

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the “Bond Act”) which, if adopted, will rescind a bond act previously adopted by your Honorable Board.

On August 1, 2022, by Bond Act No. 95-2022, your Honorable Board authorized the County of Westchester (the “County”) to issue up to Two Hundred Twenty Thousand (\$220,000.00) Dollars in bonds of the County to finance a component of capital project BPL26 - Flood Mitigation (“BPL26”). Bond Act No. 95-2022 was to fund up to 50% of the costs of a study of localized flooding in the Village of Briarcliff Manor (the “Village”) near the Pocantico River.

The Department of Planning was notified by the Village that it has withdrawn its request for funding for this project. Accordingly, the Bond Act, prepared by the law firm of Hawkins Delafield & Wood, LLP, will rescind Bond Act No. 95-2022 in its entirety.

The Planning Department has advised that, based on its review, the proposed rescission of Bond Act No. 95-2022 does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators. Therefore, no environmental review is required. Your Committee has reviewed the referenced memorandum and concurs with this conclusion.

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

Dated: February 21st, 2024

White Plains, New York

Thomas J. Zile John

David J. Tubiolo
Tom W.

Nancy Barr

Jeff

Smith

Tom W.

Nancy Barr

Jeff

Smith

Thomas J. Zile John

COMMITTEE ON

Budget & Appropriations

Public Works &
Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL26

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

Rescind Bond Act 95-2022 BPL26-13 Flood Mitigation Briarcliff Manor Pocantico River

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal

PPU

Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest):

Total Debt Service (Annual Cost x Term):

\$ -

Finance Department:

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

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

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded:

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 1/30/24

Reviewed By: 

Budget Director

Date: 01/30/24

1/31/24

ACT NO. -20_____

RESCINDING BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, RESCINDING THE BOND ACT ADOPTED AUGUST 1, 2022 TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING AND ANALYSIS OF LOCALIZED FLOODING IN THE VILLAGE OF BRIARCLIFF MANOR NEAR THE POCANTICO RIVER. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$220,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning and analysis of localized flooding in the Village of Briarcliff Manor near the Pocantico River (the "Project"), pursuant to Act No. 95-2022 duly adopted on August 1, 2022; and

WHEREAS, it is now been determined that such Project request has been withdrawn from the Village of Briarcliff Manor, and it is now necessary to rescind such Bond Act;

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

SECTION (A) The bond act duly adopted by this Board on August 1, 2022, entitled:

"ACT NO. 95-2022

BOND ACT AUTHORIZING THE ISSUANCE OF \$220,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE

COUNTY'S SHARE OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING AND ANALYSIS OF LOCALIZED FLOODING IN THE VILLAGE OF BRIARCLIFF MANOR NEAR THE POCANTICO RIVER; STATING THE ESTIMATED TOTAL COST THEREOF IS \$220,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$220,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS."

is hereby rescinded.

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

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

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20____
with the original on file in my office, and that the same is a correct transcript therefrom and of
the whole of the said original Act, which was duly adopted by the County Board of Legislators of
the County of Westchester on , 20____ and approved by the County Executive
on , 20____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said County Board of Legislators
this day of , 20____.

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

(SEAL)

