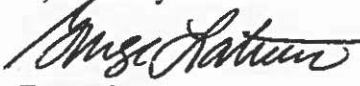


March 3, 2023

TO: Hon. Catherine Borgia, Chair  
Hon. Nancy Barr, Vice Chair  
Hon. Christopher Johnson, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Bond Act-BPL1A and  
IMDA Act w/White Plains & Mount Hope Community Development  
Corporation Re: 65 Lake Street, White Plains.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators March 6, 2023 Agenda.

Transmitted herewith for your review and approval is a Bond Act and an Agreement to provide funds to assist in the construction of infrastructure improvements.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for March 6, 2023 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

March 3, 2023

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

Dear Honorable Members of the Board of Legislators:

As your Honorable Board is aware, to encourage the development of affordable housing that will affirmatively further fair housing (“AFFH”) in Westchester County (the “County”), the County has established Housing Implementation Fund II (“HIF” or “Capital Project BPL1A”) to provide funds to assist in the construction of infrastructure improvements.

The Department of Planning (“Planning”) has advised that Mount Hope Community Development Corporation, its successors or assigns, (the “Developer”) proposes to construct a building containing fifty-five (55) rental units and one employee unit on the approximately +/- 0.8 acre site at 65 Lake Street in the City of White Plains (the “Property”). All fifty-five (55) of the rental units will be available to eligible senior households where all members are over the age of 62 that earn at or below 50% and up to 60% of the Westchester County area median income (“AMI”) and will all remain affordable for a period of not less than 50 years (the “Affordable AFFH Units”). The Affordable AFFH Units are expected to include 48 one-bedroom, and 7 two-bedroom units. There will also be one two-bedroom unit for an employee. The building will also include a community room lounge, management office and laundry facilities. Also included will be the construction of 25 on-grade parking spaces for residents. Together, the building and the parking comprise the “Development.” The Developer is requesting an amount not to exceed \$2,750,000 to be used for infrastructure improvements that include, but will not be limited to, on-site and street paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and county administrative costs.

Planning has advised that the Property at 65 Lake Street is currently owned by the Developer. In 2020, the County purchased the property for \$2,100,000 from the prior owner and conveyed it to the developer for \$1 through the New Homes Land Acquisition Program (“NHLA”). Since that time, increasing construction and financing costs have created a financing gap and the Development is seeking HIF funding to fill the gap and to begin construction.

Office of the County Executive

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

Telephone: (914)995-2900 E-mail: [ceo@westchestergov.com](mailto:ceo@westchestergov.com)



Transmitted herewith for your review and approval, please find the following two Acts:

Inter-Municipal Developer Agreement. An Act (the “IMDA Act”) which will authorize the County to enter into an Inter-Municipal Developer Agreement (the “IMDA”) with the City of White Plains (the “City”) and the Developer, its successors or assigns, to finance the infrastructure improvements including, but not limited to, on-site and street paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs (the “Infrastructure Improvements”) in support of the Affordable AFFH Units as part of the County’s program to ensure the development of new affordable housing. The term of the IMDA will be fifteen years (commensurate with the period of probable usefulness of the HIF bonds as described herein). The IMDA will provide that the City and/or the Developer, its successors or assigns, will be responsible for all costs of operation and maintenance of the Infrastructure Improvements. The IMDA will require the Developer, as a condition of the County’s financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty years.

Construction Financing. A Bond Act (the “HIF Bond Act”) prepared by the firm of Hawkins, Delafield and Wood, LLP, to authorize the issuance of bonds of the County in an amount not-to-exceed \$2,750,000 as a part of Capital Project BPL1A to finance the Infrastructure Improvements for the Development. Planning has advised that subject to the approval of your Honorable Board, the HIF Bond Act will authorize a total amount not to exceed \$2,750,000 (the “County Funds”) for the Infrastructure Improvements, which includes costs to cover the County’s legal fees and staff costs.

Planning has advised that the authorization of your Honorable Board is required to accept all necessary property rights required to construct the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through an easement until the expiration of the term of the HIF bonds, as described herein. However, the County will not be responsible for any other costs related to the operation and maintenance of the Infrastructure Improvements.

Planning has further advised that additional funding for the Property is anticipated to be provided from Low Income Housing Tax Credits allocated by New York State Homes and Community Renewal (“HCR”), NYS Housing Trust Fund Corporation (“HTFC”) Subsidy, Westchester County New Homes Land Acquisition, City of White Plains Subsidy, New York State Energy Research Development Authority (“NYSERDA”) funding, Mount Hope AME Zion Church funding (to pay for replacement church parking) and a conventional bank loan, for an estimated total development cost of approximately \$37.62 Million.

On December 6, 2022, the Westchester County Planning Board (the “Planning Board”) adopted Resolution No. 22-20 to recommend funding to finance the Infrastructure Improvements on the Property. The Planning Board Resolution has been annexed hereto.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act ("SEQRA") have been met. The City's Common Council served as Lead Agency and in accordance with the City's Zoning Ordinance classified this Development as a Type I Action under the SEQRA regulations. On March 5, 2018, the City's Common Council adopted an Environmental Findings Resolution, which determined that the Development would not have a significant effect on the environment. However, since the City did not include the County as an involved agency in its SEQRA review, the County must make its own determination of significance to fulfill the requirements of SEQRA. As such, the Westchester County Board of Legislators conducted its own review and, issued a Negative Declaration for the Development on June 4, 2018 (Resolution 83-2018). Planning has advised that since the current request is for additional funding needed to offset increases in cost with no substantial change to the scope of the Development, the original Negative Declaration remains valid and no further environmental review is required.

Based on the importance of increasing the number of Affordable AFFH Units in the County, your favorable action on the annexed Acts is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is fluid and cursive, written over a white background.

George Latimer  
County Executive

Attachments  
GL/NAD/DI

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

Your Committee is in receipt of a communication from the County Executive recommending the adoption of two Acts in connection with “Capital Project BPL1A – Housing Implementation Fund II.”

As your Honorable Board is aware, to encourage the development of affordable housing that will affirmatively further fair housing (“AFFH”) in Westchester County (the “County”), the County has established a Housing Implementation Fund II (“HIF” or “Capital Project BPL1A”) to provide funds to assist in the construction of infrastructure improvements.

The Department of Planning (“Planning”) has advised your Committee that Mount Hope Community Development Corporation, its successors or assigns (the “Developer”) proposes to construct a building with 55 rental units and one employee unit on the approximately +/- 0.80-acre site at 65 Lake Street, in the City of White Plains (the “Property”). All fifty-five (55) Affordable AFFH Units will be available to eligible senior households where all members are over the age of sixty-two (62) that earn at or below 50% and up to 60% of the Westchester County area median income (“AMI”), and will all remain affordable for a period of not less than 50 years (the “Affordable AFFH Units”). The Affordable AFFH Units are expected to include 48 one-bedroom, and 7 two-bedroom units. One two-bedroom unit will be for an employee. The building will also include a community room, lounges, and laundry facilities. Also included will be the construction of 25 on-grade parking spaces. Together, the building and the parking comprise the “Development.” The Developer is requesting an amount not to exceed \$2,750,000 to be used for infrastructure improvements that include, but will not be limited to, on-site and street paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs.

Planning has advised your Committee that the Property is currently owned by the Mount Hope Community Development Corporation. In 2020, the County purchased the property from

the prior owner and conveyed it to the developer for \$1 through the New Homes Land Acquisition Program (“NHLA”). Since that time, increasing construction and financing costs have created a financing gap and the Development is seeking HIF funding to fill the gap and to begin construction.

Transmitted herewith for your review and approval, please find the following two Acts:

Inter-Municipal Developer Agreement Act. An Act (the “IMDA Act”) which will authorize the County to enter into an Inter-Municipal Developer Agreement (the “IMDA”) with the City of White Plains (the “City”) and the Developer, its successors or assigns, to finance the construction of the infrastructure improvements including, but not limited to, construction of the on-site and street paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs (the “Infrastructure Improvements”) in support of the Affordable AFFH as part of the County’s program to ensure the development of new affordable housing. The term of the IMDA will be fifteen years (commensurate with the period of probable usefulness of the HIF bonds as described herein). The IMDA will provide that the City and/or the Developer, its successors, or assigns, will be responsible for all costs of operation and maintenance of the Infrastructure Improvements. The IMDA will require the Developer, as a condition of the County’s financing of the Infrastructure Improvements, to record a declaration of restrictive covenants approved by, and enforceable by, the County which will run with the land and bind the property and any successor(s) in interest and will require that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty years (the “Period of Affordability”).

Construction Financing. A Bond Act (the “HIF Bond Act”) prepared by the firm of Hawkins, Delafield and Wood, LLP, to authorize the issuance of bonds of the County in an amount not-to-exceed \$2,750,000 as a part of Capital Project BPL1A to finance the Infrastructure Improvements for the Development. Planning has advised that subject to the approval of your Honorable Board, the HIF Bond Act will authorize an amount not to exceed \$2,750,000 (the

“County Funds”) for the Infrastructure Improvements which includes costs to cover the County’s legal fees and staff costs.

Planning has advised your Committee that your Honorable Board’s authorization is required to accept all necessary property rights required to construct the Infrastructure Improvements. The County will have an ownership interest in the Infrastructure Improvements through easements until the expiration of the term of the HIF bonds, as described herein. However, the County will not be responsible for any other costs related to the operation and maintenance of the Infrastructure Improvements.

Planning has further advised that additional funding for the Property is anticipated to be provided from Low Income Housing Tax Credits allocated by New York State Homes and Community Renewal (“HCR”), NYS Housing Trust Fund Corporation (“HTFC”) Subsidy, Westchester County New Homes Land Acquisition, City of White Plains Subsidy, New York State Energy Research Development Authority (“NYSERDA”) funding, Mount Hope AME Zion Church funding (to pay for replacement church parking) and a conventional bank loan, for an estimated total development cost of approximately \$37.62 Million.

Your Committee has been advised that on December 6, 2022, the Westchester County Planning Board (the “Planning Board”) adopted Resolution No. 22-20 to recommend funding to finance the Infrastructure Improvements on the Property. The Planning Board Resolution has been annexed hereto.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act (“SEQRA”) have been met. The City’s Common Council served as Lead Agency and in accordance with the City’s Zoning Ordinance, classified this Development as a Type I Action under the SEQRA regulations. On March 5, 2018, the City’s Common Council adopted an Environmental Findings Resolution, which determined that the Development would not have a significant effect on the environment. However, since the City did not include the County as an involved agency in its

SEQRA review, the County must make its own determination of significance to fulfill the requirements of SEQRA. As such, the Westchester County Board of Legislators conducted its own review and, issued a Negative Declaration for the Development on June 4, 2018 (Resolution 83-2018). Planning has advised that since the current request is for additional funding needed to offset increases in cost with no substantial change to the scope of the Development, the original Negative Declaration remains valid and no further environmental review is required.

Based on the foregoing, your Committee believes that the Acts are in the best interest of the County and therefore recommends their adoption, noting that the IMDA Act requires no more than an affirmative vote of the majority of the Board, while the HIF Bond Act requires the affirmative vote of two-thirds of your Honorable Board.

Dated: \_\_\_\_\_, 2023  
White Plains, New York

**COMMITTEE ON**  
C/I/2.22.23



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL1A

NO FISCAL IMPACT PROJECTED

## SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

65 Lake Street, City of White Plains

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 2,750,000 PPU 15 Anticipated Interest Rate 3.02%

Anticipated Annual Cost (Principal and Interest): \$ 230,420

Total Debt Service (Annual Cost x Term): \$ 3,456,300

Finance Department: Interest rates from March 1, 2023 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

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

\_\_\_\_\_  
\_\_\_\_\_

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: N/A

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

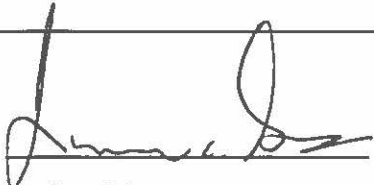
Not Applicable

Prepared by: Norma V. Drummond

Title: Commissioner

Department: Planning


Date: 3/1/23

Reviewed By: 

DV 3/1/23  
Budget Director

Date: 3/2/23

TO: Leonard Gruenfeld, Program Administrator  
Division of Housing & Community Development

FROM: David S. Kvinge, AICP, RLA, CFM   
Assistant Commissioner

DATE: February 21, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
BPL1A, HOUSING IMPLEMENTATION FUND II  
65 LAKE STREET, WHITE PLAINS**

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Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital project BPL1A - Housing Implementation Fund (Fact Sheet Unique ID 2116) to facilitate the development of affordable senior rental housing at 65 Lake Street in the City of White Plains. The project includes the construction of a new 6-story building that will provide 56 dwelling units, which will be made available to seniors and affirmatively further fair housing, with the exception of one unit that will be reserved for the building superintendent. County funds under BPL1A will be applied towards the cost of certain infrastructure improvements, construction management and county administrative costs.

This housing project was previously reviewed in 2018 in connection with a request from the City for the County to assist in the acquisition of the property through its New Homes Land Acquisition Program (capital project BPL30). Although the City of White Plains Common Council classified the project as Type I and issued a Negative Declaration pursuant to SEQR, it did not include the County as an involved agency. As such, the Westchester County Board of Legislators conducted it's own review and, issued a Negative Declaration for the project on June 4, 2018 (Resolution 83-2018). Since the current request is for additional funding needed to offset increases in cost with no substantial change to the scope of the project, the original Negative Declaration remains valid and no further environmental review is required.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/cnm

cc: Norma Drummond, Commissioner  
Blanca Lopez, Deputy Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 22- 20

WESTCHESTER COUNTY PLANNING BOARD

**Housing Implementation Fund II  
Capital Budget Amendment  
65 Lake Street, City of White Plains**

**WHEREAS**, the County has established Capital Project BPLIA Housing Implementation Fund II (“HIF”) to assist municipalities with the cost of construction of public infrastructure improvements associated with the development of fair and affordable housing; and

**WHEREAS**, Mount Hope Community Development Corporation (the “Developer”), its successors or assigns, desires to develop the real property located at 65 Lake Street in the City of White Plains (the “City”), identified on the City tax maps as Section 126.45; Block 6; Lot 2.2 (the “Property”) to create 56 affordable residential rental units in one building, including a superintendent’s unit, which will affirmatively further fair housing (“AFFH”, collectively the “Affordable AFFH Units”);

**WHEREAS**, the Developer desires the County to fund infrastructure improvements to support the construction of 65 Lake Street, a 6-story building, with 56 affordable residential rental units and 25 parking spaces (the “Development”); and

**WHEREAS**, 55 rental units will be available to senior households aged 62 and over and one unit will be available for a superintendent, who earn at or below 50% and up to 60% of Westchester County’s Area Median Income (“AMI”); and

**WHEREAS**, the Affordable AFFH Units will be leased to eligible households pursuant to an approved Affirmative Fair Housing Marketing Plan and remain affordable for a minimum of 50 years; and

**WHEREAS**, a not to exceed amount of \$2,750,000 is requested from Capital Project BPLIA Housing Implementation Fund II to fund eligible expenses that will include, but will not be limited to, on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and county administrative costs; and

**WHEREAS**, the Development is proposed to include green technology such as energy efficient appliances, lighting and heating systems and water conserving fixtures to maximize energy efficiency, reduce heating and cooling costs and conserve natural resources. A green roof will be installed and the roof area will be designed to accommodate solar panels should they be installed in the future. Four electric vehicle charging stations will be installed; and

**WHEREAS**, the Development is subject to approvals by the City of White Plains; and

**WHEREAS**, the funding to support the development of the Affordable AFFH Units is

consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board’s adopted long-range land use and development policies, by contributing to the development of “a range of housing types” “affordable to all income levels;” and

**WHEREAS**, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with the construction of the infrastructure improvements; and

**RESOLVED**, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Development, supports the request to provide a not to exceed amount of \$2,750,000 for infrastructure improvements for the Development under the terms of the HIF Program, which will support the creation of 56 Affordable AFFH Units of which 55 units will be available to senior households aged 62 and over, and one unit will be available for a superintendent, who earn at or below 50% and up to 60% of AMI and 25 parking spaces, located at 65 Lake Street in the City of White Plains.

**RESOLVED**, that the Westchester County Planning Board amends its report on the 2022 Capital Project Requests to include 65 Lake Street in the City of White Plains, as a new component project in Capital Project BPL1A under the heading of Buildings, Land and Miscellaneous.

Adopted this 6<sup>th</sup> day of December 2022.

  
Richard Hyman, Chair

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 65 LAKE STREET, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S HOUSING IMPLEMENTATION FUND II CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,750,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and other laws applicable thereto, bonds of the County in the aggregate amount of \$2,750,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of infrastructure improvements associated with the construction of affordable housing units on property located at 65

Lake Street, in the City of White Plains (the "AFFH Property") at a cost to the County of \$2,750,000, including related costs incurred by the County, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"). The infrastructure improvements may include, but shall not be limited to, paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and County administrative costs. The funding requested herein, at the aggregate estimated maximum cost of \$2,750,000, is in support of the construction of 55 Affordable AFFH units. The County shall enter into an Inter-municipal/Developer Agreement ("IMDA") with the City of White Plains and the Mount Hope Community Development Corporation (the "Developer"), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said affordable AFFH units (the "Development"). A deed restriction will be filed against the AFFH Property to require that the AFFH units will be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years. The cost of said infrastructure improvements for the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,750,000. The plan of financing includes the issuance of \$2,750,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said

bonds and notes.

Section 2. The period of probable usefulness for which said \$2,750,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 91 of the Law, is fifteen (15) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$2,750,000. 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 \$2,750,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

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

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

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

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

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

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

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

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

\* \* \*



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

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

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

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

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution. Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE CONSTRUCTION OF AFFORDABLE HOUSING UNITS ON PROPERTY LOCATED AT 65 LAKE STREET, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S HOUSING IMPLEMENTATION FUND II CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,750,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted \_\_\_\_\_, 20\_\_)

Object or purpose: to finance the cost of infrastructure improvements associated with the construction of affordable housing units on property located at 65 Lake Street, in the City of White Plains (the “AFFH Property”) at a cost to the County of \$2,750,000, including related costs incurred by the County, in order to support the construction of affordable housing units that will affirmatively further fair housing (“AFFH”). The infrastructure improvements may include, but shall not be limited to, paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, management and County administrative costs. The funding requested herein, at the aggregate estimated maximum cost of \$2,750,000, is in support of the construction of 55 Affordable AFFH units. The County shall enter into an Inter-municipal/Developer Agreement (“IMDA”) with the City of White Plains

and the Mount Hope Community Development Corporation (the “Developer”), its successors or assigns, to finance eligible infrastructure improvements associated with the construction of said affordable AFFH units (the “Development”). A deed restriction will be filed against the AFFH Property to require that the AFFH units will be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years. The cost of said infrastructure improvements for the AFFH Property is set forth in the County’s Current Year Capital Budget, as amended.

Amount of obligations to be issued  
and period of probable usefulness:

\$2,750,000 - fifteen (15) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

# Capital Project Fact Sheet Form

**Project ID: \***  
BPL1A

CBA

**Fact Sheet Date: \***  
01/10/2023

**Fact Sheet Year \***  
2023

**Project Title: \***  
HOUSING IMPLEMENTATION  
FUND II

**Legislative District ID:**  
5

**Category \***  
BUILDINGS, LAND &  
MISCELLANEOUS

**Department \***  
PLANNING

**Unique Identifier**  
2116

## Overall Project Description

This project continues the funding for the Westchester County Housing Implementation Fund (HIF) previously funded under BPL01. HIF is a unique housing incentive program established to provide municipalities with funds for public infrastructure and improvements such as water, sanitary and storm sewer, road and site improvements needed to facilitate the construction or rehabilitation of fair and affordable housing. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Best Management

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

Other Details

## Five Year Capital Program (in Thousands)

	Estimated Ultimate Total Cost	Prior Appropriation	2023	2024	2025	2026	2027	Under Review
Gross	86,060	71,060	15,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	86,060	71,060	15,000	0	0	0	0	0

**Expended Obligated Amount (in thousands)**  
28,784

**Current Bond Request / Description:**

Bonding is requested to provide funding for certain infrastructure improvements for a 56 unit apartment building with 55 AFFH apartments and one employee unit with a total of 25 parking spaces at 65 Lake Street in the City of White Plains (the "City").

The County will enter into an Inter-Municipal/Developer Agreement with the City of White Plains and the Mount Hope Community Development Corporation , its successors or assigns (the "Developer") to finance eligible infrastructure improvements associated with multi-family development to be constructed at 65 Lake Street in the City, identified on the tax maps as Section 126.45, Block 6, Lot 2.2 (the "Property"). The City will be responsible for operation and maintenance of the infrastructure and the county shall own the infrastructure improvements for the life of the County bonds. The developer will construct one six-story building with 56 apartments, 55 of which will affirmatively furthering fair housing (the "Affordable AFFH Units") which will be affordable to households who earn at or below 50% and up to 60% of Westchester County's Area Median Income ("AMI"). There will be one employee unit.

The building will have two elevators and residential amenities such as community room, management office and on-site laundry services. The building will have 48 one-bedroom and 8 two-bedroom apartments. 25 parking spaces will be constructed and will be for the use of the residents. An additional 47 parking spaces will be constructed for use by the church. The church will pay for the construction and maintenance of these spaces.

A total of \$2,750,000 will finance the construction of infrastructure improvements that may include but will not be limited to on-site and off-site paving, curbing, sidewalks, retaining walls, storm water detention, drainage systems, sanitary sewer system, water lines, lighting, signage, landscaping, construction management and county administrative cost. In 2018, the Development received Board of Legislature approval for the use of New Homes Land Acquisition funding in the amount of \$2,100,000. In October 2022, the County purchased the Development site and conveyed it to the Developer for \$1.

A deed restriction will be filed against the Property to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affirmative fair housing marketing plan to eligible households for a period of not less than 50 years.

**Financing Plan for Current Request:**

Bond/Notes:	2,750,000
Cash:	0
Non-county Shares:	0
Total:	2,750,000

**SEQR Classification**  
TYPE I

**Amount Requested**  
2,750,000

PPU		
Description	Amount	Years

**Comments**

**Energy Efficiencies:**

ENERGY EFFICIENT APPLIANCES, LIGHTING AND HEATING SYSTEMS AND WATER-CONSERVING FIXTURES. A GREEN ROOF WILL BE INSTALLED AND FOUR ELECTRIC CAR CHARGERS WILL BE PROVIDED.

<b>Appropriation History</b>		
<b>Appropriation Year</b>	<b>Amount</b>	<b>Description</b>
2014	5,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2015	3,000,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2016	2,500,000	PUBLIC INFRASTRUCTURE IMPROVEMENTS
2017	3,500,000	GREENBURGH MANHATTAN AVE REDEVELOPMENT SENIOR HOUSING - \$1,000,000; CONTINUATION OF THIS PROJECT -\$2,500,000
2018	4,150,000	CONTINUATION OF THIS PROJECT.
2019	5,910,000	CONTINUATION OF THIS PROJECT
2020	10,000,000	CONTINUATION OF THIS PROJECT
2021	12,000,000	CONTINUATION OF THIS PROJECT \$10,000,000 ; INFRASTRUCTURE BROADBAND \$2,000,000
2022	25,000,000	CONTINUATION OF THIS PROJECT
2023	15,000,000	CONTINUATION OF THIS PROJECT
<b>Total Appropriation History</b>		
86,060,000		

Financing History				
Year	Bond Act #	Amount	Issued Amount	Description
15	206	500,000	494,505	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS INFRASTRUCTURE IMPROVEMENTS
15	170	2,400,000	2,125,394	FAH DEVELOPMENT AT 150 NORTH STREET AND THEODORE FREMD AVE IN CITY OF RYE
15	164	0	0	INFRASTRUCTURE IMPROVEMENTS AT 16 ROUTE 6 IN TOWN OF SOMERS
17	174	2,250,000	1,938,596	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS TO 1847 CROMPOND ROAD PEEKSKILL
17	210	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS AT 501 BROADWAY IN VILLAGE OF BUCHANAN
18	188	1,300,000	896,265	INFRASTRUCTURE ASSOCIATED WITH CONSTRUCTION OF AFFORDABLE UNITS AT 25 SOUT REGENT ST IN PORT CHESTER
18	156	0	0	CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS FOR DEVELOPMENT OF AFFORDABLE HOUSING IN NEW ROCHELLE
18	84	2,400,000	1,962,013	CONSTRUCTION OF CERTAIN PUBLIC INFRASTRUCTURE IMPROVEMENTS IN SUPPORT OF HIDDEN MEADOWS DEVELOPMENT
18	183	4,400,000	1,765,005	INFRASTRUCTURE ASSOCIATED WITH AFFORDABLE HOUSING AT 135 S. LEXINGTON AVE IN WHITE PLAINS
19	72	0	0	RESCINDING ACT NO. 156-2018, INFRASTRUCTURE IMPROVEMENTS IN NEW ROCHELLE
19	152	5,760,000	2,419,573	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 645 MAIN STREET IN PEEKSKILL
19	179	2,500,000	0	CONSTRUCTION OF AFFORDABLE RENTAL UNITS AT 11 GRADEN STREET, NEW ROCHELLE
19	180	0	0	RESCINDS BOND ACT 210-2017
20	51	5,000,000	148,675	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
20	97	5,000,000	43,723	COST OF INFRASTRUCTURE IMPROVEMENTS OF AFFORDABLE HOUSING UNITS IN YONKERS

Financing History				
Year	Bond Act #	Amount	Issued Amount	Description
20	201	2,500,000	0	INFRASTRUCTURE IMPROVEMENTS FOR AFFORDABLE HOUSING UNIT AT 48 MANHATTAN AVE., GREENBURG
22	28	3,500,000	0	AFFH AND HIF 23 MULBERRY STREET, YONKERS 60 RENTAL UNITS

Cash History		
Year	Amount	Description

**Financing History Total**  
37,510,000

**Recommended By:**

- |                               |             |
|-------------------------------|-------------|
| <b>Department of Planning</b> | <b>Date</b> |
| WBB4                          | 01/30/2023  |
  
- |                                   |             |
|-----------------------------------|-------------|
| <b>Department of Public Works</b> | <b>Date</b> |
| RJB4                              | 02/01/2023  |
  
- |                          |             |
|--------------------------|-------------|
| <b>Budget Department</b> | <b>Date</b> |
| DEV9                     | 02/04/2023  |
  
- |                              |             |
|------------------------------|-------------|
| <b>Requesting Department</b> | <b>Date</b> |
| WBB4                         | 02/05/2023  |



## HOUSING IMPLEMENTATION FUND II ( BPL1A )

**User Department :** Planning

**Managing Department(s) :** Planning ;

**Estimated Completion Date:** TBD

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

### **FIVE YEAR CAPITAL PROGRAM (In thousands)**

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	86,060	71,060	28,645	15,000					
Non County Share			72						
<b>Total</b>	<b>86,060</b>	<b>71,060</b>	<b>28,717</b>	<b>15,000</b>					

### **Project Description**

This project continues the funding for the Westchester County Housing Implementation Fund (HIF) previously funded under BPL01. HIF is a unique housing incentive program established to provide municipalities with funds for public infrastructure and improvements such as water, sanitary and storm sewer, road and site improvements needed to facilitate the construction or rehabilitation of fair and affordable housing. This is a general fund, specific projects are subject to a Capital Budget Amendment.

### **Current Year Description**

The current year requests fund the continuation of this project.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2023	15,000,000			15,000,000

### **Impact on Operating Budget**

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

## HOUSING IMPLEMENTATION FUND II ( BPL1A )

### Appropriation History

Year	Amount	Description	Status
2014	5,000,000	Public infrastructure improvements	COMPLETE
2015	3,000,000	Public infrastructure improvements	COMPLETE
2016	2,500,000	Public infrastructure improvements	COMPLETE
2017	3,500,000	Greenburgh Manhattan Ave Redevelopment Senior Housing - \$1,000,000; continuation of this project -\$2,500,000	COMPLETE
2018	4,150,000	Continuation of this project.	COMPLETE
2019	5,910,000	Continuation of this project	COMPLETE
2020	10,000,000	Continuation of this project	PARTIALLY IN PROGRESS
2021	12,000,000	Continuation of this project \$10,000,000 ; Infrastructure Broadband \$2,000,000	AWAITING BOND AUTHORIZATION
2022	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>71,060,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	71,060,000	22,665,886	48,394,114
Others		(71,958)	71,958
<b>Total</b>	<b>71,060,000</b>	<b>22,593,927</b>	<b>48,466,073</b>

**HOUSING IMPLEMENTATION FUND II  
( BPL1A )**

**Bonds Authorized**

Bond Act		Amount	Date Sold	Amount Sold	Balance
164	15				
170	15	2,400,000	12/15/17	1,053,460	605
			12/15/17	193,426	
			12/15/17	1,634	
			12/10/18	551,309	
			12/10/19	271,876	
			12/10/19	53,689	
			12/01/22	249,231	
			12/01/22	24,769	
206	15	500,000	12/15/17	262,311	5,494
			12/15/17	48,163	
			12/15/17	407	
			12/10/18	183,625	
174	17	2,250,000	12/10/18	24,138	27,303
			12/10/19	127,644	
			12/10/19	25,207	
			04/30/20	192,926	
			10/28/20	985,486	
			10/28/20	138,079	
			10/28/20	38,077	
			10/28/20	(38,077)	
			12/01/21	445,116	
			12/01/22	258,419	
			12/01/22	25,682	
210	17				
84	18	2,400,000	12/10/19	270,781	437,986
			12/10/19	53,472	
			04/30/20	560,358	
			10/28/20	389,869	
			10/28/20	54,626	
			10/28/20	15,064	
			10/28/20	(15,064)	
			12/01/21	632,909	

**HOUSING IMPLEMENTATION FUND II  
( BPL1A )**

156	18					
188	18	1,300,000	04/30/20	27,188	175,290	
			10/28/20	487,032		
			10/28/20	68,239		
			10/28/20	18,818		
			12/01/21	294,989		
			12/01/22	207,794		
			12/01/22	20,651		
183	18	4,400,000	12/01/21	1,765,006	1,225,102	
			12/01/22	1,282,442		
			12/01/22	127,450		
72	19					
152	19	5,760,000	12/01/21	2,419,574	288,000	
			12/01/22	2,776,495		
			12/01/22	275,931		
179	19	2,500,000			2,500,000	
180	19					
51	20	5,000,000	12/01/21	148,675	515,682	
			12/01/22	3,943,713		
			12/01/22	391,930		
97	20	5,000,000	12/01/21	43,723	3,721,792	
			12/01/22	1,122,890		
			12/01/22	111,594		
201	20	2,500,000			2,500,000	
28	22	3,500,000			3,500,000	
<b>Total</b>		<b>37,510,000</b>		<b>22,612,745</b>	<b>14,897,255</b>	