

LOCAL LAW INTRO NO. 66 - 2025
ACTS 60 & 62 - 2025
(BOND) ACT 61 - 2025

**HONORABLE BOARD OF SUPERVISORS
THE COUNTY OF WESTCHESTER**

DRAFT
IMA ON FILE

Your Committee is in receipt of a communication from the County Executive recommending approval of legislation, which, if approved by your Honorable Board, will authorize the County of Westchester ("County") in partnership with the City of Yonkers ("City"), to create a riverfront park on the Hudson River, in the Ludlow Section of Yonkers, as follows:

- 1) a local law ("Local Law"), which will authorize the County to enter into an intermunicipal agreement ("IMA") with the City of Yonkers (the "City"), pursuant to which the County will (i) contribute up to \$15,000,000.00 for the creation of a riverfront park on the Hudson River, in the Ludlow section of Yonkers ("Park," "Property" or "Fernbrook/Ludlow Waterfront Park") and (ii) lease the Park from the City, which Park is comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which is being conveyed to the City and leased back to the County, as more particularly detailed in subparagraph 2) below.

Your Committee is advised that under the proposed IMA, the County will contribute up to \$15,000,000.00 to finance the construction of upland site work improvements to create the Park, including, but not limited to, remediation work. Pursuant to the IMA, the Park will be operated and maintained solely by the City and remain accessible to all County residents for park purposes, in perpetuity and free of any parking entry charges or use fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City will charge the same fees to residents and non-residents of the City of Yonkers.

Your Committee is also advised that the term of the proposed IMA will commence upon the start of construction of the upland site work improvements on the Park and shall continue

for the life of the bonds which is anticipated to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement.

Your Committee is further advised that, pursuant to the proposed IMA, the City will be responsible for all labor and equipment to create the Fernbrook/Ludlow Waterfront Park, including procuring design services and construction of the Park improvements. Such procurement will be in compliance with all applicable laws, rules and regulations. The City will not deviate from the approved drawings and specifications without the prior written consent of the County's Department of Planning Commissioner ("Planning Commissioner") and the Department of Public Works and Transportation Commissioner.

Your Committee is also advised that, pursuant to Section 104.11(5)(e) of the Laws of Westchester County, authorization of the proposed IMA, pursuant to which the County will lease the Park from the City requires the passage of a Local Law. Also attached is a Resolution authorizing a Public Hearing as required by §209.141(4) of the Laws of Westchester County.

- 2) an act ("Conveyance Act"), which will authorize the County to convey to the City certain County-owned land located at 1 Fernbrook Street, Yonkers, New York, consisting of approximately 0.4 acres of vacant unused land, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers (the "County Parcel") to be added to the Park for the construction of certain upland park improvements by the City. Those improvements will include, but are not limited to, the installation of a parking lot and three (3) electric vehicle ("EV") charging stations, capable of charging six (6) cars at the same time, to be used by all County residents desirous of enjoying the Park for park and recreational purposes.

Your Committee is advised that the County acquired title to the County Parcel and other County property in 1970. The County Parcel is adjacent to (more particularly located on the north side of) the County's Wastewater Treatment Plant, also known as the Yonkers Joint Resource Recovery Facility ("Facility").

Your Committee is also advised that the County has determined that the County Parcel is no longer required for any County purpose and desires that the County Parcel be used for park purposes. As a condition for the conveyance of the County Parcel to the City, the City (i) will grant to the County a permanent easement over the County Parcel for any purpose whatsoever related to the operation of the Facility, including, but not limited to, inspecting, installing and operating the steel bulkhead running along the Hudson River ("County Bulkhead"), new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all such rights; and (ii) shall assume full responsibility for the maintenance, repair and replacement of the existing railroad tie bulkheads ("Railroad Bulkheads") and other existing infrastructure or systems, to the County's reasonable satisfaction. The City will also agree to, in the event necessary, to replace the Railroad Bulkheads with new bulkheads to be designed at the discretion of the City engineer to meet current design and use standards. The County and the City agree to execute and record an easement agreement setting forth the rights and responsibilities of each party thereunder.

Your Committee is further advised that, pursuant to Section 209.101(8) of the Laws of Westchester County, the County may sell or convey any surplus real property to be used in perpetuity for park and municipal recreation purposes for the sum of \$1.00. The proposed Land Conveyance Act will authorize the sale of the County Parcel to the City for \$1.00 to be used by all County residents desirous of enjoying the Park for park and recreational purposes, free of any parking or use fees, except as indicated above. A Report from the Planning Commissioner, required pursuant to Section 191.41 of the Laws of Westchester County, recommending disposition of the County Parcel is attached hereto for your consideration.

- 3) an act ("Bond Act"), which will authorize the County to issue \$15,000,000.00 in bonds of the County, to finance the construction of upland site work improvements to create the Park, including remediation work. The total estimated cost for the creation of the Park is approximately \$21,000,000.00, of which \$15,000,000.00 will be funded by the County under

the Bond Act and the remaining amount or other excess amounts will be funded by the City to finance the creation of the Park.

- 4) an act (“Capital Budget Amendment Act”), which will amend the current-year capital budget to increase the County share for this specific capital project BLA1A (2800) –Yonkers Waterfront Park (“BLA1A”) by \$5,000,000.00, from \$10,000,000.00 to \$15,000,000.00, which continues capital project BLA1A Parkland Acquisition/Westchester Legacy Program.

The Department of Planning has advised your Committee that pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQRA”), the City classified this capital project as an Unlisted action. Pursuant to a resolution approved on October 22, 2024, the City Council declared itself as the lead agency and circulated the Environmental Assessment Form (“EAF”), supplemental attachments and the criteria set forth in SEQRA and has identified and carefully considered the relevant areas of environmental concern which are set forth in the EAF, to determine if this proposed action will have a significant impact upon the environment. On December 10, 2024, the City Council issued a Negative Declaration for the project. Since the City undertook coordinated review and the County was included as an involved agency, then, in accordance with SEQRA, no further environmental review is required by the County. Your Committee 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 County Planning Board in respect to the physical planning aspects of the project. The Department of Planning has advised that since the Planning Board has reviewed the project and issued a report, which is attached hereto for your consideration, no further action by the Planning Board is necessary at this time.

Your Committee has also been informed that the adoption of the Local Law, the Land Conveyance Act, Capital Budget Amendment as well as the related Bond Act each require an affirmative vote of two-thirds of all the members of your Honorable Board. Your Committee is



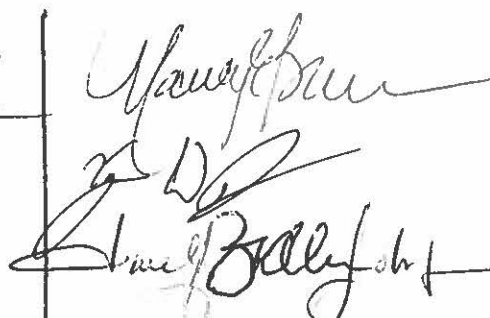
further advised that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. Additionally, as indicated in subparagraph 1) above, prior to taking any action on the proposed Local Law, this Honorable Board must hold a public hearing pursuant to 209.141(4) of the Laws of Westchester County, and a resolution providing for the hearing is annexed hereto.

Your Committee has carefully considered this matter and recommends that your Honorable Board adopt the annexed Local Law and Acts authorizing the County to enter into the IMA, sell the County Property to the City for \$1.00 for park purposes and accept an easement, amend the current-year capital budget and issue bonds in the amount of \$15,000,000.00 to finance the needed upland park improvements, including remediation work.

Dated: March 3rd, 2025.

White Plains, New York

c/cmc.02.06.2025

		
Budget & Appropriations 3/3/2025	Parks & Environment 3/3/2025	Public Works & Transportation 3/7/25

Dated: March 3, 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

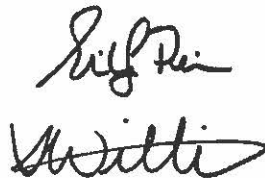
A handwritten signature in black ink, appearing to read "Colin J. Smith". The signature is written in a cursive, flowing style with a large, stylized "S" at the end.

Dated: March 7, 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:

**PUBLIC WORKS &
TRANSPORTATION COMMITTEE**

Two handwritten signatures in black ink. The top signature appears to be "S. P. De" and the bottom signature appears to be "M. J. De".

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: January 24, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BLA1A, PARKLAND AND HISTORICAL PRESERVATION PROGRAM
YONKERS WATERFRONT PARK ON FERNBOOK STREET**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2800) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

This capital project will provide funding to support the creation of a new waterfront park on Fernbrook Street, south of Ludlow Street, in the City of Yonkers. The park will include a playground, a pavilion, walking paths, lawn areas, an observation area overlooking the Hudson River, and a parking lot. This is part of a larger project that is being undertaken by the City of Yonkers that will include facilities for the Yonkers Fire and Police departments and for the Yonkers Paddling and Rowing Club. In addition to the provision of funding, which will require an inter-municipal agreement and a temporary lease over the City-owned property, the County will convey approximately 0.4 acres of land on the north side of the Yonkers Joint Treatment Plant to the City to be added to the new park, which will be open to all county residents. The County will retain a permanent easement over the property to be conveyed to allow the County to utilize the property as necessary to maintain the treatment plant and its operations.

Pursuant to SEQR, the Yonkers City Council classified the overall project as an Unlisted action. On November 1, 2024, the City sent out a notice of intent to serve as lead agency, along with Part 1 of a full Environmental Assessment Form. On December 10, 2024, the Yonkers City Council adopted a Negative Declaration for the project. Since the City undertook coordinated review and the County of Westchester was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions 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
Blanca Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
David Vutera, Associate County Attorney
Brian Hegt, Director, Government & Community Relations (DPWT)
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

RESOLUTION NO.196-2024

BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER RUBBO, MAJORITY WHIP ROBINSON, MINORITY LEADER BREEN, COUNCILMEMBERS, PINEDA -ISAAC, DIAZ AND MERANTE:

A RESOLUTION TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RELATING TO THE DEVELOPMENT OF A NEW PARK LOCATED ON THE WATERFRONT AT FERNBROOK STREET

WHEREAS, there is pending before the City Council, items related to the City's development of a new waterfront park at Fernbrook Street, including an intermunicipal agreement with the County of Westchester; and

WHEREAS, the City Council has determined that the proposed development has been reviewed as an Unlisted Action under the State Environmental Quality Review Act ("SEQRA") requiring the City Council to comply with the regulations promulgated pursuant to SEQRA; and

WHEREAS, the City Council declared itself Lead Agency by resolution at its meeting of October 22, 2024; and

WHEREAS, the City Council received and considered comments from involved agencies;

WHEREAS, the City Council has carefully considered the proposed action, has reviewed the attached Environmental Assessment Form ("EAF"), supplemental attachments, and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA, and has identified and carefully considered the relevant areas of environmental concern, which are fully set forth in the EAF, to determine if this proposed action will have a significant impact upon the environment.

RESOLUTION NO.196-2024 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED by the Yonkers City Council that, based upon the City Council's review of the EAF and for the reasons set forth therein, the City Council hereby adopts a Negative Declaration under SEQRA that there will be no adverse impact on the environment from development of a new waterfront park of the Property.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, DECEMBER 10, 2024. BY A VOTE OF 7-0.


COUNCIL PRESIDENT

12/16/2024
DATE

SENT TO MAYOR 12/19/2024
DATE


MAYOR

APPROVED 12/23/24
DATE

ATTEST:


CITY CLERK

12/24/24
DATE

RESOLUTION 24- 13

WESTCHESTER COUNTY PLANNING BOARD

**BLAIA Parkland and Historical Preservation Program
Fernbrook Waterfront Park, City of Yonkers**

WHEREAS, BLAIA Parkland and Historical Preservation Program funds will be used for the construction of upland site work improvements to create a riverfront park in the Fernbrook-Ludlow neighborhood in the City of Yonkers, for use by all county residents, in the amount of \$15,000,000; and

WHEREAS, the County will accept an easement for access over such property and the County will lease City-owned property; and

WHEREAS, the County will convey property to the City of approximately 0.4 acre of undeveloped land adjacent to the County's Wastewater Treatment Plant, which the County desires to use as park and recreational purposes; and

WHEREAS, the proposed Land Conveyance Act will authorize the sale of the County Property to the City for \$1.00 to be used as a parking lot by all County residents who would use the Fernbrook-Ludlow Park for park and recreation purposes; and

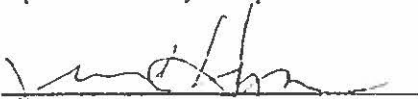
WHEREAS, the park will be open and accessible to all Westchester County residents; and

WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize an amendment adding this site to the 2024 Capital Budget requests utilizing appropriated funds in **BLAIA Parkland and Historical Preservation Program**; and

WHEREAS, the project is consistent with the policies of *Westchester 2025*, in that it will enhance the quality of Westchester's parks and recreation facilities; be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its report on the 2024 Capital Budget to add \$5,000,000 to this project as well as use of \$10,000,000 from already appropriated funds from **BLAIA Parkland and Historical Preservation Program** for the construction of upland site work improvements to create a waterfront park in the City of Yonkers.

Adopted this 2nd day of April 2024


Richard Hyman, Chair

TO: Honorable George Latimer
County Executive

FROM: Blanca P. López, M.S.
Commissioner



DATE: April 15, 2024

SUBJECT: Disposition of 0.43 acres of undeveloped land adjacent to the County's
Wastewater Treatment Plant in the City of Yonkers

Pursuant to Section 191.41 of the County Charter, this is the required report of the Commissioner of Planning on the proposed disposition of 0.43 acres of undeveloped land adjacent to the County's Wastewater Treatment Plant in the City of Yonkers for the development of the Fernbrook Waterfront Park. The proposed Land Conveyance Act will authorize the sale of the County Property to the City of Yonkers for park and recreational purposes.

The disposition of the .43-acre parcel for the purposes of creating park and recreational opportunities in the City of Yonkers is recommended for the following reasons:

1. the park will be accessible to all County residents;
2. there are few waterfront recreational opportunities in this densely populated area of Westchester County;
3. the property is pedestrian accessible as well as via Metro-North commuter rail and Bee-Line bus service;
4. there are approximately 18,000 persons who live within a 0.5-mile radius of the site;
5. the property being disposed will provide much needed parking for the site;
6. the project is consistent with the policies of *Westchester 2025*, in that it will enhance the quality of Westchester's parks and recreation facilities

Based on this record, I have no objection to the disposition of the parcel owned by Westchester County. Attached is a copy of the resolution adopted by the Planning Board in support of the proposed disposition.

cc: John Nonna, County Attorney
Tami Altschiller, Deputy County Attorney
Christopher Steers, Director of Real Estate
Lynne A. Colavita, Senior Assistant County Attorney
Claudia Maxwell, Principal Environmental Planner
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner

BLA1A Parkland and Historical Preservation Program

Fernbrook Waterfront Park, City of Yonkers

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate	Approp-						Under
	Total Cost	riated	2024	2025	2026	2027	2028	Review
Gross	32,227	27,227						5,000
Less non-County Shares								
Net	32,227	27,227						5,000

Project Description

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

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

The project will provide funding for the construction of upland site work improvements to create a riverfront park in the Ludlow neighborhood in the City of Yonkers. The 2024 capital budget amendment (CBA) is to move \$5 Million in Under Review to this project. The project has \$10 Million in existing appropriations from 2021 for this project. The total county contribution will be \$15 Million. The project also includes an Act to approve conveyance of County property to the City for open space, with the County accepting an easement for access over such property.

Appropriations/Requests

2020: Funding for acquisition of properties for parkland and historic preservation (\$1,000,000)
2021: Creation of a new park in Ludlow Park, Yonkers (\$10,000,000); 4th Street Playground, Mt. Vernon (\$2,000,000); RiverWalk Improvements, Yonkers (\$5,000,000)
2022: Funding for environmental reviews for the design and construction of RiverWalk trail connections in Tarrytown (\$1,300,000)
2023: Funding for a True Linear RiverWalk Park in Yonkers (\$5,000,000) and Flint Park Turf Field, Larchmont (\$1,000,000), Habirshaw County Park (2020 appropriations)
2024: \$1,000,000 for Improvements to RiverWalk in Tarrytown. BOL add of \$2,000,000 for Silliman Park in Ardsley ¹; BOL add of \$427,000 for Rye Town Interior Bathhouse ². \$500,000 was added for general purposes and cost inflation,
Under Review: \$5,000,000 additional funding for parkland preservation

Justification

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

¹ This Board of Legislator late addition to the Capital Plan 2024-2028 has not yet been reviewed by the County Planning Board.

² This Board of Legislator late addition to the Capital Plan 2024-2028 has not yet been reviewed by the County Planning Board.

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

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

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

Planning Board Analysis:

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

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

LOCAL LAW INTRO. NO. 66 – 2025

A LOCAL LAW authorizing the County of Westchester to enter into an intermunicipal agreement with the City of Yonkers, whereby the County will lease certain property from the City of Yonkers, and contribute \$15,000,000.00 toward the construction of upland site work improvements, including remediation work, to create a riverfront park in Yonkers.

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

Section 1. The County of Westchester (“County”) is hereby authorized to enter into an intermunicipal agreement (“IMA”) with the City of Yonkers (“City”), whereby the County shall (i) contribute up to \$15,000,000.00 for the creation of a riverfront park on the Hudson River, in the Ludlow section of Yonkers (“Park,” “Property” or “Fernbrook/Ludlow Waterfront Park”) and (ii) lease the Park from the City, which Park is comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which is being conveyed to the City and leased back to the County.

§2. The County shall contribute up to \$15,000,000.00 to finance the construction of upland site work improvements to create the Park, including, but not limited to, remediation work.

§3. The Park shall be operated and maintained solely by the City and remain accessible to all County residents for park purposes in perpetuity, free of any parking entry charges or use

fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City shall charge the same fees to residents and non-residents of the City of Yonkers.

§4. The term of the IMA term shall commence upon the commencement of the construction of the upland site work improvements on the Park and shall continue for the life of the bonds which is anticipated to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement.

§5. The County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

§6. This Local Law shall take effect immediately.

ACT No. 60 - 2025

An Act amending the 2025 County
Capital Budget Appropriations for
Capital Project BLA1A Parkland and
Historical Preservation Program

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	\$37,777,000	\$5,000,000	\$42,777,000

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	\$36,477,000	\$5,000,000	\$41,477,000
Non County Shares	\$0		\$0
Cash	\$1,300,000		\$1,300,000
Total	<u>\$37,777,000</u>	<u>\$5,000,000</u>	<u>\$42,777,000</u>

Section 3. The ACT shall take effect immediately.

BOND ACT AUTHORIZING THE ISSUANCE OF \$15,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF UPLAND SITE WORK IMPROVEMENTS TO CREATE A RIVERFRONT PARK IN THE CITY OF YONKERS UNDER THE WESTCHESTER LEGACY PROGRAM; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$15,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$15,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 03/24 , 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, to the provisions of other laws applicable thereto, \$15,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction of improvements of upland site work improvements to create a riverfront park in the city of Yonkers, including but not limited to remediation, all as set forth in the County's Current Year Capital Budget, as amended, 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 \$15,000,000. The plan of financing includes the issuance of \$15,000,000 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. 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 \$15,000,000. 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 \$15,000,000 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.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLA1A

☐ 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

Fernbrook (City of Yonkers)

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 15,000,000 PPU 15 Anticipated Interest Rate 3.13%

Anticipated Annual Cost (Principal and Interest): \$ 1,266,972

Total Debt Service (Annual Cost x Term): \$ 19,004,580

Finance Department: Interest rates from February 3, 2024 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: 163

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 2/5/25

Reviewed By: 

Budget Director

Date: 2/7/25

2/7/25

CAPITAL PROJECT FACT SHEET

Project ID:* BLA1A	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2025
Fact Sheet Year:* 2025	Project Title:* PARKLAND AND HISTORICAL PRESERVATION PROGRAM	Legislative District ID: 17
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 2800

Overall Project Description

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

- | | | |
|---|--|--|
| <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	42,777	27,227	10,550	0	0	0	0	5,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	42,777	27,227	10,550	0	0	0	0	5,000

Expended/Obligated Amount (in thousands) as of: 2,323

Current Bond Description: The current bond request will authorize \$15,000,000 to provide funding for construction of upland site work improvements to create a riverfront park including associated site work including but not limited to remediation. Together with the bond authorization is an Act to approve an IMA between the County and the City of Yonkers ("City"), pursuant to which the County will lease certain City-owned property; and a 2025 Capital Budget amendment adding \$5,000,000.00 to the project.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	15,000,000
Cash:	0
Total:	\$ 15,000,000

SEQR Classification:

UNLISTED

Amount Requested:

15,000,000

Expected Design Work Provider:

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

Comments:

The 2025 Capital Budget amendment amount of \$5,000,000 is shown in Under Review in the 5 year Capital Program grid above.

Energy Efficiencies:

Appropriation History:

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

Total Appropriation History:

37,777,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
23	227	200,000		0 PARKLAND AND HISTORICAL PRESERVATION PROGRAM
24	149	270,000		0 RIVERWALK
24	233	100,000		0 311 WELCHER AVE
24	73	1,000,000		0 PARKLAND AND HISTORICAL PRESERVATION PROGRAM - ID # 2434

Cash History (in thousands):

Year	Amount	Description
2022	1,300,000	RIVERWALK TARRYTOWN, DESIGN

Total Financing History:

2,870,000

Recommended By:

Department of Planning	Date
MLLL	12-13-2024

Department of Public Works	Date
RJB4	12-13-2024

Budget Department	Date
DEV9	12-13-2024

Requesting Department	Date
MLLL	12-16-2024

PARKLAND AND HISTORICAL PRESERVATION PROGRAM (BLA1A)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	37,227	27,227	2,321	5,000					5,000
Non County Share									
Total	37,227	27,227	2,321	5,000					5,000

Project Description

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

Current Year Description

The current year request funds the construction of Habirshaw Park improvements located in the City of Yonkers (\$2m), and the construction of Riverwalk improvements located in the Village of Tarrytown (\$3m).

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 appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

PARKLAND AND HISTORICAL PRESERVATION PROGRAM (BLA1A)

Appropriation History

Year	Amount	Description	Status
2020	1,000,000	Funds this project	\$270,000 DESIGN; \$800,000 AWAITING BOND AUTHORIZATION
2021	17,000,000	Ludlow Park (Water Access Park), Yonkers, \$10,000,000; 4th Street Playground, Mt. Vernon, \$2,000,000 and Riverwalk Improvements, Yonkers, \$5,000,000	AWAITING BOND AUTHORIZATION
2022	(700,000)	Design of Riverwalk improvements in Tarrytown \$1,300,000; 4th Street Playground Mt. Vernon appropriation reduction (\$2,000,000)	\$1,300,000 DESIGN; (\$2,000,000) APPROPRIATION REDUCTION
2023	6,000,000	A turf field at Flint Park in Larchmont \$1,000,000; a linear park extending north from the Yonkers Joint Water Resource Recovery Facility in the Ludlow section of Yonkers \$5,000,000.	\$1,000,000 IN PROGRESS; \$5,000,000 AWAITING BOND AUTHORIZATION
2024	3,927,000	Funds the rehabilitation of the existing Riverwalk in Tarrytown (\$1M) and provides additional funds to the project (\$500,000), as well as funding for Silliman Park upgrades in Ardsley (\$2M) and Rye Town Park Bathhouse upgrades (\$427,000)	\$270,000 DESIGN; \$3,657,000 AWAITING BOND AUTHORIZATION
Total	27,227,000		

Prior Appropriations

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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
227 23	200,000			200,000
73 24	1,000,000			1,000,000
149 24	270,000			270,000
Total	1,470,000			1,470,000

430 STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on March 24, 2025 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given
March 20, 2025

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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


Designated Location(s)
of posted notice

Date of Posting
March 20, 2025

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on March 25, 2025.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Judah Holstein
Legislator David Imamura
Legislator James Nolan
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Emiljana Ula
Legislator Shanae Williams
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

Legislator Catherine Parker

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Date: _____

3/25/25

ACT NO. 62 – 2025

AN ACT authorizing the County of Westchester to convey to the City of Yonkers County property located at 1 Fernbrook Street, Yonkers, New York, to be used for park and recreational purposes.

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

Section 1. The County of Westchester (“County”) is hereby authorized to sell to the City of Yonkers (“City”) for \$1.00 property located at 1 Fernbrook Street, Yonkers, New York, consisting of approximately 0.4 acres of vacant unused land, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers (the “County Property”), which is adjacent to (more particularly located on the north side of) the County’s Wastewater Treatment Plant, also known as the Yonkers Joint Resource Recovery Facility (“Facility”) for park and recreational purposes. Those improvements shall include, but are not limited to, the installation of a parking lot and three (3) electric vehicle (“EV”) charging stations, capable of charging six (6) cars at the same time, to be used by all County residents desirous of enjoying the Park for park and recreational purposes.

§2. The County shall retain a permanent easement over the County Property for any purpose whatsoever related to the operation of the Facility and the steel bulkhead along the Hudson River (“County Bulkhead”), including, but not limited to, inspecting, installing and operating the County Bulkhead, new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire

hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all such rights.

§3. The City shall assume full responsibility for the maintenance, repair and replacement of the existing railroad tie bulkheads, other existing infrastructure or systems, to the County's reasonable satisfaction. The City will also agree to, in the event necessary, replace the existing railroad tie bulkheads with new bulkheads to be designed at the discretion of the City engineer and shall meet current design and use standards.

§4. The County and the City agree to execute and record an easement agreement setting forth the rights and responsibilities of each party thereunder.

§5. The County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

§6. This Act shall take effect immediately.

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

I HEREBY CERTIFY that I have compared the foregoing Local Law Intro. No. 66 - 2025, Act No's. 60, 62 - 2025, and (Bond) Act No. 61 - 2025, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Local Law, Acts, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on March 24, 2025, and approved by the County Executive on March 25, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 26th day of March, 2025.

Malika Vanderberg

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

