

(BOND) ACT 12 - 2025
ACT 13 - 2025

Reference: BPL26 (Unique ID# 2441)

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

DRAFT
IMA ON FILE

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act"), which if adopted, would authorize the County of Westchester (the "County") to issue up to \$1,200,000.00 in bonds to finance a component of capital project BPL26 - Flood Mitigation Law Memorial Park – Briarcliff Manor ("BPL26"). Also attached is an act (the "Act") authorizing an intermunicipal agreement (the "IMA") with the Village of Briarcliff Manor (the "Village") setting forth the terms of the flood mitigation project.

Your Committee is advised that the Bond Act, in the amount of One Million Two Hundred Thousand (\$1,200,000.00) Dollars, prepared by the law firm of Hawkins Delafield & Wood LLP, would finance up to 50% of the costs associated with a municipally proposed project to make improvements to two portions of the basin situated at the Law Memorial Park (the "Park" or "Law Memorial Park"), in the Village of Briarcliff Manor, including the installation of drainage infrastructure within Pine Road to prevent overland runoff from damaging private properties and the installation of an outfall from the Pond to alleviate flooding within the Park. Said project will improve stormwater systems to alleviate flooding in the Law Memorial Park and surrounding areas. The project includes the installation of new stormwater piping sized to meet 50-year, 24-hour storm flows and to redirect overland storm flows to the stormwater system. It is estimated that this project will take approximately twenty-four (24) months to complete.

Your Committee is advised that the IMA, a copy of which is attached, will set forth the responsibilities of the County and the Village in connection with the project. Under the proposed IMA, the Village will grant a non-exclusive easement to the County over the Law Memorial Park in order to facilitate the issuance of County bonds to finance the capital project's final design and construction and such easement shall encumber the property for so long as the bonds of the County are outstanding. The Village shall construct, operate, maintain, repair, replace, inspect or restore the project. In accordance with the IMA, the County and the Village will each provide up to fifty (50%) percent of the total cost of the

project which is estimated to be Two Million Four Hundred Thousand (\$2,400,000.00) Dollars. The County will pay to the Village, on a reimbursement basis, an amount not to exceed One Million Two Hundred Thousand (\$1,200,000.00) Dollars. Should the project costs exceed the amount contributed by the County, the Village shall be solely responsible for any additional amount. Following construction, the Village will be responsible for the operation, maintenance, scheduling and security of the Law Memorial Park and the project at its expense. The term of the IMA will commence upon execution, and will continue for a period at least equal to the life of any County bonds issued to fund the project, which is estimated to be thirty (30) years.

Your Honorable Board enacted the Westchester County Storm Water Management Law (“SWML”) in 2011 to assist municipalities with storm water management (flood mitigation). *See* Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed “reconnaissance plans,” and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 120 - 2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Saw Mill River - Pocantico River Watershed dated December 2012. The Village is identified as an area of recurring flooding in this plan. Criteria for funding stormwater management (flood mitigation) projects are also described in the plan, including discretionary fund policy requirements to affirmatively further fair housing. The IMA requires the Village to adopt regulations and policies consistent with the flood mitigation criteria in the Stormwater Reconnaissance Plan for the Saw Mill River - Pocantico River Watershed.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which have financed prior components of this project as set forth on the attached fact sheet.

Your Committee is further advised that since BPL26 is a “general fund” project, specific components are subject to a capital budget amendment. Section 1 of the Bond Act authorizes an amendment to the County’s capital budget to the extent the project scope is inconsistent with any details set forth in the current capital budget. Accordingly, the Bond Act, in addition to

authorizing the issuance of bonds for this project will also amend the 2024 capital budget to reflect the specific location of this project component.

In addition, 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 Planning Board Report for BPL26 and the resolution approving same are annexed.

The Department of Planning has advised that pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR), the Village classified this capital project as an Unlisted action. On July 2, 2024, the Village Board of Trustees issued a notice of intent to serve as lead agency and circulated Part 1 of a full Environmental Assessment Form. On August 20, 2024, the Village issued a Negative Declaration for the project. Since the Village undertook coordinated review and the County was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County. Your Committee concurs with this recommendation.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act, while a simple majority of the voting strength of your Honorable Board is required to adopt the Act authorizing the IMA.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Bond Act and Act authorizing the IMA.

Dated: January 6th, 2025

White Plains, New York

Joseph Ziller John
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COMMITTEE ON

Budget & Appropriations

Housing & Planning

Public Works
&
Transportation

Dated: January 6, 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

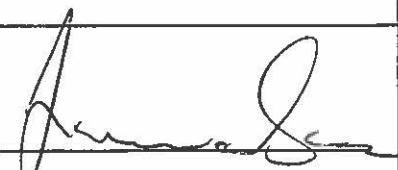
Committee(s) on:

Budget & Appropriations

A handwritten signature in cursive script, appearing to read "John P. Robinson".


FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BPL26</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
LAW MEMORIAL PARK BRIARCLIFF MANOR		
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance		
Total Principal	\$ 1,200,000	PPU 30 Anticipated Interest Rate 3.45%
Anticipated Annual Cost (Principal and Interest):	\$ 62,089	
Total Debt Service (Annual Cost x Term):	\$ 1,862,660	
Finance Department:	maab 12-2-24	
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:	13	
Prepared by:	<u>Michael Lipkin</u>	Reviewed By:  Budget Director Date: <u>12/3/24</u>
Title:	<u>Associate Planner</u>	
Department:	<u>Department of Planning</u>	
Date:	<u>12/2/24</u>	

BY 12/2/24
 CC 12/3/24
 Date:

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: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL26 FLOOD MITIGATION – BRIARCLIFF MANOR
LAW PARK & PINE ROAD DRAINAGE IMPROVEMENTS**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2441) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, the Village of Briarcliff Manor classified this project as an Unlisted action. On July 2, 2024, the Village Board of Trustees issued a notice of intent to serve as lead agency and circulated Part 1 of a full Environmental Assessment Form. On August 20, 2024, the Village Board issued a Negative Declaration for the project. Since the Village 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 contact me if you require any additional information regarding this document.

DSK/CNM

Att.

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
Blanca Lopez, Commissioner
Dean Tarulli, Director of Flood Mitigation & Resiliency
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

**SEQRA
NOTICE OF INTENT
LEAD AGENCY DETERMINATION/COORDINATED REVIEW**

**Law Park & Pine Road Drainage Improvements
Briarcliff Manor, New York
July 2, 2024**

The Village of Briarcliff Manor Board of Trustees issues this Notice of Intent for the purpose of determining lead agency pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) and Part 617 (6NYRR Part 617), the Statewide implementing regulations pertaining to SEQRA. If no written objections are received the Village of Briarcliff Manor Board of Trustees will assume lead agency 30 days after the date of this notice. This notice has been prepared pursuant to Article 8 of the Environmental Conservation Law.

Project Title: Law Park & Pine Road Drainage Improvements

Project Location: From Law Park Retention Pond 1031 Pleasantville Road, Briarcliff Manor, Westchester County, New York along Pine Road.

SEQRA Type: Unlisted Action

Project Description: The Village of Briarcliff Manor is proposing the installation of a new drainage line to provide additional relief to the Law Park retention pond and village's park and the reconstruction of pine road to install an adequate drainage system where none currently exists. The new drainage infrastructure proposed within Law Park will provide an increase in conveyance capacity from the pond to the outfall just upstream of the Pocantico River. The reconstructed roadway & new drainage within Pine Road will provide underground conveyance of stormwater and reduce flooding and erosion of the properties on the east side of Pine Road.

Contact Person: Christine Dennett, Assistant Village Manager/Village Clerk
1111 Pleasantville Road
Briarcliff Manor, New York 10510
Phone: 914-941-4801
cdennett@briarcliffmanor.gov

Copies of this notice have been sent to:

Village of Briarcliff Manor Planning Board
Village of Briarcliff Manor Fire Department
Westchester County Board of Legislators
Westchester County Department of Planning
New York State Department of Environmental Conservation
Town of Ossining
Village of Ossining
Town of Mt. Pleasant
Village of Sleepy Hollow

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part I – Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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 I. 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: Law Park Drainage Improvements				
Project Location (describe, and attach a location map): Law Park, 1031 Pleasantville Rd, Briarcliff Manor, NY 10510				
Brief Description of Proposed Action: The proposed action consists of the installation of a new drainage line to provide additional relief to the Law Park retention pond and village's park. The new drainage infrastructure proposed will provide an increase in conveyance capacity from the pond to the outfall just upstream of the Pocantico River.				
Name of Applicant or Sponsor: Hudson Engineering & Consulting, P.C.		Telephone: 914-909-0420 E-Mail: Michael@hudsonec.com		
Address: 45 Knollwood Road - Suite 201				
City/PO: Elmsford		State: New York	Zip Code: 10523	
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 checked="" type="checkbox"/>	YES <input 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: Westchester County (Funding)			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 12.5 acres b. Total acreage to be physically disturbed? _____ .5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 12.5 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 checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input checked="" type="checkbox"/> Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>Not Applicable</u>	NO	YES	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Not Applicable</u>	NO	YES	<input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Not Applicable</u>	NO	YES	<input checked="" 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? 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?	NO	YES	<input checked="" 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The proposed project will include the construction of a new outlet to the pond located within Law Park and reconstruction of the boulder retaining wall at the outfall of the 48" pipe. (approximate disturbance <0.1 ac)	NO	YES	<input checked="" type="checkbox"/>

Project: Date:

***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 type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input 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"/>

Agency Use Only [If applicable]

Project:

Date:

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 Short EAF Part 2 indicated no, or small impacts may occur as a result of this project. The EAF discussed impacts associated with the project's work within Law Park. Drainage improvements, as noted in the Notice of Intent, will also occur within Pine Road. Pine road is an existing paved roadway which drains into Law Park. The Pine Road work will be limited to existing impervious areas and is not expected to have an adverse impact on the environment. No previously undisturbed areas within Pine Road right-of-way are anticipated to be disturbed by this project. Moreover, drainage improvements will maintain current drainage patterns and flow into Law Park Basin prior to being routed to an upstream outfall of the Pocantico River. This project, both the Law Park and Pine Road sections, do NOT increase the impervious area or the overall tributary drainage area to Law Park or the upstream outfall of the Pocantico River. Therefore the overall project is determined to have no significant adverse environmental impacts.

- 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.

Village of Briarcliff Manor

Name of Lead Agency

Date

Steven A. Vescio

Mayor

Print or Type Name of Responsible Officer in Lead Agency

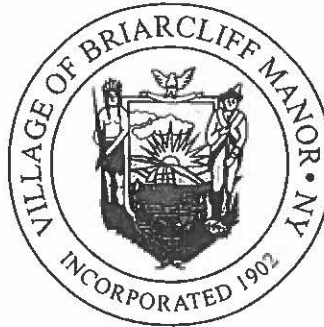
Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

VILLAGE OF BRIARCLIFF MANOR
1111 PLEASANTVILLE ROAD
BRIARCLIFF MANOR, N.Y. 10510



WWW.BRIARCLIFFMANOR.GOV
TELEPHONE: (914) 941-4800
FAX: (914) 941-4837

Upon motion by Deputy Mayor Chatzky, seconded by Trustee Hunt, the Board voted unanimously to approve the following resolution:

**SEQR NEGATIVE DECLARATION LAW PARK
& PINE ROAD DRAINAGE IMPROVEMENTS**

WHEREAS, the Board of Trustees of the Village of Briarcliff Manor, Westchester County, New York, is proposing the installation of a new drainage line to provide additional relief to the Law Park retention pond and village's park and the reconstruction of Pine Road to install an adequate drainage system where none currently exists ("Proposed Action");

WHEREAS, the new drainage infrastructure proposed within Law Park, located at Law Park, 1031 Pleasantville Rd, Briarcliff Manor, NY 10510, would provide an increase in conveyance capacity from the pond to the outfall just upstream of the Pocantico River. The reconstructed roadway & new drainage within Pine Road will provide underground conveyance of stormwater and reduce flooding and erosion of the properties on the east side of Pine Road; and

WHEREAS, in support of the Proposed Action, the Village's Consulting Engineer, Hudson Engineering, prepared a Short Environmental Assessment Form Part 1 ("Short EAF"), dated June 5, 2024 pursuant to the State Environmental Quality Review Act ["SEQRA"(6 NYCRR Part 617)]; and

WHEREAS, the Board of Trustees reviewed the Short EAF Part 1 for preliminary assessment of the environmental impacts of the Proposed Action under SEQRA, determined that it is subject to SEQRA, that it does not involve any federal agency, that it will involve other agencies, and that it is classified as an Unlisted Action under SEQRA, and by Resolution adopted July 2, 2024, declared its intent to serve as Lead Agency for the purpose of a coordinated review of the environmental impacts of the Proposed Action under SEQRA, directed the Village Clerk to transmit and file a notice, dated July 2, 2024 of the Board of Trustees' intent to serve as Lead Agency pursuant to 6 N.Y.C.R.R. §617.6(b), and preliminarily classified the Proposed Action as an Unlisted Action under SEQR pursuant to 6 N.Y.C.R.R. §617.6(a).; and

WHEREAS, the Village Clerk transmitted the Board of Trustees' Notice of Intent to serve as the SEQRA Lead Agency to the Village of Briarcliff Manor Planning Board,

Village of Briarcliff Manor Fire Department, Westchester County Board of Legislators, Westchester County Department of Planning, New York State Department of Environmental Conservation, Town of Ossining, Village of Ossining, Town of Mt. Pleasant, and the Village of Sleepy Hollow; and

WHEREAS, the Board of Trustees received and reviewed a Short Environmental Assessment Form, Part 2 ("EAF Part 2") prepared on its behalf by Hudson Engineering for assessment of approval of the Law Park and Pine Road drainage improvements; and

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, the Board of Trustees of the Village of Briarcliff Manor hereby confirms its Lead Agency designation for the SEQR Review of the Proposed Action.

BE IT FURTHER RESOLVED, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the Proposed Action will not have a significant adverse effect on the environment for the reasons enumerated in the attached Negative Declaration Form (Short EAF Part 3).

BE IT FINALLY RESOLVED that this SEQR Negative Declaration resolution shall have an effective date of August 20, 2024.

Roll Call:

Trustee Netburn	Aye
Trustee Mallett	Aye
Trustee Hunt	Aye
Deputy Mayor Chatzky	Aye
Mayor Vescio	Aye

RESOLUTION 24- 09
WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2024 Capital Project Requests
BPL26 Flood Mitigation
Law Memorial Park, Village of Briarcliff Manor

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the *Law Memorial Park, Village of Briarcliff project* will provide \$1,200,000 in funding for to analyze and mitigate flooding in the Law Park Drainage Basin in the Village of Briarcliff Manor; and

WHEREAS, the project will include improvements to the stormwater system to alleviate flooding in Law Park and surrounding areas. Project includes installation of new stormwater piping in areas with no existing system and replacement of undersized existing stormwater piping sized to meet 25-year, 24-hour storm flows and to redirect overland storm flows to the stormwater system; and

WHEREAS, and the Village of Briarcliff Manor has received numerous complaints from residents within the watershed of runoff exceeding the capacity of the existing drainage system and flowing over curbs and down driveways causing damage to private properties. Additionally, the Village has been victim to flooding caused by the Law Park Pond overtopping and flooding the Village's pool on multiple occasions. Each incident necessitated the draining, cleaning, and refilling of the entire pool resulting in a significant unexpected maintenance cost as well as an extended periods of loss of service to residents; and

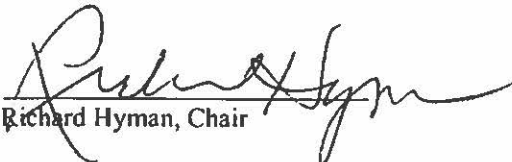
WHEREAS, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26, Flood Mitigation, to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of eligible costs; and

WHEREAS, the project is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025 - Policies to Guide County Planning*, in that it will help preserve and protect the County's natural resources and environment, both physical and biotic and will help mitigate the impacts of flooding; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the Capital Project BPL26 Law Memorial Park, Village of Briarcliff Manor.

Adopted this 5th day of March 2024


Richard Hyman, Chair

ACT NO. 12 - 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF A FLOOD MITIGATION PROJECT AT LAW MEMORIAL PARK, IN THE VILLAGE OF BRIARCLIFF MANOR, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,200,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted
01/06/25
, 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, an Intermunicipal Agreement between the County and the Village of Briarcliff Manor, and to the provisions of other laws applicable thereto; \$1,200,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance a flood mitigation project at Law Memorial Park, in the Village of Briarcliff Manor, including improvements to two portions of the basin, as well as the installation of drainage infrastructure within Pine Road to prevent overland runoff from damaging private properties and the installation of an additional outfall

from the Pond to alleviate flooding within the park, 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 total estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,200,000. The plan of financing includes the issuance of \$1,200,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$1,200,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.3 of the Law, is thirty (30) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,200,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$1,200,000 as the estimated total cost of the aforesaid objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*

BPL26

CBA

Fact Sheet Date:*

01-10-2024

Fact Sheet Year:*

2024

Project Title:*

FLOOD MITIGATION

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

CP Unique ID:

2441

Overall Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County. This is a general fund, specific projects are subject to a Capital Budget Amendment.

- | | | |
|---|--|--|
| <input 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(FLOOD RESILIENCE) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	116,500	49,250	27,250	5,000	5,000	5,000	5,000	20,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	116,500	49,250	27,250	5,000	5,000	5,000	5,000	20,000

Expended/Obligated Amount (in thousands) as of : 12,826

Current Bond Description: This project, the Law Memorial Park Flood Mitigation, Village of Briarcliff Manor, will include improvements to two portions of the basin. These include the installation of drainage infrastructure within Pine Road to prevent overland runoff from damaging private properties and the installation of an additional outfall from the Pond to alleviate flooding within the park.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,200,000
Cash:	0
Total:	\$ 1,200,000

SEQR Classification:

UNLISTED

Amount Requested:

1,200,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2009	5,400,000	MAMARONECK AND SHELDRAKE RIVERS BASIN FLOOD DAMAGE REDUCTION STUDY; FOUR LOCAL MUNICIPAL FLOOD PROJECTS
2012	5,000,000	FLOOD MITIGATION PROJECTS TO BE DETERMINED
2013	5,000,000	FLOOD RELATED PROJECTS
2015	150,000	DESIGN OF A COUNTYWIDE SYSTEM OF STREAM AND STORM GAUGES
2016	5,000,000	CONTINUATION OF THIS PROJECT
2021	200,000	DESIGN AND INSTALLATION OF A MAINTENANCE GATE AT SPRAIN BROOK, YONKERS
2022	11,000,000	THE US ARMY CORPS OF ENGINEERS' PROJECT IN THE VILLAGE OF MAMARONECK/SHELDRAKE AND MAMARONECK RIVERS
2023	17,500,000	\$10,300,000 CONTINUATION OF THIS PROJECT; \$7,000,000 FOR MAMARONECK/SHELDRAKE RIVERS, AND \$200,000 FOR CITY OF YONKERS SCOTTI FIELD FLOOD PROJECT
2024	27,250,000	1) \$16,000,000 FOR PELHAM FLOOD MITIGATION 2) \$6,000,000 PELHAM MANOR FLOOD MITIGATION

Total Appropriation History:

76,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
17	11	2,974,874	2,502,238	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY (AMMENDED)
18	171	0	0	FUNDING FOR AN ENGINEERING STUDY TO DEVELOP A SOLUTION FOR FLOODING IN RYE BROOK, AVON CIRCLE AREA
19	107	300,000	123,507	INITIAL DESIGN OF PROJECT TO MITIGATE FLOODING ALONG THE HUTCHINSON RIVER
19	247	0	0	RECONSTRUCT THE HILLSIDE AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK
21	171	350,000	0	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	0	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)
22	85	130,000	0	FLOOD MITIGATION-DOBBS FERRY (UNIQUES ID# 1948)
22	54	1,200,000	0	FLOOD MITIGATION-PEEKSKILL (UNIQUES ID# 1999)
22	95	220,000	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953)
22	92	2,200,000	0	FLOOD MITIGATION-MAMARONECK (UNIQUE ID# 1857)
23	23	2,500,000	0	RECONSTRUCT HILLSIDE AVENUE BRIDGE, VILLAGE OF MAMARONECK (UNIQUE ID#2001)
23	206	121,250	0	FLOOD MITIGATION - HARRISON AVE YONKERS (ID 2324)
23	198	3,870,000	0	FLOODING IN RYE BROOK, AVON CIRCLE AREA - (ID 2236)
23	196	150,000	0	FLOOD MITIGATION (ID 2235)
23	208	128,750	0	FLOOD MITIGATION - CLUNIE AVE YONKERS (ID 2326)

Total Financing History:

17,756,499

Recommended By:

Department of Planning

MLLL

Date

04-01-2024

Department of Public Works

YMS1

Date

04-02-2024

Budget Department

DEV9

Date

04-04-2024

Requesting Department

MLLL

Date

04-04-2024

FLOOD MITIGATION (BPL26)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	116,500	49,250	12,826	27,250	5,000	5,000	5,000	5,000	20,000
Non County Share									
Total	116,500	49,250	12,826	27,250	5,000	5,000	5,000	5,000	20,000

Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County, as well as provide funding for watershed analyses and project development plans prepared by the County or in partnership with state and federal agencies. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds a continuation of the project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	27,250,000			27,250,000

Impact on Operating Budget

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

FLOOD MITIGATION (BPL26)

Appropriation History

Year	Amount	Description	Status
2009	5,400,000	Mamaroneck and Sheldrake Rivers basin flood damage reduction study; Four local municipal flood projects	COMPLETE
2012	5,000,000	Flood Mitigation Projects to be Determined	\$2,256,500 COMPLETE; \$2,743,500 DESIGN/CONSTRUCTION
2013	5,000,000	Flood related projects	\$1,500,000 COMPLETE; \$1,436,500 CONSTRUCTION; \$2,063,500 AWAITING BOND AUTHORIZATION
2015	150,000	Design of a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	200,000	Design and installation of a maintenance gate at Sprain Brook, Yonkers	AWAITING BOND AUTHORIZATION
2022	11,000,000	The US Army Corps of Engineers' project in the Village of Mamaroneck/Sheldrake and Mamaroneck rivers	AWAITING BOND AUTHORIZATION
2023	17,500,000	\$10,300,000 continuation of this project; \$7,000,000 for Mamaroneck/Sheldrake Rivers, and \$200,000 for City of Yonkers Scotti Field flood project	AWAITING BOND AUTHORIZATION
Total	49,250,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	49,250,000	6,891,825	42,358,175
Total	49,250,000	6,891,825	42,358,175

**FLOOD MITIGATION
(BPL26)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
79 09	900,000	12/02/10	358,000	499
		12/02/10	(358,000)	
		11/30/11	522,141	
		11/30/11	77,859	
		11/19/15	250,434	
		11/19/15	48,566	
		11/19/15	501	
140 09	2,441,625	10/24/12	740,494	
		10/24/12	75,506	
		10/24/12	6,240	
		12/10/13	852,989	
		12/10/13	104,011	
		12/10/13	2,925	
		11/19/15	334,212	
		11/19/15	64,813	
		11/19/15	669	
		12/15/16	259,766	
11 17	2,974,875	12/15/17	31,948	472,636
		12/15/17	5,866	
		12/15/17	50	
		12/15/17	29,606	
		12/15/17	5,436	
		12/15/17	46	
		12/10/18	660,625	
		12/10/19	959,846	
		12/10/19	189,546	
		12/10/19	117,641	
		12/10/19	23,231	
		04/30/20	478,398	
171 18				
107 19	300,000	12/01/21	123,508	176,493
247 19				
171 21	350,000			350,000
175 21	270,000			270,000

**FLOOD MITIGATION
(BPL26)**

85	22	130,000		130,000
92	22	2,200,000		2,200,000
95	22	220,000		220,000
54	22	1,200,000		1,200,000
23	23	2,500,000		2,500,000
196	23	150,000		150,000
198	23	3,870,000		3,870,000
206	23	121,250		121,250
208	23	128,750		128,750
Total		17,756,500	5,966,873	11,789,627

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 January 6, 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
January 3, 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:

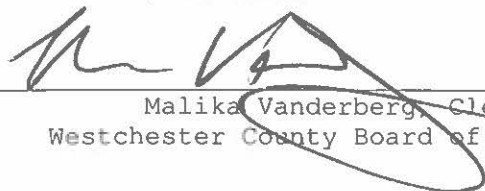
Designated Location(s)
of posted notice

Date of Posting
January 3, 2025

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 7, 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 Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator David Tubiolo
 Legislator Emiljana Ulaj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels


NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

 _____
Date: 11/7/25

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Village of Briarcliff Manor in connection with a flood mitigation project (Capital Project BPL26, Unique ID# 2441).

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 (the “IMA”) with the Village of Briarcliff Manor (the “Village”), in connection with a flood mitigation project to be conducted in the Village to mitigate flooding and flood damage which includes improvements to two portions of a basin situated at the Law Memorial Park, Village of Briarcliff Manor (the “Project”), pursuant to capital project BPL26 – Flood Mitigation.

§2. The County will contribute in the amount of One Million Two Hundred Thousand (\$1,200,000.00) Dollars, to finance up to 50% of the costs associated with the Project.

§3. In order to give the County the necessary interest in real property to be able to issue bonds towards the Project, the Village shall grant a non-exclusive easement in, on, over, under and through the Property where the Project is located to the County, for a term commencing upon execution and continuing for a period at least equal to the life of any County bonds issued by the County for the construction of the Project, estimated to be thirty (30) years.

§4. The term of the IMA shall commence upon execution thereof by both parties and approval of same by the Office of the County Attorney, and shall continue for the life of the bonds issued by the County for the construction of the Project, estimated to be thirty (30) years.

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

§5. This Act shall take effect immediately.

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

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act No. 12 - 2025, and Act No. 13 - 2025, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original (Bond) Act, and Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on January 6, 2025, and approved by the County Executive on January 7, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 7th day of January, 2025.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

