,910,302
Total	45,000,000	1,089,698	43,910,302

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
84 20	1,000,000	12/01/21	143,750	302,244
		12/01/22	286,155	
		12/01/22	31,059	
		11/30/23	215,559	
		11/30/23	21,233	
220 21	1,000,000	11/30/23	356,797	608,059
		11/30/23	35,145	
6 23	8,000,000			8,000,000
Total	10,000,000		1,089,698	8,910,302