

Infrastructure & Housing Meeting Agenda



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

Committee Chair: Shanae Williams

Tuesday, February 17, 2026

10:00 AM

Committee Room

Joint with B&A

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

MINUTES APPROVAL

1. Monday, February 9, 2026 at 10:00am

I. ITEMS FOR DISCUSSION

1. [2026-68](#) **BOND ACT(Amended)-RB03L-3078-Pondfield Road West Over Bronx River, Bronxville-Yonkers**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of TEN MILLION, SEVEN HUNDRED TWENTY THOUSAND (\$10,720,000) DOLLARS, making the total amount ELEVEN MILLION, SEVEN HUNDRED FIFTY THOUSAND (\$11,750,000) DOLLARS to finance Capital Project RB03L - Pondfield Road West Over Bronx River, Bronxville-Yonkers.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Public Works & Transportation
Commissioner Greechan and First Deputy Commissioner Gayle Katzman

2. [2026-51](#) **BOND ACT-BPL26-3131-Flood Mitigation**

A BOND ACT authorizing the issuance of ONE MILLION, EIGHT HUNDRED FIFTY THOUSAND (\$1,850,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL26 (3131) Flood Mitigation.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Deputy Commissioner David Kvinge

3. [2026-52](#) **IMA-Ward Avenue Bridge-Village of Mamaroneck**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Village of Mamaroneck requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge in order to reduce flooding of municipal and private property in the Village.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Deputy Commissioner David Kvinge

4. [2026-17](#) **ACT-Amend Act 168-2025-Authorize Release of a Right of First Refusal-100 College Avenue, Sleepy Hollow**

AN ACT amending Act 168-2025 in order to further authorize the release of a right of first refusal clause in a deed from the County of Westchester to SH Affordable Housing Development Fund Company, Inc. dated October 8, 2008, with respect to real property located at 100 College Avenue in the Village of Sleepy Hollow.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Program Administrator Leonard Gruenfeld

5. [2026-18](#) **ENV RES-80 Main Street, Ossining**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the acquisition and conveyance of real property located at 80 Main Street in the Village of Ossining.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Program Administrator Leonard Gruenfeld

6. [2026-19](#) **BOND ACT-BPL37-80 Main Street, Ossining**

A BOND ACT authorizing the issuance of SIX MILLION, FORTY THOUSAND (\$6,040,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL37 - New Homes Land Acquisition III.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Program Administrator Leonard Gruenfeld

7. [2026-20](#) ACT-Land Acquisition-80 Main Street, Ossining

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 25 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Program Administrator Leonard Gruenfeld

8. [2026-21](#) BOND ACT-BPL37-19 Greenridge Avenue, White Plains

A BOND ACT authorizing the issuance of ONE MILLION, FOUR HUNDRED TWENTY-FIVE THOUSAND (\$1,425,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL37 - New Homes Land Acquisition Fund III.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Program Administrator Leonard Gruenfeld

9. [2026-22](#) ACT-Land Acquisition-19 Greenridge Avenue, White Plains

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.33 acres of real property located at 19 Greenridge Avenue in the City of White Plains and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating six affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFRASTRUCTURE & HOUSING

Guests: Department of Planning
Commissioner Blanca Lopez and Program Administrator Leonard Gruenfeld

II. OTHER BUSINESS**III. RECEIVE & FILE****ADJOURNMENT**



Kenneth W. Jenkins
County Executive

January 26, 2026

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an amended bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of \$10,720,000.00 to finance the following capital project:

RB03L (3078) Pondfield Road West Over Bronx River, Bronxville-Yonkers ("RB03L").

The proposed Bond Act in the total amount of \$11,750,000.00, which includes \$1,030,000.00 in previously authorized bonds of the County, is necessary to finance the cost of the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work.

The Department of Public Works and Transportation ("Department") has advised that this bridge, which has an annual daily traffic count ("AADT") of 5,530, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2025, the New York State Department of Transportation gave the bridge a condition rating of 4.31. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

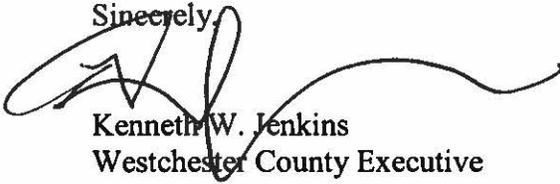
Design is currently underway and is expected to be completed by the first quarter of 2026. It is anticipated that the design work will be completed using outside consultants. It is anticipated that construction will take approximately twenty-four months and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with RB03L as follows: Bond Act No. 217-2016 in the amount of \$1,030,000.00, which authorized financing for the cost of planning and design for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers. This bond has not been sold. It is now requested that Bond Act No. 217-2016 be amended to increase the initial amount authorized by \$10,720,000.00, for a total authorized amount, as amended, of \$11,750,000.00, and to revise the scope of Bond Act No. 217-2016 to include costs related to the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of

Bronxville and the City of Yonkers, including the construction, construction management, and replacement of the bridge, and to increase the period of probable usefulness of the RB03L bonds.

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

Sincerely,

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

Kenneth W. Jenkins
Westchester County Executive

HJG/RA/mcz

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of an amended bond act (“Bond Act”) in the total amount of \$11,750,000.00, which includes \$1,030,000.00 in previously authorized bonds of the County, to finance Capital Project RB03L (3078) Pondfield Road West Over Bronx River, Bronxville-Yonkers. The Bond Act, which was prepared by the law firm Harris Beach Murtha PLLC, is required to finance costs associated with the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work.

The Department of Public Works and Transportation (“Department”) has advised that this bridge, which has an annual daily traffic count (“AADT”) of 5,530, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2025, the New York State Department of Transportation gave the bridge a condition rating of 4.31. This rating system, using a scale of 1 (“hazardous”) through 7 (“new”), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Design is currently underway and is expected to be completed by the first quarter of 2026. It is anticipated that the design work will be completed using outside consultants. It is anticipated that construction will take approximately twenty-four months and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with RB03L as follows: Bond Act No. 217-2016 in the amount of \$1,030,000.00, which authorized financing for the cost of planning and design for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers. This bond has not been sold. It is now requested that Bond Act No. 217-2016 be amended to increase the initial amount authorized by \$10,720,000.00, for a total authorized amount, as amended, of \$11,750,000.00, and to revise the scope of Bond Act No. 217-2016 to

include costs related to the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including the construction, construction management, and replacement of the bridge, and to increase the period of probable usefulness of the RB03L bonds.

The Department of Planning has advised your Committee that based on its review, RB037 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQR”). Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required to adopt the Bond Act. Your Committee has carefully considered and recommends approval of the proposed Bond Act.

Dated: _____, 2026.
White Plains, New York

COMMITTEE ON

s/mcz/1.26.2026

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB03L

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 11,750,000 PPU 30 Anticipated Interest Rate 4.00%

Anticipated Annual Cost (Principal and Interest): \$ 686,075

Total Debt Service (Annual Cost x Term): \$ 20,582,245

Finance Department: maab 1-20-26

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

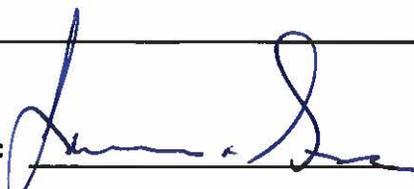
Number of Full Time Equivalent (FTE) Jobs Funded: 128

Prepared by: Robert Abbamont

Title: Dir. Of Operations (Capital)

Department: DPWT

Date: 1/20/26

Reviewed By: 

du 1/20/26 Budget Director

Date: 1/20/26

TO: Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

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

DATE: January 15, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB03L PONDFIELD ROAD WEST OVER BRONX RIVER,
BRONXVILLE/YONKERS (BIN3348600)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 12/04/2025 (Unique ID: 3078)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

COMMENTS: The bridge is a contributing resource to the Bronx River Parkway Reservation, which is listed on the National Register of Historic Places. The bridge reconstruction has been designed to retain the same architectural features, an arch bridge with the same vertical clearance and stone façade using the same stones, which has met the approval of SHPO. The project includes the removal of a number of trees in close proximity of the bridge. A mitigation plan has been prepared by the Department of Parks, Recreation and Conservation to offset the removal of the trees within the Bronx River Parkway Reservation with a more holistic approach. Mitigation work may include the removal of invasive species, as well as the re-planting of diverse native trees and shrubs in key areas of the Reservation, which may also qualify as a Type II action pursuant to section 617.5(c)(8).

DSK/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Robert Lopane, Director of Program Development – PRC Planning
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING THE BOND ACT ADOPTED JUNE 20, 2016 IN RELATION TO FINANCING THE COST FOR THE RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS AT THE TOTAL ESTIMATED COST OF \$11,750,000. (Adopted , 20__).

WHEREAS, this Board of Legislators (the “Board”) has heretofore duly authorized the issuance of bonds to finance the planning costs for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers at the estimated maximum cost of \$1,030,000, pursuant to Act No. 217-2016 duly adopted on June 20, 2016, and it has now been determined that the period of probable usefulness of such planning may be increased so that it shall be equal to the period of probable usefulness of such improvements; and

WHEREAS, it is also now appropriate to authorize construction of such improvements, and it is necessary to increase the appropriation for such project by \$10,720,000 for a total maximum cost of \$11,750,000; and

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:

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Section (A). The bond act duly adopted by this Board on June 20, 2016,
entitled:

“(BOND) ACT NO. 217-2016

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,030,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,030,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,030,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS”

is hereby amended and restated to read as follows:

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BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING THE BOND ACT ADOPTED JUNE 20, 2016 IN RELATION TO FINANCING THE COST FOR RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__).

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$11,750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work; all as set forth in the County's current **Error! Unknown document property name.**

year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$11,750,000. The plan of financing includes the issuance of \$11,750,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 10 of the Law, is forty (40) 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 \$11,750,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and

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duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property 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 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

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

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

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

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

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

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

* * *

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

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

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

(SEAL)

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

LEGAL NOTICE

An amended and restated Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on June 20, 2016 and amended on _____, 20__ and approved, as amended, by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING THE BOND ACT ADOPTED JUNE 20, 2016 IN RELATION TO FINANCING THE COST FOR RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)..

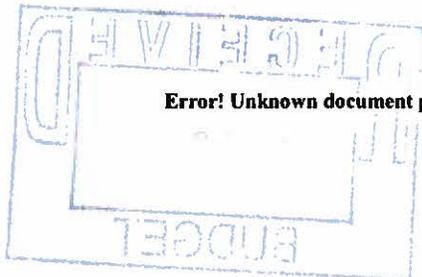
object or purpose: to finance the cost for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work; all as set forth in the County's 20__ Capital Budget, as amended

amount of obligations to be issued: \$11,750,000; forty (40) years
and period of probable usefulness:

Dated: _____, 20__
White Plains, New York

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

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CAPITAL PROJECT FACT SHEET

Project ID:* CBA Fact Sheet Date:*
01-02-2026
RB03L

Fact Sheet Year:* Project Title:* Legislative District ID:
2026 PONDFIELD ROAD WEST OVER 15,
BRONX RIVER,
BRONXVILLE/YONKERS (BIN
3348600)

Category* Department:* CP Unique ID:
ROADS & BRIDGES PUBLIC WORKS 3078

Overall Project Description

This project will fund replacement of bridge superstructure with a pre-cast rigid frame/arch structure including stone facing to provide similar appearance to the existing. Stone parapets will also be replaced with stone-faced pre-cast concrete parapets/spandrel walls. Structure is 53' long and 55' wide, a total of 2,901 square feet. The structure was built in 1911.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2026	2027	2028	2029	2030	Under Review
Gross	11,750	9,150	2,600	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	11,750	9,150	2,600	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 757

Current Bond Description: Funding is requested for construction and construction management associated with the replacement of the bridge superstructure with a precast rigid frame arch structure, including stone facing to provide a similar appearance to the existing bridge. The stone parapets will also be replaced with stone-faced precast concrete parapets/spandrel walls.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	10,720,000
Cash:	0
Total:	\$ 10,720,000

SEQR Classification:

TYPE II

Amount Requested:

10,720,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

BCR: 4.31 (2025); AADT: 5,530

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2015	500,000	DESIGN
2016	8,250,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2019	400,000	COST ESCALATION
2026	2,600,000	INCREASED CONSTRUCTION COSTS

Total Appropriation History:

11,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
16	217	1,030,000	0	PONDFIELD ROAD BRIDGE PLANNING RECONSTRUCTIONS

Total Financing History:

1,030,000

Recommended By:

Department of Planning
DVWA

Date
12-04-2025

Department of Public Works
RJB4

Date
12-05-2025

Budget Department
DEV9

Date
12-05-2025

Requesting Department
RJB4

Date
12-05-2025

PONDFIELD ROAD WEST OVER BRONX RIVER, BRONXVILLE/YONKERS (BIN 3348600) (RB03L)

User Department : Public Works
Managing Department(s) : Public Works ;
Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2026	2027	2028	2029	2030	Under Review
Gross	11,750	9,150	757	2,600					
Non County Share									
Total	11,750	9,150	757	2,600					

Project Description

This project will fund replacement of bridge superstructure with a pre-cast rigid frame/arch structure including stone facing to provide similar appearance to the existing. Stone parapets will also be replaced with stone-faced pre-cast concrete parapets/spandrel walls. Structure is 53' long and 55' wide, a total of 2,901 square feet. The structure was built in 1911.

Current Year Description

The current year request funds increased construction costs.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2026	2,600,000			2,600,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2015	500,000	Design	DESIGN
2016	8,250,000	Design, construction and construction management	\$530,000 DESIGN ; \$7,720,000 - AWAITING BOND AUTHORIZATION
2019	400,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	9,150,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,150,000		9,150,000
Total	9,150,000		9,150,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
217 16	1,030,000			1,030,000
Total	1,030,000			1,030,000

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of an amended bond act (“Bond Act”) in the total amount of \$11,750,000.00, which includes \$1,030,000.00 in previously authorized bonds of the County, to finance Capital Project RB03L (3078) Pondfield Road West Over Bronx River, Bronxville-Yonkers. The Bond Act, which was prepared by the law firm Harris Beach Murtha PLLC, is required to finance costs associated with the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work.

The Department of Public Works and Transportation (“Department”) has advised that this bridge, which has an annual daily traffic count (“AADT”) of 5,530, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2025, the New York State Department of Transportation gave the bridge a condition rating of 4.31. This rating system, using a scale of 1 (“hazardous”) through 7 (“new”), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Design is currently underway and is expected to be completed by the first quarter of 2026. It is anticipated that the design work will be completed using outside consultants. It is anticipated that construction will take approximately twenty-four months and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with RB03L as follows: Bond Act No. 217-2016 in the amount of \$1,030,000.00, which authorized financing for the cost of planning and design for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers. This bond has not been sold. It is now requested that Bond Act No. 217-2016 be amended to increase the initial amount authorized by \$10,720,000.00, for a total authorized amount, as amended, of \$11,750,000.00, and to revise the scope of Bond Act No. 217-2016 to

include costs related to the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including the construction, construction management, and replacement of the bridge, and to increase the period of probable usefulness of the RB03L bonds.

The Department of Planning has advised your Committee that based on its review, RB037 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required to adopt the Bond Act. Your Committee has carefully considered and recommends approval of the proposed Bond Act.

Dated: February 17, 2026.
White Plains, New York

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Lynn
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Lance Zellerbach
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[Signature]
[Signature]
[Signature]

Budget & Appropriations

Infrastructure & Housing

COMMITTEE ON

Dated: February 17, 2026
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
COMMITTEE**

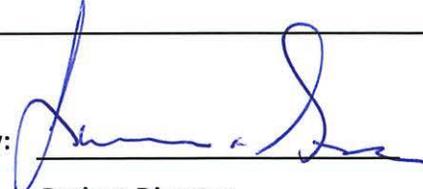
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**INFRASTRUCTURE & HOUSING
COMMITTEE**

Anant Nambiar

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>RB03L</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 11,750,000	PPU 30	Anticipated Interest Rate 4.00%
Anticipated Annual Cost (Principal and Interest):	\$ 686,075		
Total Debt Service (Annual Cost x Term):	\$ 20,582,245		
Finance Department:	maab 1-20-26		
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:	128		
Prepared by:	<u>Robert Abbamont</u>	Reviewed By:	
Title:	<u>Dir. Of Operations (Capital)</u>		<u>Budget Director</u>
Department:	<u>DPWT</u>	<u>du 1/20/26</u>	
Date:	<u>1/20/26</u>	Date:	<u>1/20/26</u>

TO: Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

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



DATE: January 15, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB03L PONDFIELD ROAD WEST OVER BRONX RIVER,
BRONXVILLE/YONKERS (BIN3348600)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 12/04/2025 (Unique ID: 3078)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

COMMENTS: The bridge is a contributing resource to the Bronx River Parkway Reservation, which is listed on the National Register of Historic Places. The bridge reconstruction has been designed to retain the same architectural features, an arch bridge with the same vertical clearance and stone façade using the same stones, which has met the approval of SHPO. The project includes the removal of a number of trees in close proximity of the bridge. A mitigation plan has been prepared by the Department of Parks, Recreation and Conservation to offset the removal of the trees within the Bronx River Parkway Reservation with a more holistic approach. Mitigation work may include the removal of invasive species, as well as the re-planting of diverse native trees and shrubs in key areas of the Reservation, which may also qualify as a Type II action pursuant to section 617.5(c)(8).

DSK/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Robert Lopane, Director of Program Development – PRC Planning
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING THE BOND ACT ADOPTED JUNE 20, 2016 IN RELATION TO FINANCING THE COST FOR THE RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS AT THE TOTAL ESTIMATED COST OF \$11,750,000. (Adopted , 20__).

WHEREAS, this Board of Legislators (the “Board”) has heretofore duly authorized the issuance of bonds to finance the planning costs for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers at the estimated maximum cost of \$1,030,000, pursuant to Act No. 217-2016 duly adopted on June 20, 2016, and it has now been determined that the period of probable usefulness of such planning may be increased so that it shall be equal to the period of probable usefulness of such improvements; and

WHEREAS, it is also now appropriate to authorize construction of such improvements, and it is necessary to increase the appropriation for such project by \$10,720,000 for a total maximum cost of \$11,750,000; and

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:

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Section (A). The bond act duly adopted by this Board on June 20, 2016,
entitled:

“(BOND) ACT NO. 217-2016

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,030,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,030,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,030,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS”

is hereby amended and restated to read as follows:

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING THE BOND ACT ADOPTED JUNE 20, 2016 IN RELATION TO FINANCING THE COST FOR RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__).

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$11,750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, including construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work; all as set forth in the County's current

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year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$11,750,000. The plan of financing includes the issuance of \$11,750,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 10 of the Law, is forty (40) 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 \$11,750,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and

Error! Unknown document property name.

duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property 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 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

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

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

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

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

Section (B). The amendment and restatement 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.

* * *

LEGAL NOTICE

An amended and restated Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on June 20, 2016 and amended on _____, 20__ and approved, as amended, by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING THE BOND ACT ADOPTED JUNE 20, 2016 IN RELATION TO FINANCING THE COST FOR RECONSTRUCTION OF THE PONDFIELD ROAD BRIDGE OVER THE BRONX RIVER IN THE VILLAGE OF BRONXVILLE AND THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)..

object or purpose: to finance the cost for the reconstruction of the Pondfield Road Bridge over the Bronx River in the Village of Bronxville and the City of Yonkers, construction, construction management, replacement of the bridge superstructure with a precast rigid frame arch structure, stone facing, stone-faced precast concrete parapets/spandrel walls, and associated work; all as set forth in the County's 20__ Capital Budget, as amended

amount of obligations to be issued: \$11,750,000; forty (40) years
and period of probable usefulness:

Dated: _____, 20__
White Plains, New York

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

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CAPITAL PROJECT FACT SHEET

Project ID:*
RB03L

CBA

Fact Sheet Date:*
01-02-2026

Fact Sheet Year:*
2026

Project Title:*
PONDFIELD ROAD WEST OVER
BRONX RIVER,
BRONXVILLE/YONKERS (BIN
3348600)

Legislative District ID:
15,

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
3078

Overall Project Description

This project will fund replacement of bridge superstructure with a pre-cast rigid frame/arch structure including stone facing to provide similar appearance to the existing. Stone parapets will also be replaced with stone-faced pre-cast concrete parapets/spandrel walls. Structure is 53' long and 55' wide, a total of 2,901 square feet. The structure was built in 1911.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2026	2027	2028	2029	2030	Under Review
Gross	11,750	9,150	2,600	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	11,750	9,150	2,600	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 757

Current Bond Description: Funding is requested for construction and construction management associated with the replacement of the bridge superstructure with a precast rigid frame arch structure, including stone facing to provide a similar appearance to the existing bridge. The stone parapets will also be replaced with stone-faced precast concrete parapets/spandrel walls.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	10,720,000
Cash:	0
Total:	\$ 10,720,000

SEQR Classification:

TYPE II

Amount Requested:

10,720,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

BCR: 4.31 (2025); AADT: 5,530

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2015	500,000	DESIGN
2016	8,250,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2019	400,000	COST ESCALATION
2026	2,600,000	INCREASED CONSTRUCTION COSTS

Total Appropriation History:

11,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
16	217	1,030,000	0	PONDFIELD ROAD BRIDGE PLANNING RECONSTRUCTIONS

Total Financing History:

1,030,000

Recommended By:

Department of Planning
DVWA

Date
12-04-2025

Department of Public Works
RJB4

Date
12-05-2025

Budget Department
DEV9

Date
12-05-2025

Requesting Department
RJB4

Date
12-05-2025

**PONDFIELD ROAD WEST OVER BRONX RIVER, BRONXVILLE/YONKERS (BIN 3348600)
(RB03L)**

User Department : Public Works
Managing Department(s) : Public Works ;
Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)									
	Est Ult Cost	Appropriated	Exp / Obl	2026	2027	2028	2029	2030	Under Review
Gross	11,750	9,150	757	2,600					
Non County Share									
Total	11,750	9,150	757	2,600					

Project Description

This project will fund replacement of bridge superstructure with a pre-cast rigid frame/arch structure including stone facing to provide similar appearance to the existing. Stone parapets will also be replaced with stone-faced pre-cast concrete parapets/spandrel walls. Structure is 53' long and 55' wide, a total of 2,901 square feet. The structure was built in 1911.

Current Year Description

The current year request funds increased construction costs.

Current Year Financing Plan				
Year	Bonds	Cash	Non County Shares	Total
2026	2,600,000			2,600,000

Impact on Operating Budget

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

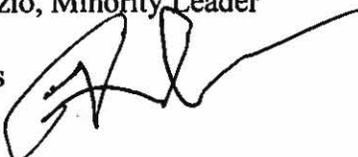
Appropriation History			
Year	Amount	Description	Status
2015	500,000	Design	DESIGN
2016	8,250,000	Design, construction and construction management	\$530,000 DESIGN ; \$7,720,000 - AWAITING BOND AUTHORIZATION
2019	400,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	9,150,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	9,150,000		9,150,000
Total	9,150,000		9,150,000

Bonds Authorized				
Bond Act	Amount	Date Sold	Amount Sold	Balance
217 16	1,030,000			1,030,000
Total	1,030,000			1,030,000

January 29, 2026

TO: Hon. Vedat Gashi, Chair
Hon. Terry Clements, Vice Chair
Hon. Judah Holstein, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: Kenneth W. Jenkins
County Executive 

RE: Message Requesting Immediate Consideration: **Bond Act – BPL26 – (3131) Flood Mitigation, and an IMA with Mamaroneck.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 2, 2026 Agenda.

Transmitted herewith is legislation which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to enter into an intermunicipal agreement (“IMA”) with the Village of Mamaroneck, as well as Bond Act - BPL26.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 2, 2026 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



Kenneth W. Jenkins
County Executive

January 21, 2026

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith is legislation which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to enter into an intermunicipal agreement ("IMA") with the Village of Mamaroneck (the "Village") requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge (the "Bridge") in order to reduce flooding of municipal and private property in the Village. I am also transmitting a proposed bond act (the "Bond Act") to authorize the issuance of up to \$1,850,000 in County bonds to finance design of the replacement of the Bridge to reduce flooding and flood risk, for which an appropriation exists in the County's Capital Budget in BPL 26 Flood Mitigation.

The Bridge is owned by the Village and is located in an area identified as a flood problem area within the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed, prepared by the County and adopted by your Honorable Board on August 4, 2014. The Stormwater Reconnaissance Plan includes a discussion of flooding within the Village and references the United States Army Corps of Engineers ("USACE") study of the Mamaroneck and Sheldrake rivers that ultimately identified the Bridge as one of many projects to reduce flooding and flood risk within the study area.

The Village seeks the demolition and removal of the Bridge and reconstruction of a new bridge in the current location. Pursuant to Section 102 of New York Highway Law, the County superintendent of highways has supervision of all County roads and bridges comprising the county highway system, together with any other roads and bridges for which responsibility is imposed on the County under any lawful agreement made by the County. The parties propose to enter into an IMA to impose such responsibility on the County.

The County is a party to an agreement with the New York State Department of Environmental Conservation ("NYSDEC") whereby the County will contribute funds to the United States Army Corps of Engineers ("USACE") for the Mamaroneck and Sheldrake Rivers Flood Risk Reduction Project (the "NYSDEC Agreement"), of which the demolition and reconstruction of the Bridge is a component. In order to avoid further delays in the overall project, the Village has requested that the County advance the demolition and reconstruction of the Bridge.

Under the proposed IMA, the County will be responsible for demolition and removal of the existing Bridge and related structures and design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements ("Project"). The Project will be designed and constructed by the County in accordance with the New York State Department of Transportation Standard Specifications for Construction and Materials, including all applicable revisions. The County, on behalf of NYSDEC as the Non-Federal Interest and the Municipality as the owner of the Bridge, intend to satisfy the responsibilities identified by the USACE in the eventual Project Partnership Agreement ("PPA"). The design work for the Project will include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications. After the design is completed, a subsequent bond act will be submitted to your Honorable Board to finance the Project's construction.

The IMA will require the Village to acquire any necessary property rights for the Project and convey an easement to the County in order to provide the necessary property interest for the County to issue bonds to finance the Project. The Village will be responsible for remediation of any hazardous materials found and indemnify the County for any claims related to remediation. The Village will also act as lead agency for the necessary environmental reviews required by the State Environmental Quality Review Act for the construction phase of the Project. Following completion of the Project, the Village will be responsible for maintenance of the Bridge, the surrounding land and the stream/riverbed. The total cost to the County for design, construction and construction management of the Project is currently estimated to be \$22,000,000. The term of the IMA will be for a period equal to or greater than the life of any bonds issued by the County to fund the County's portion of the Project, which is estimated to be forty (40) years pursuant to New York Local Finance Law section 11.00.

Accordingly, I most respectfully recommend your Honorable Board's approval of the attached Act and Bond Act.

Sincerely



Kenneth W. Jenkins
County Executive

KWJ/HJG/dlv
Attachment

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

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act which, if adopted by this Honorable Board, would authorize the County of Westchester (the “County”) to enter into an intermunicipal agreement (“IMA”) with the Village of Mamaroneck (the “Village”) requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge (“Bridge”) in order to reduce flooding of municipal and private property in the Village. The County Executive also requests the adoption of a bond act (the “Bond Act”), prepared by the law firm of Hawkins Delafield and Wood, LLP, that would authorize the issuance of up to \$1,850,000 in County bonds to finance design of the Bridge replacement to reduce flooding and flood risk, for which an appropriation exists in the County’s Capital Budget in BPL 26 Flood Mitigation.

Your Committee is advised that the Bridge is owned by the Village and is located in an area identified as a flood problem area within the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed, prepared by the County and adopted by your Honorable Board on August 4, 2014. The Stormwater Reconnaissance Plan includes a discussion of flooding within the Village and references the United States Army Corps of Engineers (“USACE”) study of the Mamaroneck and Sheldrake rivers that ultimately identified the Bridge as one of many projects to reduce flooding and flood risk within the study area.

The Village seeks the demolition and removal of the Bridge and reconstruction of a new bridge in the current location. Pursuant to Section 102 of New York Highway Law, the County superintendent of highways has supervision of all County roads and bridges comprising the county highway system, together with any other roads and bridges for which responsibility is imposed on the County under any lawful agreement made by the County. The parties propose to enter into an IMA to impose such responsibility on the County.

Your Committee is advised that the County is a party to an agreement with the New York State Department of Environmental Conservation (“NYSDEC”) whereby the County will contribute funds to the United States Army Corps of Engineers (“USACE”) for the Mamaroneck

and Sheldrake Rivers Flood Risk Reduction Project (the “NYSDEC Agreement”), of which the demolition and reconstruction of the Bridge is a component. In order to avoid further delays in the overall project, the Village has requested that the County advance the demolition and reconstruction of the Bridge.

Under the proposed IMA, the County will be responsible for demolition and removal of the existing Bridge and related structures and design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements (“Project”). The Project will be designed and constructed by the County in accordance with the New York State Department of Transportation Standard Specifications for Construction and Materials, including all applicable revisions. The County, on behalf of NYSDEC as the Non-Federal Interest and the Municipality as the owner of the Bridge, intend to satisfy the responsibilities identified by the USACE in the eventual Project Partnership Agreement (“PPA”). The design work for the Project will include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications. After the design is completed, a subsequent bond act will be submitted to your Honorable Board to finance the Project’s construction.

The IMA will require the Village to acquire any necessary property rights for the Project and convey an easement to the County in order to provide the necessary property interest for the County to issue bonds to finance the Project. The Village will be responsible for remediation of any hazardous materials found and indemnify the County for any claims related to remediation. The Village will also act as lead agency for the necessary environmental reviews required by the State Environmental Quality Review Act for the construction phase of the Project. Following completion of the Project, the Village will be responsible for maintenance of the Bridge, the surrounding land and the stream/riverbed. The total cost to the County for design, construction and construction management of the Project is currently estimated to be \$22,000,000. The term of the IMA will be for a period equal to or greater than the life of any bonds issued by the County to fund the County’s portion of the Project, which is estimated to be forty (40) years pursuant to New York Local Finance Law section 11.00.

The Planning Department has advised that, based on its review, the proposed IMA and Bond Act may be classified as a "Type II" action under the State Environmental Quality Review Act, 6 NYCRR Part 617 ("SEQRA), which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee has reviewed the annexed SEQRA documentation and concurs with this recommendation.

Your Committee is advised that an affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the proposed Act, while approval of the Bond Act requires an affirmative vote of two-thirds of the members of this Honorable Board.

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

Dated: _____, 2026

White Plains, New York

COMMITTEE ON

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

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,850,000 PPU 5 Anticipated Interest Rate 2.38%

Anticipated Annual Cost (Principal and Interest): \$ 397,129

Total Debt Service (Annual Cost x Term): \$ 1,985,644

Finance Department: maab 1-20-26

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

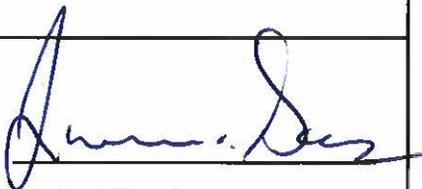
Number of Full Time Equivalent (FTE) Jobs Funded: 20

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning

Date: 1/20/26

Reviewed By: 
dwilz/26 Budget Director
Date: 1/21/26

TO: David L. Vutera, Deputy County Attorney
Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney

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



DATE: January 15, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL26 FLOOD MITIGATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 01/13/2026 (Unique ID: 3131)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request is for design only.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Brian Hegt, Director of Government & Community Affairs
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR THE REPLACEMENT OF THE WARD AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,850,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,850,000 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 the provisions of other laws applicable thereto, \$1,850,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the Ward Avenue Bridge in the Village of Mamaroneck in order to reduce flooding and flood risk, as an in-kind contribution to the United States Army Corps of Engineers

Mamaroneck-Sheldrake project, as set forth in the County's Current Year Capital Budget, as amended. The bridge is owned by the Village of Mamroneck and the County will enter into an intermunicipal agreement with said Village and shall obtain an appropriate easement relation to the project. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of the County's share of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,850,000. The plan of financing includes the issuance of \$1,850,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,850,000. 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 \$1,850,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

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

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

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

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

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

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

* * *

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

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

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

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

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20____ and approved by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR THE REPLACEMENT OF THE WARD AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,850,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,850,000 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 preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the Ward Avenue Bridge in the Village of Mamaroneck in order to reduce flooding and flood risk, as an in-kind contribution to the United States Army Corps of Engineers Mamaroneck-Sheldrake project, as set forth in the County’s Current Year Capital Budget, as amended.

Amount of obligations to be issued and period of probable usefulness: \$1,850,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* BPL26	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2026
Fact Sheet Year:* 2026	Project Title:* FLOOD MITIGATION	Legislative District ID: 7
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 3131

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, 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.

- | | | |
|---|--|--|
| <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 checked="" type="checkbox"/> Other(COMMUNITY RESILIENCE/FLOOD MITIGATION) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2026	2027	2028	2029	2030	Under Review
Gross	120,750	120,750	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	120,750	120,750	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 14,374

Current Bond Description: This request will fund the design of the replacement of the Ward Avenue bridge in the Village of Mamaroneck to reduce flooding and flood risk, as an in-kind contribution to the USACE Mamaroneck-Sheldrake project.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,850,000
Cash:	0
Total:	\$ 1,850,000

SEQR Classification:

TYPE II

Amount Requested:

1,850,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> 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	CONTINUATION OF THIS PROJECT
2025	44,250,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

120,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
17	11	2,974,875	2,502,239	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	238,764	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	111,070	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	221,546	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)
22	95	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953)
22	92	2,200,000	0	FLOOD MITIGATION-MAMARONECK (UNIQUE ID# 1857)
22	85	130,000	0	FLOOD MITIGATION-DOBBS FERRY (UNIQUES ID# 1948)
22	54	1,200,000	55,694	FLOOD MITIGATION-PEEKSKILL (UNIQUES ID# 1999)
23	23	2,500,000	562,627	RECONSTRUCT HILLSIDE AVENUE BRIDGE, VILLAGE OF MAMARONECK (UNIQUE ID#2001)
23	196	150,000	0	FLOOD MITIGATION (ID 2235)
23	198	3,870,000	0	FLOODING IN RYE BROOK, AVON CIRCLE AREA - (ID 2236)
23	206	121,250	0	FLOOD MITIGATION - HARRISON AVE YONKERS (ID 2324)
23	208	128,750	0	FLOOD MITIGATION - CLUNIE AVE YONKERS (ID 2326)
24	30	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953) (RECIND BOND ACT 95-22)
24	186	450,000	0	HARTSDALE BROOK AREA STUDY
24	81	2,000,000	0	FLOOD MITIGATION STUDY - ID 2448
25	122	1,250,000	0	
25	191	450,000	0	GREENBURGH PLANS
25	12	1,200,000	0	FLOOD MITIGATION AT MEMORIAL PARK
25	227	1,500,000	0	PREP & PRELIM AND DETAILED PLANS, SPECS AND ESTIMATES GARTH WOODS SECTION OF BRP

Total Financing History:
24,386,499

Recommended By:

Department of Planning
DSK2

Date
01-13-2026

Department of Public Works
RJB4

Date
01-15-2026

Budget Department
DEV9

Date
01-15-2026

Requesting Department
DSK2

Date
01-15-2026

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	2026	2027	2028	2029	2030	Under Review
Gross	120,750	120,750	14,334						
Non County Share									
Total	120,750	120,750	14,334						

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

There is no current request.

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	\$2,906,500 COMPLETE; \$130,000 DESIGN; \$1,963,500 CONSTRUCTION
2013	5,000,000	Flood related projects	\$1,500,000 COMPLETE; \$3,350,000 CONSTRUCTION; \$150,000 DESIGN
2015	150,000	Design of a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	\$2,700,000 DESIGN; \$2,300,000 CONSTRUCTION
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	\$1,250,000 DESIGN; \$9,750,000 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	\$786,500 CONSTRUCTION; \$16,713,500 AWAITING BOND AUTHORIZATION
2024	27,250,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2025	44,250,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	120,750,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	120,750,000	7,075,565	113,674,435
Total	120,750,000	7,075,565	113,674,435

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
		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	61,236
		11/30/23	59,583	
		11/30/23	5,869	
		02/02/25	45,639	

FLOOD MITIGATION (BPL26)

			02/02/25	4,165	
247	19				
171	21	350,000	11/30/23	56,656	238,930
			11/30/23	5,581	
			02/02/25	44,750	
			02/02/25	4,084	
175	21	270,000	11/30/23	201,681	48,454
			11/30/23	19,866	
85	22	130,000			130,000
92	22	2,200,000			2,200,000
95	22				
54	22	1,200,000	02/02/25	51,037	1,144,306
			02/02/25	4,657	
23	23	2,500,000	11/30/23	485,406	1,937,373
			11/30/23	47,813	
			02/02/25	26,948	
			02/02/25	2,459	
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
30	24				
81	24	2,000,000			2,000,000
186	24	450,000			450,000
122	25	1,250,000			1,250,000
12	25	1,200,000			1,200,000
Total		22,436,500		7,033,067	15,403,433

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

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act which, if adopted by this Honorable Board, would authorize the County of Westchester (the “County”) to enter into an intermunicipal agreement (“IMA”) with the Village of Mamaroneck (the “Village”) requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge (“Bridge”) in order to reduce flooding of municipal and private property in the Village. The County Executive also requests the adoption of a bond act (the “Bond Act”), prepared by the law firm of Hawkins Delafield and Wood, LLP, that would authorize the issuance of up to \$1,850,000 in County bonds to finance design of the Bridge replacement to reduce flooding and flood risk, for which an appropriation exists in the County’s Capital Budget in BPL 26 Flood Mitigation.

Your Committee is advised that the Bridge is owned by the Village and is located in an area identified as a flood problem area within the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed, prepared by the County and adopted by your Honorable Board on August 4, 2014. The Stormwater Reconnaissance Plan includes a discussion of flooding within the Village and references the United States Army Corps of Engineers (“USACE”) study of the Mamaroneck and Sheldrake rivers that ultimately identified the Bridge as one of many projects to reduce flooding and flood risk within the study area.

The Village seeks the demolition and removal of the Bridge and reconstruction of a new bridge in the current location. Pursuant to Section 102 of New York Highway Law, the County superintendent of highways has supervision of all County roads and bridges comprising the county highway system, together with any other roads and bridges for which responsibility is imposed on the County under any lawful agreement made by the County. The parties propose to enter into an IMA to impose such responsibility on the County.

Your Committee is advised that the County is a party to an agreement with the New York State Department of Environmental Conservation (“NYSDEC”) whereby the County will contribute funds to the United States Army Corps of Engineers (“USACE”) for the Mamaroneck

and Sheldrake Rivers Flood Risk Reduction Project (the “NYSDEC Agreement”), of which the demolition and reconstruction of the Bridge is a component. In order to avoid further delays in the overall project, the Village has requested that the County advance the demolition and reconstruction of the Bridge.

Under the proposed IMA, the County will be responsible for demolition and removal of the existing Bridge and related structures and design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements (“Project”). The Project will be designed and constructed by the County in accordance with the New York State Department of Transportation Standard Specifications for Construction and Materials, including all applicable revisions. The County, on behalf of NYSDEC as the Non-Federal Interest and the Municipality as the owner of the Bridge, intend to satisfy the responsibilities identified by the USACE in the eventual Project Partnership Agreement (“PPA”). The design work for the Project will include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications. After the design is completed, a subsequent bond act will be submitted to your Honorable Board to finance the Project’s construction.

The IMA will require the Village to acquire any necessary property rights for the Project and convey an easement to the County in order to provide the necessary property interest for the County to issue bonds to finance the Project. The Village will be responsible for remediation of any hazardous materials found and indemnify the County for any claims related to remediation. The Village will also act as lead agency for the necessary environmental reviews required by the State Environmental Quality Review Act for the construction phase of the Project. Following completion of the Project, the Village will be responsible for maintenance of the Bridge, the surrounding land and the stream/riverbed. The total cost to the County for design, construction and construction management of the Project is currently estimated to be \$22,000,000. The term of the IMA will be for a period equal to or greater than the life of any bonds issued by the County to fund the County’s portion of the Project, which is estimated to be forty (40) years pursuant to New York Local Finance Law section 11.00.

The Planning Department has advised that, based on its review, the proposed IMA and Bond Act may be classified as a "Type II" action under the State Environmental Quality Review Act, 6 NYCRR Part 617 ("SEQRA), which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee has reviewed the annexed SEQRA documentation and concurs with this recommendation.

Your Committee is advised that an affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the proposed Act, while approval of the Bond Act requires an affirmative vote of two-thirds of the members of this Honorable Board.

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

Dated: February 17, 2026

White Plains, New York

[Handwritten signatures]
Henry William John
[Signature]

[Handwritten signatures]

Budget & Appropriations

Infrastructure & Housing

COMMITTEE ON

Dated: February 17, 2026
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
COMMITTEE**

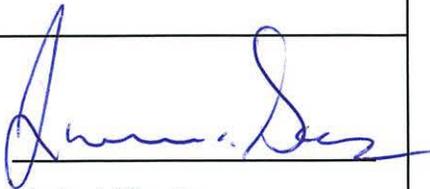
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**INFRASTRUCTURE & HOUSING
COMMITTEE**

Anant Nambiar

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
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 1,850,000	PPU	5
		Anticipated Interest Rate	2.38%
Anticipated Annual Cost (Principal and Interest):	\$ 397,129		
Total Debt Service (Annual Cost x Term):	\$ 1,985,644		
Finance Department:	maab 1-20-26		
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:	20		
Prepared by:	<u>David Kvinge</u>	Reviewed By:	
Title:	<u>Assistant Commissioner</u>		<u>Budget Director</u>
Department:	<u>Planning</u>		
Date:	<u>1/20/26</u>	Date:	<u>1/21/26</u>

TO: David L. Vutera, Deputy County Attorney
Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney

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

DATE: January 15, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL26 FLOOD MITIGATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 01/13/2026 (Unique ID: 3131)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request is for design only.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Brian Hegt, Director of Government & Community Affairs
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR THE REPLACEMENT OF THE WARD AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,850,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,850,000 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 the provisions of other laws applicable thereto, \$1,850,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the Ward Avenue Bridge in the Village of Mamaroneck in order to reduce flooding and flood risk, as an in-kind contribution to the United States Army Corps of Engineers

Mamaroneck-Sheldrake project, as set forth in the County’s Current Year Capital Budget, as amended. The bridge is owned by the Village of Mamroneck and the County will enter into an intermunicipal agreement with said Village and shall obtain an appropriate easement relation to the project. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of the County’s share of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,850,000. The plan of financing includes the issuance of \$1,850,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,850,000. 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 \$1,850,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

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

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

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

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

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

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

* * *

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

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

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

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

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20____ and approved by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR THE REPLACEMENT OF THE WARD AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,850,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,850,000 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 preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the Ward Avenue Bridge in the Village of Mamaroneck in order to reduce flooding and flood risk, as an in-kind contribution to the United States Army Corps of Engineers Mamaroneck-Sheldrake project, as set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued
and period of probable usefulness: \$1,850,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* BPL26	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2026
Fact Sheet Year:* 2026	Project Title:* FLOOD MITIGATION	Legislative District ID: 7
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 3131

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, 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.

- | | | |
|---|--|--|
| <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 checked="" type="checkbox"/> Other(COMMUNITY RESILIENCE/FLOOD MITIGATION) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2026	2027	2028	2029	2030	Under Review
Gross	120,750	120,750	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	120,750	120,750	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 14,374

Current Bond Description: This request will fund the design of the replacement of the Ward Avenue bridge in the Village of Mamaroneck to reduce flooding and flood risk, as an in-kind contribution to the USACE Mamaroneck-Sheldrake project.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,850,000
Cash:	0
Total:	\$ 1,850,000

SEQR Classification:

TYPE II

Amount Requested:

1,850,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> 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	CONTINUATION OF THIS PROJECT
2025	44,250,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

120,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
17	11	2,974,875	2,502,239	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	238,764	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	111,070	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	221,546	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)
22	95	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953)
22	92	2,200,000	0	FLOOD MITIGATION-MAMARONECK (UNIQUE ID# 1857)
22	85	130,000	0	FLOOD MITIGATION-DOBBS FERRY (UNIQUES ID# 1948)
22	54	1,200,000	55,694	FLOOD MITIGATION-PEEKSKILL (UNIQUES ID# 1999)
23	23	2,500,000	562,627	RECONSTRUCT HILLSIDE AVENUE BRIDGE, VILLAGE OF MAMARONECK (UNIQUE ID#2001)
23	196	150,000	0	FLOOD MITIGATION (ID 2235)
23	198	3,870,000	0	FLOODING IN RYE BROOK, AVON CIRCLE AREA - (ID 2236)
23	206	121,250	0	FLOOD MITIGATION - HARRISON AVE YONKERS (ID 2324)
23	208	128,750	0	FLOOD MITIGATION - CLUNIE AVE YONKERS (ID 2326)
24	30	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953) (RECIND BOND ACT 95-22)
24	186	450,000	0	HARTSDALE BROOK AREA STUDY
24	81	2,000,000	0	FLOOD MITIGATION STUDY - ID 2448
25	122	1,250,000	0	
25	191	450,000	0	GREENBURGH PLANS
25	12	1,200,000	0	FLOOD MITIGATION AT MEMORIAL PARK
25	227	1,500,000	0	PREP & PRELIM AND DETAILED PLANS, SPECS AND ESTIMATES GARTH WOODS SECTION OF BRP

Total Financing History:

24,386,499

Recommended By:

Department of Planning
DSK2

Date
01-13-2026

Department of Public Works
RJB4

Date
01-15-2026

Budget Department
DEV9

Date
01-15-2026

Requesting Department
DSK2

Date
01-15-2026

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	2026	2027	2028	2029	2030	Under Review
Gross	120,750	120,750	14,334						
Non County Share									
Total	120,750	120,750	14,334						

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

There is no current request.

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	\$2,906,500 COMPLETE; \$130,000 DESIGN; \$1,963,500 CONSTRUCTION
2013	5,000,000	Flood related projects	\$1,500,000 COMPLETE; \$3,350,000 CONSTRUCTION; \$150,000 DESIGN
2015	150,000	Design of a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	\$2,700,000 DESIGN; \$2,300,000 CONSTRUCTION
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	\$1,250,000 DESIGN; \$9,750,000 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	\$786,500 CONSTRUCTION; \$16,713,500 AWAITING BOND AUTHORIZATION
2024	27,250,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2025	44,250,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	120,750,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	120,750,000	7,075,565	113,674,435
Total	120,750,000	7,075,565	113,674,435

**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			
171 18		12/10/19	23,231			
		04/30/20	478,398			
107 19	300,000	12/01/21	123,508	61,236		
		11/30/23	59,583			
		11/30/23	5,869			
		02/02/25	45,639			

**FLOOD MITIGATION
(BPL26)**

			02/02/25	4,165	
247	19				
171	21	350,000	11/30/23	56,656	238,930
			11/30/23	5,581	
			02/02/25	44,750	
			02/02/25	4,084	
175	21	270,000	11/30/23	201,681	48,454
			11/30/23	19,866	
85	22	130,000			130,000
92	22	2,200,000			2,200,000
95	22				
54	22	1,200,000	02/02/25	51,037	1,144,306
			02/02/25	4,657	
23	23	2,500,000	11/30/23	485,406	1,937,373
			11/30/23	47,813	
			02/02/25	26,948	
			02/02/25	2,459	
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
30	24				
81	24	2,000,000			2,000,000
186	24	450,000			450,000
122	25	1,250,000			1,250,000
12	25	1,200,000			1,200,000
Total		22,436,500		7,033,067	15,403,433

ACT NO. - 2026

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Village of Mamaroneck requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge in order to reduce flooding of municipal and private property in the Village.

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

Section 1. The County of Westchester (the “County”) is authorized to enter into an intermunicipal agreement (“IMA”) with the Village of Mamaroneck (the “Village”) requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge (the “Bridge”) in order to reduce flooding of municipal and private property in the Village.

§ 2. Under the proposed IMA, the County shall be responsible for demolition and removal of the existing Bridge and related structures and design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements (“Project”). The design work for the Project shall include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications.

§ 3. The IMA shall require the Village to acquire any necessary property rights for the Project and convey an easement to the County in order to provide the necessary property interest for the County to issue bonds to finance the Project. The Village shall be responsible for remediation of any hazardous materials found and indemnify the County for any claims related to remediation. The Village shall also act as lead agency for the necessary environmental reviews required by the State Environmental Quality Review Act for the construction phase of the Project. Following completion of the Project, the Village shall be responsible for maintenance of the Bridge, the surrounding land and the stream/riverbed. The IMA shall state that the total cost to the County for design, construction and construction management of the Project shall not exceed \$22,000,000.

§ 4. The term of the IMA shall be for a period equal to or greater than the life of any bonds issued by the County to fund the County's portion of the Project, which is estimated to be forty (40) years pursuant to New York Local Finance Law section 11.00.

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

§ 6. This Act shall take effect immediately.

DRAFT

AGREEMENT (“Agreement”), made the ___ day of _____, 202__, by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 (hereinafter referred to as the “County”)

and

THE VILLAGE OF MAMARONECK, a municipal corporation of the State of New York, having an office and place of business at 123 Mamaroneck Avenue, Mamaroneck, New York 10543 (hereinafter referred to as the “Municipality”).

RECITALS

WHEREAS, the Municipality is the owner of the Ward Avenue Bridge; and

WHEREAS, the area of the Municipality in which the Ward Avenue Bridge is located is identified as a flood problem area within the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed, prepared by the County and adopted by the County Board of Legislators on August 4, 2014. The Stormwater Reconnaissance Plan includes a discussion of flooding within the Municipality and references the United States Army Corps of Engineers (“USACE”) study of the Mamaroneck and Sheldrake rivers that ultimately identified the Ward Avenue Bridge as one of many projects to reduce flooding and flood risk within the study area; and

WHEREAS, the Municipality seeks the demolition and removal of the Ward Avenue Bridge and reconstruction of a new bridge in that location; and

WHEREAS, pursuant to Section 102 of New York Highway Law, the County superintendent of highways has supervision of all County roads and bridges comprising the county highway system, together with any other roads and bridges for which responsibility is imposed on the County under any lawful agreement made by the County; and

WHEREAS, the Municipality desires to enter into such an agreement to impose on the County responsibility for demolition and reconstruction of the Ward Avenue Bridge; and

WHEREAS, the County is a party to an agreement with the New York State Department of Environmental Conservation (“NYSDEC”) whereby the County will contribute funds to the United States Army Corps of Engineers (“USACE”) for the design of the Mamaroneck and Sheldrake Rivers Flood Risk Reduction Project (the “NYSDEC Agreement”), of which the demolition and reconstruction of the Ward Avenue Bridge is a component; and

WHEREAS, in order to avoid further delays the Municipality has requested that the County advance the demolition and reconstruction of the Ward Avenue Bridge; and

WHEREAS, the County desires to assist the Municipality in order to reduce flooding of municipal and private property in the Municipality, and is willing to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge.

NOW, THEREFORE, in consideration of the mutual representations, covenants and agreements herein set forth, the County and the Municipality, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

ARTICLE I

TERM

Section 1.0. The recitals are hereby incorporated by reference into the body of this Agreement.

Section 1.1. The term of this Agreement shall be for a period commencing upon full execution hereof by both parties and approval of same by the Office of County Attorney, as evidenced by the date on the top of page 1 of this Agreement, and shall continue for a period equal to or greater than the life of any bonds issued by the County to fund the County’s portion of the Project, which is estimated to be forty (40) years pursuant to NY Local Finance Law section 11.00.

ARTICLE II
REPRESENTATIONS

Section 2.0. The subject project shall consist of demolition and removal of the existing Ward Avenue Bridge and related structures and shall also include design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements (“Project”). The Project will be designed and constructed in accordance with the NY State Department of Transportation Standard Specifications for Construction and Materials, including all applicable revisions. The County, on behalf of NYSDEC as the Non-Federal Interest and the Municipality as the owner of the Bridge, intends to satisfy the responsibilities identified by the USACE in the eventual Project Partnership Agreement (“PPA”) between USACE, NYSDEC and the County. The design work for the Project will include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications.

Section 2.1. The Municipality shall perform all necessary environmental reviews in connection with the Project, including but not limited to making necessary determinations in compliance with the State Environmental Quality Review Act (“SEQRA”) and the National Environmental Policy Act (“NEPA”) as applicable.

The Municipality shall submit documentation to the County demonstrating compliance with SEQRA and NEPA, as applicable, and their implementing regulations including those activities that have been determined not to constitute an action as defined by SEQRA or activities determined to be Type II actions as defined by SEQRA. The Municipality shall act as the lead agency for meeting the requirements of SEQRA for any Unlisted or Type I action that is undertaken pursuant to this Agreement, unless otherwise directed by the County Planning Commissioner. The Municipality shall include the County as an Involved Agency (as defined in SEQRA) in all matters relating to SEQRA and conduct a coordinated review where applicable.

To the extent the Municipality procures the services of a consultant to assist in preparing environmental information, the same consultant shall be used for SEQRA and NEPA purposes.

Section 2.2. In connection with the Project, the Municipality shall obtain all required approvals and permits and promptly execute and comply with all statutes, ordinances, rules, orders, regulations, codes and requirements of the Federal, State, County and municipal governments of the County. The Municipality shall also comply with any and all sanitary rules and regulations of the State and County Health Departments.

The Municipality shall obtain all necessary environmental permits required for the Project, and conduct any required historical/cultural review and provide the County with documentation in support thereof. In addition, for the duration of the Project the Municipality shall, at its sole cost and expense, provide or arrange to provide traffic control and operational services, landscape and park improvements. Following completion of the Project, the Municipality shall at its sole cost and expense continuously provide all maintenance for the new bridge and the surrounding area including the stream bed.

Section 2.3. Prior to the County's award of a construction contract for the Project, the Municipality shall acquire all necessary real estate acquisitions, easements and rights-of-way required to perform the Project. The Municipality shall convey to the County non-exclusive easements (the "Easements") in, upon, under and over that portion of the Municipality's property and any non-Municipally-owned property within which the Project is located (all such property comprising the "Property"). The Easements shall be substantially in the form attached hereto and made a part hereof as Schedule "A". The Municipality shall be solely responsible for obtaining any and all easements on non-Municipally-owned property needed in connection with the carrying out the Project and shall provide copies of said easements to the County. Said easements shall name Westchester County as a grantee solely for the purposes of carrying out the work needed to accomplish the Project and said Easements shall be for a term equal to or greater than the life of any bonds issued by the County to fund the County's portion of the Project.

Section 2.4. The County agrees to finance the design, specifications, construction documents and construction for the Project up to an amount not to exceed \$22,000,000.00. The

County share of the Project shall not exceed that amount, and under no circumstances or conditions, whether now existing or hereafter arising, or whether beyond the present contemplation of the parties, shall the County be expected or required to make any payment of any kind whatsoever or be under any other obligation or liability hereunder in connection with this Project except as herein expressly set forth. The County and the Municipality may pursue funding from the State of New York which may further offset the total cost of the Project.

Section 2.5. The County does not provide or extend any warranty of fitness for a particular purpose or workmanship for any work undertaken in connection with, or paid under, this Agreement. Payment hereunder by the County shall operate as a release to the County from any and all obligations or liabilities in connection herewith to the Municipality.

Section 2.6. If at any time the Municipality shall neglect or fail to perform properly any of its obligations under this Agreement, the County shall have the right to withhold, in whole or in part, any payments otherwise due or to become due to the Municipality hereunder until such neglect or failure shall have been remedied to the reasonable satisfaction of the County.

Section 2.7. The Municipality represents warrants and guarantees that:

(a) It is a municipal corporation duly organized, validly existing under the laws of the State of New York; the execution and performance of this Agreement by the Municipality has been duly authorized by its governing body; this Agreement, and any other documents required to be delivered by the Municipality when so delivered, will constitute the legal, valid and binding obligations of the Municipality in accordance with their respective terms; and the Municipality will deliver to the County at the time of execution of this Agreement a resolution adopted by its governing body authorizing the execution of this Agreement, and any other documents required to be delivered by the Municipality, including the aforesaid Easements;

(b) The person signing this Agreement on behalf of the Municipality has full authority to bind the Municipality to all of the terms and conditions of this Agreement pursuant to the resolution granting such authority by the Municipality's governing body, as noted above;

(c) It is financially and technically qualified to perform its obligations hereunder; and

(d) The Municipality acknowledges that the County is acting in reliance on the above representations.

ARTICLE III
ACCOUNTING

Section 3.0. The Municipality shall cause accurate records and books of account to be maintained in which shall be entered all matters relating to this Agreement, including all liabilities thereof and all expenditures, and payments to any and all contractors or subcontractors involved in the Project. Such books and records shall be maintained in accordance with generally accepted accounting principles, consistently applied and shall be kept at a location within Westchester County. The Municipality will provide the County with documentation, upon the County's request, in order to verify same. The County shall have the right to audit, inspect, examine and copy such books and records of the Municipality at all reasonable times during normal business hours at the office of the Municipality. The County's audit rights hereunder extend to all documents, reports, and records which relate to the Municipality's commitment to affirmatively further fair housing as described in Article IV herein.

ARTICLE IV
NOTICES

Section 4.0. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or delivered by hand or overnight courier, (with acknowledgement received and a copy of the notice sent by registered or certified mail, postage pre-paid), as set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the County:

Commissioner
Department of Public Works and Transportation
County of Westchester
148 Martine Avenue, 5th Floor
White Plains, New York 10601

Commissioner

Department of Planning
County of Westchester
148 Martine Avenue, 4th Floor
White Plains, New York 10601

with a copy to:

County Attorney
County of Westchester
148 Martine Avenue, 6th Floor
White Plains, New York 10601

To the Municipality:

Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, New York 10543

with a copy to:

Village Attorney
123 Mamaroneck Avenue
Mamaroneck, New York 10543

ARTICLE V
INSURANCE AND INDEMNIFICATION

Section 5.0. The Municipality shall comply with the insurance requirements contained in Schedule “B” entitled “Standard Insurance Provisions,” attached hereto and made a part hereof. The Municipality may, in lieu of procuring and maintaining the aforesaid insurance, elect to obtain such coverage through a program of self-insurance, which coverage and program shall be in accordance with generally accepted standards for similarly situated entities. In addition to the foregoing, the Municipality shall contractually ensure that all of its contractors, subcontractors and/or consultants (individually a “Contractor” or collectively, the “Contractors”) that are engaged to provide services in connection with this Agreement shall provide such insurance coverage as described in Schedule “B” naming as additional insured, the Municipality and the County and their respective officials (elected or otherwise), officers, employees and agents (collectively the “Additional Insureds”). The Municipality shall require, before such services commence, that each such insurance policy be endorsed to contain the following clauses: (a) the insurer shall have no

right to recovery or subrogation against the Additional Insureds (including their respective officials (elected or otherwise), officers, employees and agents), it being the intention that the insurance policy shall protect both the insured and the Additional Insureds and be primary coverage for any and all losses covered by such insurance; (b) the clause "other insurance provisions" in any such insurance policy shall not apply to the Additional Insureds or their insurance policies; (c) the insurer issuing the policy shall have no recourse against the Additional Insureds (including their respective officials (elected or otherwise), officers, employees and agents) for payment of any premiums or for assessments under any form of policy; and (d) any and all deductibles in such insurance policy shall be assumed by and be for the account of, and at the sole risk of the Contractor.

Section 5.1. In addition to and not in limitation of the insurance requirements specified above, to the fullest extent permitted by law, the Municipality shall defend, indemnify and hold harmless the County, its elected officials, officers, employees and agents (the "Indemnitees") from and against, any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly from the Project, including any which may arise from a change in applicable laws, rules and regulations, that may be imposed upon or incurred by or asserted against any of the Indemnitees by reason of any of the following:

(a) **Work.** Any construction, repair, alteration, addition, replacement, restoration or improvement work done by or on behalf of the Municipality in, on or about the Project or any part thereof;

(b) **Use.** The use, occupation, condition, operation, maintenance, management, supervision or development of or providing security for all or any portion of the Project, or the affected portion thereof, by or on behalf of the Municipality, including without limitation, any liability with respect to any violations imposed by any governmental authorities in respect of any of the foregoing;

(c) **Act or Failure to Act of Municipality.** Any act performed by, or any failure to perform any act required to be performed by the Municipality, a third party under the direction or control of the Municipality, or any of the Municipality's officers, agents, contractors, servants, employees, lessees or invitees in connection with this Agreement or the Project;

(d) **Accidents, Injury to Person or Property.** Any accident, injury, (including death at any time resulting therefrom) or damage to any person, including, without limitation,

employees of the Municipality or any Indemnitee, or property occurring in, on, or about the Project or any part thereof; or

(e) Breach of Municipality's Obligation. Any failure or refusal on the part of the Municipality to perform its obligations pursuant to this Agreement.

(f) Municipality's Obligations. The Municipality's failure, within any applicable grace period, to perform or comply with any of the covenants, terms or conditions contained in this Agreement on the Municipality's part to be kept, observed, performed or complied with within any applicable grace period.

Section 5.2. The Municipality shall be responsible, at its sole expense, for remediation of any Hazardous Materials or Hazardous Waste, as those terms are defined below, that may be discovered on the Property in the course of the Project.

Section 5.3. The Municipality hereby further acknowledges and agrees that it shall defend, indemnify and hold harmless the County for any "Environmental Damages" to the Property. "Environmental Damages" shall mean all claims, damages, demands losses, penalties, fines, fees, liabilities (including strict liability), encumbrances, liens, costs and expenses of investigation and defense of any, whether or not such claim is ultimately defeated, and of any good faith settlement or judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or unforeseeable, including, without limitation, reasonable attorney's fees and disbursements and consultants' fees, any of which are incurred as the result of the existence of "Hazardous Material" or "Hazardous Waste" upon, beneath, or about the Property or migrating or threatening to migrate to or from the Property, or the existence of a violation of "Environmental Requirements" pertaining to the Property, regardless of whether the existence of such "Hazardous Materials" or "Hazardous Waste" or the violation of "Environmental Requirements" arose prior to the Municipality or County's ownership of the Property, including, without limitation:

(i) damages for personal injury, or injury to Property or natural resources occurring upon or off the Property, foreseeable or unforeseeable, including, without limitation, lost profits, consequential damages, the cost of demolition or rebuilding of any improvements of real property, interest and penalties;

(ii) fees incurred for the service of attorneys, consultants, contractors or experts, laboratories and all other costs incurred in connection with the investigation or

remediation of such “Hazardous Materials” or “Hazardous Waste” or violation of “Environmental Requirements” including, but not limited to, the preparation of any feasibility studies or reports or the performance of any cleanup, remediation, removal, response, abatement, containment, closure, restoration or monitoring work required by any federal, state or local governmental agency or political subdivision, or reasonably necessary to make the full use of the Property or any other property or otherwise expended in connection with such conditions; and

(iii) liability to any third person or governmental agency to indemnify such person or agency for the costs expended in connection with the items referenced in subparagraph (ii) herein;

(iv) diminution in the value of the Property and damages for loss of business and restriction on the use of the Property or any part thereof.

Section 5.3.a. Definitions. For the purposes of this Agreement, the following definitions shall apply:

- (1) “Hazardous Materials” or “Hazardous Waste” shall mean any substance:
 - (i) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy or common law; or
 - (ii) which is or becomes defined as a hazardous waste, hazardous substance, pollutant or contaminant under any federal, state or local statute, regulation, rule, or ordinance or amendments thereto including, without limitations, the United States Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 USC §9601 (14) 42 USC §9602 and any “hazardous waste” as defined in or listed under the United States Solid Waste Disposal Act, as amended, 42 USC §6901(5), 42 USC §6921; or
 - (iii) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department, commission, board or instrumentality of the United States, the State of New York or any political subdivision thereof; or
 - (iv) the presence of which, on the Property, causes or threatens to cause a nuisance on the Property or to nearby properties or poses or threatens to pose a hazard to the health and safety of persons on, about or nearby the Property; or
 - (v) the presence of which on nearby properties would constitute a trespass by the owner of the Property; or

(vi) without limitation which contains gasoline, diesel fuel, or other petroleum hydrocarbons; or

(vii) without limitation which contains polychlorinated bipheynols (PCBs), asbestos, or urea formaldehyde foam insulation.

(2) “Environmental Requirements” shall mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits, orders, approvals, plans, authorizations, concessions, franchises, and similar items, of all government agencies, departments, commissions, boards, bureaus, or instrumentalities of the United States, the State of New York and the political subdivisions thereof; and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment.

Section 5.4. The Municipality shall promptly notify the County in writing of any claims made or any suits instituted against the Municipality of which it has knowledge arising from its performances hereunder or in connection with this Agreement or in connection with the Project.

Section 5.5. In the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of all or part of this Article, then the Municipality shall reimburse the County’s reasonable attorney’s fees incurred in connection with the defense of any action, and in connection with enforcing all or part of this Article of the Agreement.

Section 5.6. This Article shall survive termination or expiration of this Agreement.

ARTICLE VI

MISCELLANEOUS

Section 6.0. Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void.

Section 6.2. The failure of the County to insist upon strict performance of any term, condition or covenant herein shall not be deemed a waiver of any rights or remedies that the County

may have and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions or covenants herein.

Section 6.3. It is mutually understood and agreed that the terms, covenants, conditions and agreements herein contained shall be binding upon the parties hereto and upon their respective successors, legal representatives and assigns.

Section 6.4. This Agreement and its attachments constitute the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. This Agreement shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties, and approved by the Office of the County Attorney.

Section 6.5. It is recognized and understood that the Municipality is not an agent of the County and in accordance with such status, the Municipality, its consultant(s), its subcontractor(s), and their respective officers, agents, employees, representatives and servants shall at all times during the term of this Agreement neither hold themselves out as, nor claim to be acting in the capacity of officers, employees, agents, representatives or servants of the County, nor make any claim, demand or application for any right or privilege applicable to the County, including without limitation, rights or privileges derived from workers compensation coverage, unemployment insurance benefits, social security coverage and retirement membership or credit.

Section 6.6. This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney.

Section 6.7. In the event that any one or more provisions, sections, subsections, clauses or words of this Agreement are for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement, but this Agreement shall be construed and enforced as if such illegal or invalid section, subsection, clause or word has not been contained herein.

Section 6.8. This Agreement shall be deemed executory only to the extent of funds appropriated and made available for the purpose of this Agreement and no liability on account thereof shall be incurred by the County beyond the amount of such appropriated funds.

Section 6.9. All covenants, stipulations, promises, agreements and obligations of the Municipality and the County contained herein shall be deemed to be stipulations, promises, agreements and obligations of the Municipality and the County and not of any member, officer or employee of the Municipality or the County in his/her individual capacity and no recourse shall be had for any obligation or liability herein or any claim based thereon against any member, officer or employee of the Municipality or the County or any natural person executing this Agreement.

Section 6.10. The parties represent that they have all requisite power and authority to execute, deliver and perform this Agreement, and this Agreement has been duly authorized by all necessary action on the part of the parties. The parties each agree to execute and deliver such further instruments and to seek such additional authority as may be required to carry out the intent and purpose of this Agreement, including providing the County with any necessary property interests in the Project in order for the County to fund the Project.

Section 6.11. This Agreement may be executed in two or more counterparts and all counterparts so executed shall for all purposes constitute one agreement binding upon all the parties hereto.

Section 6.12. Nothing in this Agreement shall act to confer third-party beneficiary rights on any person or entity not a party to this Agreement.

Section 6.13. The headings in this Agreement are for reference purposes only and shall not be used in construing the terms of this Agreement.

Section 6.14. The Municipality hereby acknowledges that any provision of this Agreement which requires consent of the County shall be subject to receipt by the County of any and all necessary legal approvals.

Section 6.15. No director, officer, employee, agent or other person authorized to act on behalf of the County shall have any personal liability in connection with this Agreement or any failure of the County to perform its obligations hereunder. No director, officer, employee, agent or other person authorized to act on behalf of the Municipality shall have any personal liability in connection with this Agreement or any failure of the Municipality to perform its obligations hereunder.

[NO FURTHER TEXT/SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

COUNTY OF WESTCHESTER

By: _____
Hugh J. Greechan, Jr.
Commissioner of Public Works and
Transportation

VILLAGE OF MAMARONECK

By: _____
Name:
Title:

Approved by the Board of Legislators of the County of Westchester by Act No. 202__ - __
on the _____ day of _____, 202__.

Approved by the Board of the Village of Mamaroneck on the _____ day of _____, 202__.

Approved:

Deputy County Attorney
County of Westchester
Vutera/PLN/US Army Corps/IMA Village of Mamaroneck Ward Ave Bridge 12-3-25

MUNICIPALITY'S ACKNOWLEDGMENT

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

On the _____ day of _____ in the year 20__ before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument; and, acknowledged if operating under any trade name, that the certificate required by the New York State General Business Law Section 130 has been filed as required therein.

Signature and Office of individual
taking acknowledgment

SCHEDULE "A"

EASEMENT AGREEMENT

(To be attached)

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS **(MUNICIPALITY)**

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2 The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

- a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

- c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

- d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

DRAFT



ACT NO. - 2026

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Village of Mamaroneck requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge in order to reduce flooding of municipal and private property in the Village.

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

Section 1. The County of Westchester (the “County”) is authorized to enter into an intermunicipal agreement (“IMA”) with the Village of Mamaroneck (the “Village”) requiring the County to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge (the “Bridge”) in order to reduce flooding of municipal and private property in the Village.

§ 2. Under the proposed IMA, the County shall be responsible for demolition and removal of the existing Bridge and related structures and design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements (“Project”). The design work for the Project shall include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications.

§ 3. The IMA shall require the Village to acquire any necessary property rights for the Project and convey an easement to the County in order to provide the necessary property interest for the County to issue bonds to finance the Project. The Village shall be responsible for remediation of any hazardous materials found and indemnify the County for any claims related to remediation. The Village shall also act as lead agency for the necessary environmental reviews required by the State Environmental Quality Review Act for the construction phase of the Project. Following completion of the Project, the Village shall be responsible for maintenance of the Bridge, the surrounding land and the stream/riverbed. The IMA shall state that the total cost to the County for design, construction and construction management of the Project shall not exceed \$22,000,000.

· § 4. The term of the IMA shall be for a period equal to or greater than the life of any bonds issued by the County to fund the County's portion of the Project, which is estimated to be forty (40) years pursuant to New York Local Finance Law section 11.00.

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

§ 6. This Act shall take effect immediately.

DRAFT

AGREEMENT (“Agreement”), made the ___ day of _____, 202___, by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 (hereinafter referred to as the “County”)

and

THE VILLAGE OF MAMARONECK, a municipal corporation of the State of New York, having an office and place of business at 123 Mamaroneck Avenue, Mamaroneck, New York 10543 (hereinafter referred to as the “Municipality”).

RECITALS

WHEREAS, the Municipality is the owner of the Ward Avenue Bridge; and

WHEREAS, the area of the Municipality in which the Ward Avenue Bridge is located is identified as a flood problem area within the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed, prepared by the County and adopted by the County Board of Legislators on August 4, 2014. The Stormwater Reconnaissance Plan includes a discussion of flooding within the Municipality and references the United States Army Corps of Engineers (“USACE”) study of the Mamaroneck and Sheldrake rivers that ultimately identified the Ward Avenue Bridge as one of many projects to reduce flooding and flood risk within the study area; and

WHEREAS, the Municipality seeks the demolition and removal of the Ward Avenue Bridge and reconstruction of a new bridge in that location; and

WHEREAS, pursuant to Section 102 of New York Highway Law, the County superintendent of highways has supervision of all County roads and bridges comprising the county highway system, together with any other roads and bridges for which responsibility is imposed on the County under any lawful agreement made by the County; and

WHEREAS, the Municipality desires to enter into such an agreement to impose on the County responsibility for demolition and reconstruction of the Ward Avenue Bridge; and

WHEREAS, the County is a party to an agreement with the New York State Department of Environmental Conservation (“NYSDEC”) whereby the County will contribute funds to the United States Army Corps of Engineers (“USACE”) for the design of the Mamaroneck and Sheldrake Rivers Flood Risk Reduction Project (the “NYSDEC Agreement”), of which the demolition and reconstruction of the Ward Avenue Bridge is a component; and

WHEREAS, in order to avoid further delays the Municipality has requested that the County advance the demolition and reconstruction of the Ward Avenue Bridge; and

WHEREAS, the County desires to assist the Municipality in order to reduce flooding of municipal and private property in the Municipality, and is willing to contribute funding toward the costs of demolition and reconstruction of the Ward Avenue Bridge.

NOW, THEREFORE, in consideration of the mutual representations, covenants and agreements herein set forth, the County and the Municipality, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

ARTICLE I

TERM

Section 1.0. The recitals are hereby incorporated by reference into the body of this Agreement.

Section 1.1. The term of this Agreement shall be for a period commencing upon full execution hereof by both parties and approval of same by the Office of County Attorney, as evidenced by the date on the top of page 1 of this Agreement, and shall continue for a period equal to or greater than the life of any bonds issued by the County to fund the County’s portion of the Project, which is estimated to be forty (40) years pursuant to NY Local Finance Law section 11.00.

ARTICLE II
REPRESENTATIONS

Section 2.0. The subject project shall consist of demolition and removal of the existing Ward Avenue Bridge and related structures and shall also include design and construction of a new bridge substructure and superstructure, bridge railing and/or parapet, sidewalks, roadway reconstruction and drainage enhancements (“Project”). The Project will be designed and constructed in accordance with the NY State Department of Transportation Standard Specifications for Construction and Materials, including all applicable revisions. The County, on behalf of NYSDEC as the Non-Federal Interest and the Municipality as the owner of the Bridge, intends to satisfy the responsibilities identified by the USACE in the eventual Project Partnership Agreement (“PPA”) between USACE, NYSDEC and the County. The design work for the Project will include survey, mapping, traffic data and accident analysis, geotechnical investigations, hydraulic analysis, construction cost estimates, and preparation of engineering plans and specifications.

Section 2.1. The Municipality shall perform all necessary environmental reviews in connection with the Project, including but not limited to making necessary determinations in compliance with the State Environmental Quality Review Act (“SEQRA”) and the National Environmental Policy Act (“NEPA”) as applicable.

The Municipality shall submit documentation to the County demonstrating compliance with SEQRA and NEPA, as applicable, and their implementing regulations including those activities that have been determined not to constitute an action as defined by SEQRA or activities determined to be Type II actions as defined by SEQRA. The Municipality shall act as the lead agency for meeting the requirements of SEQRA for any Unlisted or Type I action that is undertaken pursuant to this Agreement, unless otherwise directed by the County Planning Commissioner. The Municipality shall include the County as an Involved Agency (as defined in SEQRA) in all matters relating to SEQRA and conduct a coordinated review where applicable.

To the extent the Municipality procures the services of a consultant to assist in preparing environmental information, the same consultant shall be used for SEQRA and NEPA purposes.

Section 2.2. In connection with the Project, the Municipality shall obtain all required approvals and permits and promptly execute and comply with all statutes, ordinances, rules, orders, regulations, codes and requirements of the Federal, State, County and municipal governments of the County. The Municipality shall also comply with any and all sanitary rules and regulations of the State and County Health Departments.

The Municipality shall obtain all necessary environmental permits required for the Project, and conduct any required historical/cultural review and provide the County with documentation in support thereof. In addition, for the duration of the Project the Municipality shall, at its sole cost and expense, provide or arrange to provide traffic control and operational services, landscape and park improvements. Following completion of the Project, the Municipality shall at its sole cost and expense continuously provide all maintenance for the new bridge and the surrounding area including the stream bed.

Section 2.3. Prior to the County's award of a construction contract for the Project, the Municipality shall acquire all necessary real estate acquisitions, easements and rights-of-way required to perform the Project. The Municipality shall convey to the County non-exclusive easements (the "Easements") in, upon, under and over that portion of the Municipality's property and any non-Municipally-owned property within which the Project is located (all such property comprising the "Property"). The Easements shall be substantially in the form attached hereto and made a part hereof as Schedule "A". The Municipality shall be solely responsible for obtaining any and all easements on non-Municipally-owned property needed in connection with the carrying out the Project and shall provide copies of said easements to the County. Said easements shall name Westchester County as a grantee solely for the purposes of carrying out the work needed to accomplish the Project and said Easements shall be for a term equal to or greater than the life of any bonds issued by the County to fund the County's portion of the Project.

Section 2.4. The County agrees to finance the design, specifications, construction documents and construction for the Project up to an amount not to exceed \$22,000,000.00. The

County share of the Project shall not exceed that amount, and under no circumstances or conditions, whether now existing or hereafter arising, or whether beyond the present contemplation of the parties, shall the County be expected or required to make any payment of any kind whatsoever or be under any other obligation or liability hereunder in connection with this Project except as herein expressly set forth. The County and the Municipality may pursue funding from the State of New York which may further offset the total cost of the Project.

Section 2.5. The County does not provide or extend any warranty of fitness for a particular purpose or workmanship for any work undertaken in connection with, or paid under, this Agreement. Payment hereunder by the County shall operate as a release to the County from any and all obligations or liabilities in connection herewith to the Municipality.

Section 2.6. If at any time the Municipality shall neglect or fail to perform properly any of its obligations under this Agreement, the County shall have the right to withhold, in whole or in part, any payments otherwise due or to become due to the Municipality hereunder until such neglect or failure shall have been remedied to the reasonable satisfaction of the County.

Section 2.7. The Municipality represents warrants and guarantees that:

(a) It is a municipal corporation duly organized, validly existing under the laws of the State of New York; the execution and performance of this Agreement by the Municipality has been duly authorized by its governing body; this Agreement, and any other documents required to be delivered by the Municipality when so delivered, will constitute the legal, valid and binding obligations of the Municipality in accordance with their respective terms; and the Municipality will deliver to the County at the time of execution of this Agreement a resolution adopted by its governing body authorizing the execution of this Agreement, and any other documents required to be delivered by the Municipality, including the aforesaid Easements;

(b) The person signing this Agreement on behalf of the Municipality has full authority to bind the Municipality to all of the terms and conditions of this Agreement pursuant to the resolution granting such authority by the Municipality's governing body, as noted above;

(c) It is financially and technically qualified to perform its obligations hereunder; and

(d) The Municipality acknowledges that the County is acting in reliance on the above representations.

ARTICLE III
ACCOUNTING

Section 3.0. The Municipality shall cause accurate records and books of account to be maintained in which shall be entered all matters relating to this Agreement, including all liabilities thereof and all expenditures, and payments to any and all contractors or subcontractors involved in the Project. Such books and records shall be maintained in accordance with generally accepted accounting principles, consistently applied and shall be kept at a location within Westchester County. The Municipality will provide the County with documentation, upon the County's request, in order to verify same. The County shall have the right to audit, inspect, examine and copy such books and records of the Municipality at all reasonable times during normal business hours at the office of the Municipality. The County's audit rights hereunder extend to all documents, reports, and records which relate to the Municipality's commitment to affirmatively further fair housing as described in Article IV herein.

ARTICLE IV
NOTICES

Section 4.0. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or delivered by hand or overnight courier, (with acknowledgement received and a copy of the notice sent by registered or certified mail, postage pre-paid), as set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt. Notices shall be sent to the following:

To the County:

Commissioner
Department of Public Works and Transportation
County of Westchester
148 Martine Avenue, 5th Floor
White Plains, New York 10601

Commissioner

Department of Planning
County of Westchester
148 Martine Avenue, 4th Floor
White Plains, New York 10601

with a copy to:

County Attorney
County of Westchester
148 Martine Avenue, 6th Floor
White Plains, New York 10601

To the Municipality:

Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, New York 10543

with a copy to:

Village Attorney
123 Mamaroneck Avenue
Mamaroneck, New York 10543

ARTICLE V

INSURANCE AND INDEMNIFICATION

Section 5.0. The Municipality shall comply with the insurance requirements contained in Schedule “B” entitled “Standard Insurance Provisions,” attached hereto and made a part hereof. The Municipality may, in lieu of procuring and maintaining the aforesaid insurance, elect to obtain such coverage through a program of self-insurance, which coverage and program shall be in accordance with generally accepted standards for similarly situated entities. In addition to the foregoing, the Municipality shall contractually ensure that all of its contractors, subcontractors and/or consultants (individually a “Contractor” or collectively, the “Contractors”) that are engaged to provide services in connection with this Agreement shall provide such insurance coverage as described in Schedule “B” naming as additional insured, the Municipality and the County and their respective officials (elected or otherwise), officers, employees and agents (collectively the “Additional Insureds”). The Municipality shall require, before such services commence, that each such insurance policy be endorsed to contain the following clauses: (a) the insurer shall have no

right to recovery or subrogation against the Additional Insureds (including their respective officials (elected or otherwise), officers, employees and agents), it being the intention that the insurance policy shall protect both the insured and the Additional Insureds and be primary coverage for any and all losses covered by such insurance; (b) the clause “other insurance provisions” in any such insurance policy shall not apply to the Additional Insureds or their insurance policies; (c) the insurer issuing the policy shall have no recourse against the Additional Insureds (including their respective officials (elected or otherwise), officers, employees and agents) for payment of any premiums or for assessments under any form of policy; and (d) any and all deductibles in such insurance policy shall be assumed by and be for the account of, and at the sole risk of the Contractor.

Section 5.1. In addition to and not in limitation of the insurance requirements specified above, to the fullest extent permitted by law, the Municipality shall defend, indemnify and hold harmless the County, its elected officials, officers, employees and agents (the "Indemnitees") from and against, any and all liability, damage, claims, demands, costs, judgments, fees, attorney’s fees or loss arising directly or indirectly from the Project, including any which may arise from a change in applicable laws, rules and regulations, that may be imposed upon or incurred by or asserted against any of the Indemnitees by reason of any of the following:

(a) **Work.** Any construction, repair, alteration, addition, replacement, restoration or improvement work done by or on behalf of the Municipality in, on or about the Project or any part thereof;

(b) **Use.** The use, occupation, condition, operation, maintenance, management, supervision or development of or providing security for all or any portion of the Project, or the affected portion thereof, by or on behalf of the Municipality, including without limitation, any liability with respect to any violations imposed by any governmental authorities in respect of any of the foregoing;

(c) **Act or Failure to Act of Municipality.** Any act performed by, or any failure to perform any act required to be performed by the Municipality, a third party under the direction or control of the Municipality, or any of the Municipality’s officers, agents, contractors, servants, employees, lessees or invitees in connection with this Agreement or the Project;

(d) **Accidents, Injury to Person or Property.** Any accident, injury, (including death at any time resulting therefrom) or damage to any person, including, without limitation,

employees of the Municipality or any Indemnitee, or property occurring in, on, or about the Project or any part thereof; or

(e) Breach of Municipality's Obligation. Any failure or refusal on the part of the Municipality to perform its obligations pursuant to this Agreement.

(f) Municipality's Obligations. The Municipality's failure, within any applicable grace period, to perform or comply with any of the covenants, terms or conditions contained in this Agreement on the Municipality's part to be kept, observed, performed or complied with within any applicable grace period.

Section 5.2. The Municipality shall be responsible, at its sole expense, for remediation of any Hazardous Materials or Hazardous Waste, as those terms are defined below, that may be discovered on the Property in the course of the Project.

Section 5.3. The Municipality hereby further acknowledges and agrees that it shall defend, indemnify and hold harmless the County for any "Environmental Damages" to the Property. "Environmental Damages" shall mean all claims, damages, demands losses, penalties, fines, fees, liabilities (including strict liability), encumbrances, liens, costs and expenses of investigation and defense of any, whether or not such claim is ultimately defeated, and of any good faith settlement or judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or unforeseeable, including, without limitation, reasonable attorney's fees and disbursements and consultants' fees, any of which are incurred as the result of the existence of "Hazardous Material" or "Hazardous Waste" upon, beneath, or about the Property or migrating or threatening to migrate to or from the Property, or the existence of a violation of "Environmental Requirements" pertaining to the Property, regardless of whether the existence of such "Hazardous Materials" or "Hazardous Waste" or the violation of "Environmental Requirements" arose prior to the Municipality or County's ownership of the Property, including, without limitation:

(i) damages for personal injury, or injury to Property or natural resources occurring upon or off the Property, foreseeable or unforeseeable, including, without limitation, lost profits, consequential damages, the cost of demolition or rebuilding of any improvements of real property, interest and penalties;

(ii) fees incurred for the service of attorneys, consultants, contractors or experts, laboratories and all other costs incurred in connection with the investigation or

remediation of such “Hazardous Materials” or “Hazardous Waste” or violation of “Environmental Requirements” including, but not limited to, the preparation of any feasibility studies or reports or the performance of any cleanup, remediation, removal, response, abatement, containment, closure, restoration or monitoring work required by any federal, state or local governmental agency or political subdivision, or reasonably necessary to make the full use of the Property or any other property or otherwise expended in connection with such conditions; and

(iii) liability to any third person or governmental agency to indemnify such person or agency for the costs expended in connection with the items referenced in subparagraph (ii) herein;

(iv) diminution in the value of the Property and damages for loss of business and restriction on the use of the Property or any part thereof.

Section 5.3.a. Definitions. For the purposes of this Agreement, the following definitions shall apply:

(1) “Hazardous Materials” or “Hazardous Waste” shall mean any substance:

(i) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy or common law; or

(ii) which is or becomes defined as a hazardous waste, hazardous substance, pollutant or contaminant under any federal, state or local statute, regulation, rule, or ordinance or amendments thereto including, without limitations, the United States Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 USC §9601 (14) 42 USC §9602 and any “hazardous waste” as defined in or listed under the United States Solid Waste Disposal Act, as amended, 42 USC §6901(5), 42 USC §6921; or

(iii) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department, commission, board or instrumentality of the United States, the State of New York or any political subdivision thereof; or

(iv) the presence of which, on the Property, causes or threatens to cause a nuisance on the Property or to nearby properties or poses or threatens to pose a hazard to the health and safety of persons on, about or nearby the Property; or

(v) the presence of which on nearby properties would constitute a trespass by the owner of the Property; or

(vi) without limitation which contains gasoline, diesel fuel, or other petroleum hydrocarbons; or

(vii) without limitation which contains polychlorinated bipheynols (PCBs), asbestos, or urea formaldehyde foam insulation.

(2) “Environmental Requirements” shall mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits, orders, approvals, plans, authorizations, concessions, franchises, and similar items, of all government agencies, departments, commissions, boards, bureaus, or instrumentalities of the United States, the State of New York and the political subdivisions thereof; and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment.

Section 5.4. The Municipality shall promptly notify the County in writing of any claims made or any suits instituted against the Municipality of which it has knowledge arising from its performances hereunder or in connection with this Agreement or in connection with the Project.

Section 5.5. In the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of all or part of this Article, then the Municipality shall reimburse the County’s reasonable attorney’s fees incurred in connection with the defense of any action, and in connection with enforcing all or part of this Article of the Agreement.

Section 5.6. This Article shall survive termination or expiration of this Agreement.

ARTICLE VI **MISCELLANEOUS**

Section 6.0. Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void.

Section 6.2. The failure of the County to insist upon strict performance of any term, condition or covenant herein shall not be deemed a waiver of any rights or remedies that the County

may have and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions or covenants herein.

Section 6.3. It is mutually understood and agreed that the terms, covenants, conditions and agreements herein contained shall be binding upon the parties hereto and upon their respective successors, legal representatives and assigns.

Section 6.4. This Agreement and its attachments constitute the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. This Agreement shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties, and approved by the Office of the County Attorney.

Section 6.5. It is recognized and understood that the Municipality is not an agent of the County and in accordance with such status, the Municipality, its consultant(s), its subcontractor(s), and their respective officers, agents, employees, representatives and servants shall at all times during the term of this Agreement neither hold themselves out as, nor claim to be acting in the capacity of officers, employees, agents, representatives or servants of the County, nor make any claim, demand or application for any right or privilege applicable to the County, including without limitation, rights or privileges derived from workers compensation coverage, unemployment insurance benefits, social security coverage and retirement membership or credit.

Section 6.6. This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney.

Section 6.7. In the event that any one or more provisions, sections, subsections, clauses or words of this Agreement are for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement, but this Agreement shall be construed and enforced as if such illegal or invalid section, subsection, clause or word has not been contained herein.

Section 6.8. This Agreement shall be deemed executory only to the extent of funds appropriated and made available for the purpose of this Agreement and no liability on account thereof shall be incurred by the County beyond the amount of such appropriated funds.

Section 6.9. All covenants, stipulations, promises, agreements and obligations of the Municipality and the County contained herein shall be deemed to be stipulations, promises, agreements and obligations of the Municipality and the County and not of any member, officer or employee of the Municipality or the County in his/her individual capacity and no recourse shall be had for any obligation or liability herein or any claim based thereon against any member, officer or employee of the Municipality or the County or any natural person executing this Agreement.

Section 6.10. The parties represent that they have all requisite power and authority to execute, deliver and perform this Agreement, and this Agreement has been duly authorized by all necessary action on the part of the parties. The parties each agree to execute and deliver such further instruments and to seek such additional authority as may be required to carry out the intent and purpose of this Agreement, including providing the County with any necessary property interests in the Project in order for the County to fund the Project.

Section 6.11. This Agreement may be executed in two or more counterparts and all counterparts so executed shall for all purposes constitute one agreement binding upon all the parties hereto.

Section 6.12. Nothing in this Agreement shall act to confer third-party beneficiary rights on any person or entity not a party to this Agreement.

Section 6.13. The headings in this Agreement are for reference purposes only and shall not be used in construing the terms of this Agreement.

Section 6.14. The Municipality hereby acknowledges that any provision of this Agreement which requires consent of the County shall be subject to receipt by the County of any and all necessary legal approvals.

Section 6.15. No director, officer, employee, agent or other person authorized to act on behalf of the County shall have any personal liability in connection with this Agreement or any failure of the County to perform its obligations hereunder. No director, officer, employee, agent or other person authorized to act on behalf of the Municipality shall have any personal liability in connection with this Agreement or any failure of the Municipality to perform its obligations hereunder.

[NO FURTHER TEXT/SIGNATURE PAGE FOLLOWS]

DRAFT

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

COUNTY OF WESTCHESTER

By: _____
Hugh J. Greechan, Jr.
Commissioner of Public Works and
Transportation

VILLAGE OF MAMARONECK

By: _____
Name:
Title:

Approved by the Board of Legislators of the County of Westchester by Act No. 202__ - ____
on the _____ day of _____, 202__.

Approved by the Board of the Village of Mamaroneck on the ____ day of _____, 202__.

Approved:

Deputy County Attorney
County of Westchester
Vutera/PLN/US Army Corps/IMA Village of Mamaroneck Ward Ave Bridge 12-3-25

SCHEDULE "A"

EASEMENT AGREEMENT

(To be attached)

DRAFT

SCHEDULE "B"

STANDARD INSURANCE PROVISIONS **(MUNICIPALITY)**

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2 The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

- a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

- c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

- d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

DRAFT

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

Your Committee is in receipt of a communication from the County Executive recommending the adoption of an Act which, if approved by your Honorable Board, would authorize the County of Westchester (the “County”) to amend Act 168 – 2025, in order to further authorize the County to release the right of first refusal condition contained in that certain deed, dated October 8, 2008, by which the County conveyed approximately 2.4 acres of real property located at 100 College Avenue in the Village of Sleepy Hollow (the “Property”), to SH Affordable Housing Development Fund Company, Inc., which was recorded in the Office of the Clerk of the County of Westchester on October 20, 2008 at Control No. 482830273 (the “Deed”).

On August 4, 2025, your Honorable Board adopted Act 168 – 2025 which authorized the County to 1.) approve the transfer of the Property, which is currently improved by a building with one-hundred sixty-three (163) affordable rental units that affirmatively further fair housing (the “Affordable AFFH Units”), plus one superintendent unit, as well as parking and recreational areas (“Improvements” and together with the Property, and the Affordable Housing Units, collectively, the “Development”), from SH Affordable Housing Development Fund Company, Inc. as nominee for SH Housing Associates, LLC (“SH Housing”) to Foundation for Affordable Housing, Inc. (“FFAH”); and 2.) enter into an amendment to that certain Declaration of Restrictive Covenants (the “DRC”), dated October 8, 2008, in order to reflect the extension of the period of affordability for an additional fifty (50) year period, and to delete the right of first refusal clause contained in the DRC.

The County was advised subsequent to your Honorable Board’s approval of Act 168 – 2025 that the Deed also contains a right of first refusal condition (the “Additional ROFR”),

separate from the right of first refusal clause contained within the DRC that reads as follows:

“Until the expiration of the Period of Affordability, no conveyance of the Property or any portion thereof, shall be made without fee title to the Property (exclusive of the improvements) having first been offered to the County pursuant to the County’s right of first refusal (the “ROFR”), pursuant to Act No. 132 – 2008 of the Westchester County Board of Legislators (the “Board”). Said ROFR is exercisable by the Board pursuant to a subsequent action of said Board. Pursuant to the ROFR, the Board shall have the right, upon any proposed conveyance of the Development or any portion thereof, to purchase the Property (exclusive of the improvements) or direct the sale of such property to an affordable housing entity (“Affordable Housing Entity”) as the Board deems advisable for consideration of \$1.00. The ROFR runs with the land and binds the Property, and is enforceable against the owner, any subsequent purchasers and all of their respective legal representatives, executors, administrators, heirs, successors and assigns. Exercise of the ROFR shall require that the County or such Affordable Housing Entity, as applicable, shall contemporaneously with its acquisition of the Property enter into a renewable ground lease with the subsequent developer entity leasing the Affordable Housing Property for \$1.00, plus any applicable annual fees to such subsequent developer entity for an initial term of 99 years commencing upon such transfer, subject to the Declaration of Restrictive Covenants. Notwithstanding the foregoing, the ROFR shall not apply to a transfer or conveyance of the Property resulting from a foreclosure or deed in lieu of foreclosure; however, the County reserves its right to exercise the ROFR in the event of any subsequent conveyance by the holder of fee title to the Property or any portion thereof.”

Similar to the right of first refusal clause contained in the DRC, the Additional ROFR is impairing FFAH’s ability to secure the financing necessary to complete the acquisition of the Development and the Property improvements described in Act 168 – 2025. Therefore, FFAH is now requesting that your Honorable Board amend Act 168 – 2025 in order to further authorize the County to release the Additional ROFR set forth in the Deed.

Your Committee is advised that the Westchester County Planning Board (the “Planning Board”) was previously apprised of the transfer and amendment to the DRC as an information item at its February 4, 2025 meeting. Given that the proposed release of the Additional ROFR achieves the same objective as the amendment to the DRC, no additional Planning Board review is necessary.

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 ("SEQR") Act have been met. The Department of Planning has advised that since the County's action merely involves the release of the Additional ROFR contained within the Deed, then with respect to SEQR, this does not constitute an action as defined in section 617.2(b) of 6NYCRR Part 617. As such, no environmental review is required.

Pursuant to Section 104.11(2) of the Laws of Westchester County, passage of the Act requires an affirmative two-thirds vote of all members of the Board of Legislators. After careful review, your Committee believes that the Act is in the best interest of the County and therefore recommends that your Honorable Board adopt the proposed annexed Act.

Dated: February 17, 2026
White Plains, New York

[Handwritten signatures]
Lenny Williams John J. [unclear]

[Handwritten signatures]

Budget & Appropriations

Infrastructure & Housing

COMMITTEE ON

k/sjc/01/06/26

Dated: February 17, 2026
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
COMMITTEE**

Anant Nambiar

**INFRASTRUCTURE & HOUSING
COMMITTEE**

Anant Nambiar

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BELOW

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

100 College Ave, Village of Sleepy Hollow; release right of first refusal deed condition-Act 168-2025

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: 1/13/26

Reviewed By: 

Budget Director

Date: 1/13/24

TO: Leonard Gruenfeld, Program Director
Division of Housing and Community Development

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



DATE: January 12, 2026

SUBJECT: **SEQR DOCUMENTATION FOR OWNERSHIP TRANSFER AND COUNTY
RIGHT OF FIRST REFUSAL RELEASE- COLLEGE ARMS APARTMENTS,
VILLAGE OF SLEEPY HOLLOW**

Pursuant to your request for an environmental review of the above referenced action, the Planning Department has determined that no environmental review is necessary.

College Arms Apartments was constructed in 1969 and currently provides 164 units of affordable housing. It was rehabilitated in 2008 with financial assistance from multiple sources, including the County's New Homes Land Acquisition Fund. Under the County funding agreement, the units would remain affordable for a period of 50 years and the County had the right of first refusal if the property was ever transferred to another owner.

Previous legislation authorized the County to: i) consent to the transfer of the property to a new owner; and ii) amend the County's Declaration of Restricted Covenants in order to remove the right of first refusal clause contained therein, as it was inhibiting the new owner's ability to secure financing.

The County has now been advised that the Deed also contains a right of first refusal condition, separate from the right of first refusal clause contained within the County's Declaration of Restricted Covenants. Similarly, the new owner has expressed the need for the County to relinquish its right of first refusal set forth in the Deed as well in order to secure financing.

As before, since the County's action merely involves the removal of a right of first refusal clause with no change in use, with respect to the State Environmental Quality Review (SEQR) Act, this does not constitute an action as defined in section 617.2(b) of 6NYCRR Part 617 and no environmental review is required.

DSK/oav

cc: Blanca P. Lopez, Commissioner
Claudia Maxwell, Principal Environmental Planner
Obad Varughese, Associate Environmental Planner

ACT NO. 2026 - _____

AN ACT amending Act 168 – 2025 in order to further authorize the release of a right of first refusal clause in a deed from the County of Westchester to SH Affordable Housing Development Fund Company, Inc. dated October 8, 2008, with respect to real property located at 100 College Avenue in the Village of Sleepy Hollow

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

Section 1. Act No. 168 2025 is hereby amended to further authorize the County of Westchester (the “County”) to release the following right of first refusal condition contained in that certain deed, dated October 8, 2008, by which the County conveyed approximately 2.4 acres of real property located at 100 College Avenue in the Village of Sleepy Hollow to SH Affordable Housing Development Fund Company, Inc., which was recorded in the Office of the Clerk of the County of Westchester on October 20, 2008 at Control No. 482830273:

“Until the expiration of the Period of Affordability, no conveyance of the Property or any portion thereof, shall be made without fee title to the Property (exclusive of the improvements) having first been offered to the County pursuant to the County’s right of first refusal (the “ROFR”), pursuant to Act No. 132 – 2008 of the Westchester County Board of Legislators (the “Board”). Said ROFR is exercisable by the Board pursuant to a subsequent action of said Board. Pursuant to the ROFR, the Board shall have the right, upon any proposed conveyance of the Development or any portion thereof, to purchase the Property (exclusive of the improvements) or direct the sale of such property to an affordable housing entity (“Affordable Housing Entity”) as the Board deems advisable for consideration of \$1.00. The ROFR runs with the land and binds the Property, and is enforceable against the owner, any subsequent purchasers and all of their respective legal representatives, executors, administrators, heirs, successors and assigns. Exercise of the ROFR shall require that the County or such Affordable Housing Entity, as applicable, shall contemporaneously with its acquisition of the Property enter into a renewable ground lease with the subsequent developer entity leasing the Affordable Housing Property for \$1.00, plus any applicable annual fees to such subsequent developer entity for an initial term of 99 years commencing upon such transfer, subject to the Declaration of Restrictive Covenants. Notwithstanding the foregoing, the ROFR shall not apply to a transfer or conveyance of the Property resulting from a foreclosure or deed in lieu of foreclosure; however, the County reserves its right to exercise the ROFR in the event of any subsequent conveyance by the holder of fee title to the Property or any portion thereof.”

§2. All of terms and conditions of Act 168 – 2025 shall remain in full force and effect.

§3. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§4. This Act shall take effect immediately.



Kenneth W. Jenkins
Westchester County Executive

January 16, 2026

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 New Homes Land Acquisition III (2024-33) ("NHLA" or "Capital Project BPL37") to provide funds to assist in the acquisition of property for affordable housing purposes.

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

1. Land Purchase and Conveyance. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York ("Village"), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the "Property"), to Interfaith Council for Action, Inc., its successors, assigns, or any entity created to carry out the purposes of the proposed transaction (the "Developer"), as part of the County's program to support of the construction and expansion of affordable rental housing units that affirmatively further fair housing in Westchester County. The Property is improved with a three-story building with 25 housing units (the "Affordable AFFH Units") and 35 parking spaces (the "Development"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants against the Property, to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 50% and up to 60% of the Westchester County area median income ("AMI"). The AFFH Units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to assist the Developer with the purchase of the Property

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

Telephone: (914)995-2900

Email: ceo@westchestercountyny.gov

in order to make available the Affordable AFFH Units for affordable housing purposes. The Development will include 11 one-bedroom, 11 two-bedroom and 3 three-bedroom units and other related improvements.

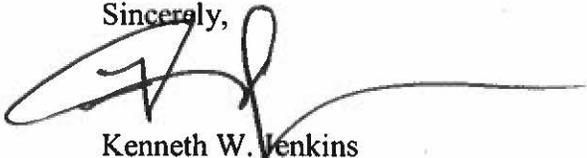
2. Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act") to authorize the issuance of bonds of the County, in a total amount not to exceed \$6,040,000, as part of Capital Project BPL37 New Homes Land Acquisition III (2024-33). The Department of Planning has advised that, subject to the approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$6,000,000 (the "NHLA Amount") to purchase the Property from the current owner(s) of record for affordable housing purposes and \$40,000 for County administrative costs.

It should be noted that the total acquisition cost of the Property is in excess of the NHLA Amount. The Department of Planning has advised that additional funding for the acquisition of the Property, with an estimated total cost of approximately \$8,698,200, is anticipated to be provided through a First Mortgage from a conventional bank.

The Department of Planning has further advised that Section 167.131 of the Laws of Westchester County ("LWC") 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. On November 5, 2025, the Planning Board adopted Resolution No. 25-30 which recommended the County provide NHLA funding respectively in connection with this project, which resolution is annexed hereto for your Honorable Board's information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board's consideration.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County of Westchester, your favorable action on the annexed Acts is respectfully requested.

Sincerely,



Kenneth W. Jenkins
Westchester County Executive

KWJ/BPL/LG/CC
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following acts:

1. Land Purchase and Conveyance. An Act (the “Land Acquisition Act”) to authorize the purchase and subsequent conveyance of approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York (“Village”), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the “Property”) to Interfaith Council for Action, Inc., its successors, assigns, or any entity created to carry out the purposes of the proposed transaction (the “Developer”), as part of the County’s program to support of the construction and expansion of affordable rental housing units that affirmatively further fair housing in Westchester County. The Property is improved with a three-story building with 25 housing units (the “Affordable AFFH Units”) and 35 parking spaces (the “Development”). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants against the Property, to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 50% and up to 60% of the Westchester County area median income (“AMI”). The AFFH Units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to assist the Developer with the purchase of the Property in order to make available the Affordable AFFH Units for affordable housing purposes. The Development will include 11 one-bedroom, 11 two-bedroom and 3 three-bedroom units and other related improvements.

2. Acquisition Financing. A New Homes Land Acquisition Bond Act (the “NHLA Bond Act”), which was prepared by the law firm Hawkins, Delafield and Wood, LLP, to authorize the issuance of bonds of the County, in a total amount not to exceed \$6,040,000, as part of Capital Project BPL37 New Homes Land Acquisition III (2024-33). The Department of Planning has advised that, subject to the approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$6,000,000 (the “NHLA Amount”) to purchase the Property from the current owner(s) of record for affordable housing purposes and \$40,000 for County administrative costs.

Your Committee is advised by the Department of Planning that the total acquisition cost of the Property is in excess of the NHLA Amount. The Department of Planning has advised your Committee that additional funding for the acquisition of the Property, with an estimated total cost of approximately \$8,698,200, is anticipated to be provided through a First Mortgage from a conventional bank.

The Department of Planning has further advised that Section 167.131 of the Laws of Westchester County (“LWC”) 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. On November 5, 2025, the Planning Board adopted Resolution No. 25-30 which recommended the County provide NHLA funding respectively in connection with this project, which resolution is annexed hereto for your Honorable Board’s information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board’s consideration.

The Department of Planning has advised your Committee that based on its review, the proposed acquisition and conveyance of the Property may be classified as an “Unlisted” action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, (“SEQRA”). A Resolution and Short Environmental Assessment Form (“EAF”),

prepared by the Department of Planning, are attached to assist your Honorable Board in complying with the requirements of SEQRA. For the reasons set forth in the attached EAF, your Committee believes that this proposed action will not have any significant adverse impact on the environment and accordingly recommends passage of the annexed Resolution prior to enacting the Land Acquisition Act and the NHLA Bond Act.

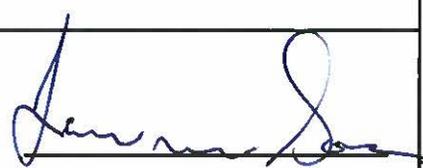
Based on the foregoing, your Committee believes that the Acts are in the best interest of the County and therefore recommends their adoption, noting that both the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: _____, 2026
White Plains, New York

COMMITTEE ON:
c/cmc/01.09.2026

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BPL37</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 6,040,000	PPU 30	Anticipated Interest Rate 4.07%
Anticipated Annual Cost (Principal and Interest):	\$ 352,637		
Total Debt Service (Annual Cost x Term):	\$ 10,579,110		
Finance Department:	Interest rates from January 13, 2026 Bond Buyer - ASBA		
SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service) To Be Completed by Submitting Department and Reviewed by Budget			
Potential Related Expenses (Annual):	\$	-	
Potential Related Revenues (Annual):	\$	-	
Anticipated savings to County and/or impact of department operations (describe in detail for current and next four years):			

SECTION D - EMPLOYMENT As per federal guidelines, each \$92,000 of appropriation funds one FTE Job			
Number of Full Time Equivalent (FTE) Jobs Funded:	N/A		
Prepared by:	<u>Blanca P. Lopez</u>	Reviewed By:	
Title:	<u>Commissioner</u>		
Department:	<u>Planning</u>		
Date:	<u>1/13/26</u>	Date:	<u>1/14/26</u>

TO: Leonard Gruenfeld, Program Director
Division of Housing and Community Development

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

DATE: January 5, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL37 NEW HOMES LAND ACQUISITION III
80 Main Street, Village of Ossining**

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project in connection with 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 BPL37 – New Homes Land Acquisition III (Fact Sheet ID# 3070) to support the creation of 25 affordable units at 80 Main Street in the Village of Ossining. Funds from BPL37 will be applied towards the purchase of approximately 1.4 acre of property, consisting of a three-story building and 35 parking spaces, upon which the County will file a restrictive covenant that will require all of the proposed apartments to be marketed and leased to households meeting certain income thresholds for a period of not less than 50 years.

The Property was developed and completed as a market rate rental residential building. The Village of Ossining Planning Board served as lead agency over the environmental review of the overall project and issued a negative declaration pursuant to SEQR on April 24, 2012. However, the building has been unable to obtain a certificate of occupancy from the Village for a number of years following the failure of the retaining wall at the rear of the property that collapsed onto adjacent property. The current owner, per the sale agreement, will rebuild the retaining wall to the satisfaction of the Village prior to the property transfer.

The County of Westchester was not an involved agency at the time of the Village's review of the proposed development. The County's acquisition and sale of the property to facilitate affordable housing is an Unlisted action pursuant to section 617.4(b)(5) under SEQR. Consequently, a Short Environmental Assessment Form has been prepared and is attached for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding this document.

DSK/oav

Att.

cc: Blanca Lopez, Commissioner, Department of Planning
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner
Obed Varughese, Associate Environmental Planner
Douglas Wessells, Planner

Memorandum



Department of Planning
432 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601

TO: Honorable Kenneth W. Jenkins
County Executive

FROM: Blanca P. Lopez
Commissioner

DATE: January 13, 2026

SUBJECT: Acquisition of Real Property – 80 Main Street – Village of Ossining

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York (the "Village"), identified on the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the "Property") for the purpose of making available 25 affordable housing units (the "Affordable AFFH Units") that will affirmatively further fair housing (the "Development").

The County of Westchester ("the County") intends to finance the purchase of the Property from the current owner in an amount not to exceed \$6,000,000, as a part of Capital Project BPL37 New Homes Land Acquisition III (2024-33). Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Interfaith Council for Action, Inc. (the "Developer"), its successors or assigns, for One (\$1.00) Dollar in order to make available the Affordable AFFH Units for affordable housing purposes.

The Development consists of one existing three-story building that will include a mix of affordable one, two and three-bedroom rental apartments that will be leased to households who earn at or below 50% and up to 60% of the area median income. The Development will also provide approximately 35 parking spaces for residents.

I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County's efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in *Westchester 2025 - Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning*, adopted May 6, 2008, and

amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;

3. The Development includes green technology, such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources;
4. The Development is consistent with the land use policies and regulations of the Village of Ossining; and
5. On November 5, 2025, the County Planning Board adopted a resolution to recommend County financing towards the purchase of the Property in order to make available the Affordable AFFH Units for affordable housing purposes.

BPL/lg

cc: Richard Wishnie, Deputy County Executive
Joan McDonald, Director of Operations
John M. Nonna, County Attorney
Westchester County Planning Board

RESOLUTION 25- 30

WESTCHESTER COUNTY PLANNING BOARD

**New Homes Land Acquisition II
Capital Project Funding Request
80 Main Street,
Village of Ossining**

WHEREAS, the County of Westchester (the "County") has established Capital Project BPL37 New Homes Land Acquisition III ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Interfaith Community For Action ("IFCA") (the "Developer"), its successors or assigns, desires to acquire/develop the real property located at 80 Main Street in the Village of Ossining (the "Village"), identified on the tax maps as Section 97.7, Block 2, Lot: 1 & 5 (the "Property") to create 25 affordable residential units that will further fair housing (the "Affordable Units") and approximately 35 parking spaces (collectively the "Development"); and

WHEREAS, the County proposes to contribute \$6,000,000 towards the purchase of the Property from the owner of record with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land and the existing building; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable Units constructed on the Property be leased to households who earn at or below 50% and up to 60% of the Westchester County Area Median Income ("AMI"); and

WHEREAS, the County will transfer ownership of the Property to the Developer to acquire one building with a mix of one, two and three-bedroom units to be leased to eligible households, pursuant to an approved Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL37 NHLA III to add the Property, 80 Main Street; Village of Ossining, and authorize bonding in a not to exceed amount of \$6,040,000 (\$40,000 for County Administrative Fee) to develop the Property; and

WHEREAS, the Development is subject to approvals by the Village of Ossining; and

WHEREAS, the funding to support the development of the Affordable 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 acquisition of the Property; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$6,040,000 from BPL37 NHLA III for property acquisition and County administrative costs; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2025 Capital Project requests to include 80 Main Street in the Village of Ossining, as a new component project in Capital Project BPL37 under the heading of Buildings, Land and Miscellaneous.

Adopted this 5th day of November 2025.



Bernard Thombs, Chair

BPL37 New Homes Land Acquisition III (2024-33)

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Total	Approp- riated	2025	2026	2027	2028	2029	Under Review
Gross	150,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	150,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000

PROJECT DESCRIPTION

New Homes Land Acquisition (NHLA) provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development.

In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities.

Between 2019 and 2024, 2,569 units of fair and affordable housing have been completed, are under construction or approved for funding by the Board of Legislators on property acquired through the New Homes Land Acquisition program.

This 2025 Capital Budget Amendment to BPL37 New Homes Land Acquisition III for \$6,040,000 is to fund affordable housing at 80 Main Street in the Village of Ossining. For more information, please see Executive Summary for this project attached to this report.

APPROPRIATION HISTORY

Year	Amount	Description
2024	25,000	Funds this project
2025	25,000	Continuation of this project
Total	50,000	

PROJECT JUSTIFICATION

The New Homes Land Acquisition Fund III will provide the County with funding to acquire land that is suitable for fair and affordable housing and needed to assist with meeting the County's goals of developing of fair and affordable housing units in Westchester County. Further, the funds are instrumental in leveraging funding for the construction of fair and affordable housing county-wide, thus creating new jobs and related economic benefits in the county.

The New Homes Land Acquisition Fund addresses the need to supplement fair and affordable housing resources and to provide new housing units. Together with BPL01 Housing Implementation Fund, BPL1A Housing Implementation Fund II and BPL50 Fair and Affordable Housing, this funding provides a significant mechanism to fulfill the affordable housing goals of Westchester County.

CONSISTENCY WITH PLANS AND PROGRAMS

The project is consistent with the policies of "*Westchester 2025*", the County's long-range land use policies, in that it supports the development of fair and affordable housing.

PLANNING BOARD RECOMMENDATIONS

The Planning Board recommends this 2025 Capital Budget Amendment for 80 Main Street in the Village of Ossining per resolution number 25-30 signed on the following date: 11/5/2025. The Planning Board designates this project as **PL2**.

COMMENTS

The Planning Board strongly supports the continuation of this program which helps reduce infrastructure costs of new housing, making it more affordable. The program is a partnership between the County and local governments to provide affordable housing throughout Westchester. The Planning Department will continue to take the lead in reviewing funding applications and ensuring that the goals of "*Westchester 2025*" continue to be met.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 80 Main Street Ossining Affordable Housing			
Project Location (describe, and attach a location map): 80 Main Street, Ossining, Westchester County, New York			
Brief Description of Proposed Action: The action involves the provision of County funding to support the creation of 25 affordable units at 80 Main Street in the Village of Ossining. Funds will be applied towards the purchase of approximately 1.4 acre of property, consisting of a three-story building and 35 parking spaces upon which the County will file a restrictive covenant that will require all of the proposed apartments to be marketed and leased to households meeting certain income thresholds for a period of not less than 50 years.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400	
Address: 148 Martine Avenue		E-Mail:	
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
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:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ +/- 1.4 acres b. Total acreage to be physically disturbed? _____ 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ +/- 1.4 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Railroad <input checked="" type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90 If Yes, identify: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<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>The Development will be constructed with energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operations and maintenance costs, minimize energy consumption and conserve natural resources. The Development will provide all electric, high performance heating/cooling/domestic hot water equipment.</u>	NO <input type="checkbox"/>	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: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	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? Calvary Baptist Church and Annex, Downtown Ossining Historic District	NO <input type="checkbox"/>	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: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Project: **80 Main Street OSV**

Date: **January 2026**

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: **80 Main Street OSV**

Date: **January 2026**

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 project will not have significant adverse impact as the property is already developed and there will be no further land disturbance.

The Hudson River, its islands, and underwater land and all shore lands within the cultural boundaries of its shoreline has been designated a Critical Environmental Area by Westchester County. The Hudson River shoreline was designated due to it's ecological value and important water recreation assets. The proposed action is limited to purchase of real property over 1,000 feet away from the shoreline and will not have adverse impact on the designated Critical Environmental Area.

The proposed action is also near the Downtown Ossining Historic District and Calvary Baptist Church which are on the National Register of Historic Places. The closest historic structure is over 300 feet away and there is no physical disturbance in conjunction with the action. As such, the project will not have adverse impact on the area's historic character.

The site is located near several properties that have been the subject of remediation (ongoing and completed) for hazardous waste. However, these properties are located over 200 feet away from the subject parcel which is already developed. As such, project will not have adverse impact in connection with hazardous waste remediation associated with the aforementioned sites.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderburg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk to the Board of Legislators

Title of Responsible Officer

Dark Kuge

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

RESOLUTION

WHEREAS, there is pending before this Honorable Board an Act to authorize the County of Westchester to acquire and convey real property located at 80 Main Street in the Village of Ossining, New York (“Village”), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5, for the creation of 25 affordable rental units that will affirmatively further fair housing in Westchester County and to remain affordable for a period of not less than 50 years; and

WHEREAS, this Honorable Board has determined that the proposed real property acquisition and conveyance would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted action,” which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is conducting an uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in

Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the Short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the acquisition and conveyance of real property located at 80 Main Street in the Village of Ossining in support of acquiring the Property in order to make available 25 affordable rental units that will affirmatively further fair housing; and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the Short Environmental Assessment Form, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that the Resolution shall take effect immediately.

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

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following acts:

1. Land Purchase and Conveyance. An Act (the “Land Acquisition Act”) to authorize the purchase and subsequent conveyance of approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York (“Village”), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the “Property”) to Interfaith Council for Action, Inc., its successors, assigns, or any entity created to carry out the purposes of the proposed transaction (the “Developer”), as part of the County’s program to support of the construction and expansion of affordable rental housing units that affirmatively further fair housing in Westchester County. The Property is improved with a three-story building with 25 housing units (the “Affordable AFFH Units”) and 35 parking spaces (the “Development”). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants against the Property, to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 50% and up to 60% of the Westchester County area median income (“AMI”). The AFFH Units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to assist the Developer with the purchase of the Property in order to make available the Affordable AFFH Units for affordable housing purposes. The Development will include 11 one-bedroom, 11 two-bedroom and 3 three-bedroom units and other related improvements.

2. Acquisition Financing. A New Homes Land Acquisition Bond Act (the “NHLA Bond Act”), which was prepared by the law firm Hawkins, Delafield and Wood, LLP, to authorize the issuance of bonds of the County, in a total amount not to exceed \$6,040,000, as part of Capital Project BPL37 New Homes Land Acquisition III (2024-33). The Department of Planning has advised that, subject to the approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$6,000,000 (the “NHLA Amount”) to purchase the Property from the current owner(s) of record for affordable housing purposes and \$40,000 for County administrative costs.

Your Committee is advised by the Department of Planning that the total acquisition cost of the Property is in excess of the NHLA Amount. The Department of Planning has advised your Committee that additional funding for the acquisition of the Property, with an estimated total cost of approximately \$8,698,200, is anticipated to be provided through a First Mortgage from a conventional bank.

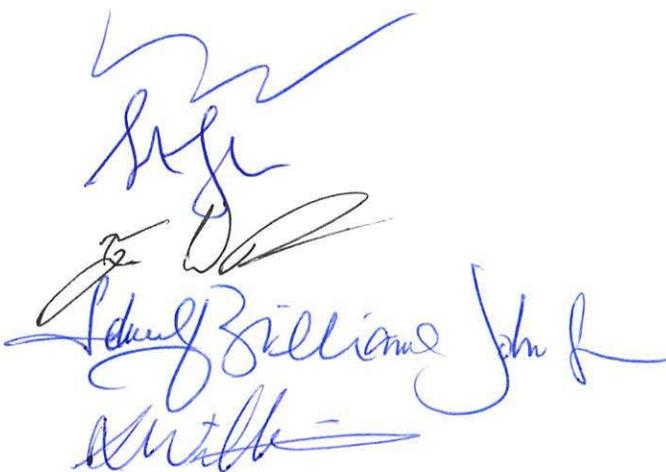
The Department of Planning has further advised that Section 167.131 of the Laws of Westchester County (“LWC”) mandates that a Capital Budget Amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. On November 5, 2025, the Planning Board adopted Resolution No. 25-30 which recommended the County provide NHLA funding respectively in connection with this project, which resolution is annexed hereto for your Honorable Board’s information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board’s consideration.

The Department of Planning has advised your Committee that based on its review, the proposed acquisition and conveyance of the Property may be classified as an “Unlisted” action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, (“SEQRA”). A Resolution and Short Environmental Assessment Form (“EAF”),

prepared by the Department of Planning, are attached to assist your Honorable Board in complying with the requirements of SEQRA. For the reasons set forth in the attached EAF, your Committee believes that this proposed action will not have any significant adverse impact on the environment and accordingly recommends passage of the annexed Resolution prior to enacting the Land Acquisition Act and the NHLA Bond Act.

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 both the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: February 17, 2026
White Plains, New York


John J. Williams John J. Williams
Muller


Muller
St. John
St. John

COMMITTEE ON:
c/cmc/01.09.2026

Budget & Appropriations

Infrastructure & Housing

Dated: February 17, 2026

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
COMMITTEE**

Anant Nambiar

**INFRASTRUCTURE & HOUSING
COMMITTEE**

Anant Nambiar

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL37

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 6,040,000 PPU 30 Anticipated Interest Rate 4.07%

Anticipated Annual Cost (Principal and Interest): \$ 352,637

Total Debt Service (Annual Cost x Term): \$ 10,579,110

Finance Department: Interest rates from January 13, 2026 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

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

SECTION D - EMPLOYMENT

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

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

Prepared by: Blanca P. Lopez

Title: Commissioner

Department: Planning

Date: 1/13/26

Reviewed By: 

Budget Director

Date: 1/14/26
1/14/26

1/14/26

TO: Leonard Gruenfeld, Program Director
Division of Housing and Community Development

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

DATE: January 5, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR
BPL37 NEW HOMES LAND ACQUISITION III
80 Main Street, Village of Ossining**

Pursuant to your request, Environmental Planning staff has reviewed the above referenced project in connection with 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 BPL37 – New Homes Land Acquisition III (Fact Sheet ID# 3070) to support the creation of 25 affordable units at 80 Main Street in the Village of Ossining. Funds from BPL37 will be applied towards the purchase of approximately 1.4 acre of property, consisting of a three-story building and 35 parking spaces, upon which the County will file a restrictive covenant that will require all of the proposed apartments to be marketed and leased to households meeting certain income thresholds for a period of not less than 50 years.

The Property was developed and completed as a market rate rental residential building. The Village of Ossining Planning Board served as lead agency over the environmental review of the overall project and issued a negative declaration pursuant to SEQR on April 24, 2012. However, the building has been unable to obtain a certificate of occupancy from the Village for a number of years following the failure of the retaining wall at the rear of the property that collapsed onto adjacent property. The current owner, per the sale agreement, will rebuild the retaining wall to the satisfaction of the Village prior to the property transfer.

The County of Westchester was not an involved agency at the time of the Village's review of the proposed development. The County's acquisition and sale of the property to facilitate affordable housing is an Unlisted action pursuant to section 617.4(b)(5) under SEQR. Consequently, a Short Environmental Assessment Form has been prepared and is attached for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding this document.

DSK/oav
Att.

cc: Blanca Lopez, Commissioner, Department of Planning
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner
Obad Varughese, Associate Environmental Planner
Douglas Wessells, Planner

Memorandum

WESTCHESTER
COUNTY

Department of Planning
432 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601

TO: Honorable Kenneth W. Jenkins
County Executive

FROM: Blanca P. Lopez
Commissioner

DATE: January 13, 2026

SUBJECT: Acquisition of Real Property – 80 Main Street – Village of Ossining

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York (the “Village”), identified on the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the “Property”) for the purpose of making available 25 affordable housing units (the “Affordable AFFH Units”) that will affirmatively further fair housing (the “Development”).

The County of Westchester (“the County”) intends to finance the purchase of the Property from the current owner in an amount not to exceed \$6,000,000, as a part of Capital Project BPL37 New Homes Land Acquisition III (2024-33). Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Interfaith Council for Action, Inc. (the “Developer”), its successors or assigns, for One (\$1.00) Dollar in order to make available the Affordable AFFH Units for affordable housing purposes.

The Development consists of one existing three-story building that will include a mix of affordable one, two and three-bedroom rental apartments that will be leased to households who earn at or below 50% and up to 60% of the area median income. The Development will also provide approximately 35 parking spaces for residents.

I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County’s efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in *Westchester 2025 - Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning*, adopted May 6, 2008, and

amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;

3. The Development includes green technology, such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources;
4. The Development is consistent with the land use policies and regulations of the Village of Ossining; and
5. On November 5, 2025, the County Planning Board adopted a resolution to recommend County financing towards the purchase of the Property in order to make available the Affordable AFFH Units for affordable housing purposes.

BPL/lg

cc: Richard Wishnie, Deputy County Executive
Joan McDonald, Director of Operations
John M. Nonna, County Attorney
Westchester County Planning Board

RESOLUTION 25- 30

WESTCHESTER COUNTY PLANNING BOARD

**New Homes Land Acquisition II
Capital Project Funding Request
80 Main Street,
Village of Ossining**

WHEREAS, the County of Westchester (the “County”) has established Capital Project BPL37 New Homes Land Acquisition III (“NHLA”) to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Interfaith Community For Action (“IFCA”) (the “Developer”), its successors or assigns, desires to acquire/develop the real property located at 80 Main Street in the Village of Ossining (the “Village”), identified on the tax maps as Section 97.7, Block 2, Lot: 1 & 5 (the “Property”) to create 25 affordable residential units that will further fair housing (the “Affordable Units”) and approximately 35 parking spaces (collectively the “Development”); and

WHEREAS, the County proposes to contribute \$6,000,000 towards the purchase of the Property from the owner of record with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land and the existing building; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable Units constructed on the Property be leased to households who earn at or below 50% and up to 60% of the Westchester County Area Median Income (“AMI”); and

WHEREAS, the County will transfer ownership of the Property to the Developer to acquire one building with a mix of one, two and three-bedroom units to be leased to eligible households, pursuant to an approved Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL37 NHLA III to add the Property, 80 Main Street; Village of Ossining, and authorize bonding in a not to exceed amount of \$6,040,000 (\$40,000 for County Administrative Fee) to develop the Property; and

WHEREAS, the Development is subject to approvals by the Village of Ossining; and

WHEREAS, the funding to support the development of the Affordable 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 acquisition of the Property; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$6,040,000 from BPL37 NHLA III for property acquisition and County administrative costs; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2025 Capital Project requests to include 80 Main Street in the Village of Ossining, as a new component project in Capital Project BPL37 under the heading of Buildings, Land and Miscellaneous.

Adopted this 5th day of November 2025.



Bernard Thombs, Chair

BPL37 New Homes Land Acquisition III (2024-33)

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Total	Approp- riated	2025	2026	2027	2028	2029	Under Review
Gross	150,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	150,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000

PROJECT DESCRIPTION

New Homes Land Acquisition (NHLA) provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development.

In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities.

Between 2019 and 2024, 2,569 units of fair and affordable housing have been completed, are under construction or approved for funding by the Board of Legislators on property acquired through the New Homes Land Acquisition program.

This 2025 Capital Budget Amendment to BPL37 New Homes Land Acquisition III for \$6,040,000 is to fund affordable housing at 80 Main Street in the Village of Ossining. For more information, please see Executive Summary for this project attached to this report.

APPROPRIATION HISTORY

Year	Amount	Description
2024	25,000	Funds this project
2025	25,000	Continuation of this project
Total	50,000	

PROJECT JUSTIFICATION

The New Homes Land Acquisition Fund III will provide the County with funding to acquire land that is suitable for fair and affordable housing and needed to assist with meeting the County's goals of developing of fair and affordable housing units in Westchester County. Further, the funds are instrumental in leveraging funding for the construction of fair and affordable housing county-wide, thus creating new jobs and related economic benefits in the county.

The New Homes Land Acquisition Fund addresses the need to supplement fair and affordable housing resources and to provide new housing units. Together with BPL01 Housing Implementation Fund, BPL1A Housing Implementation Fund II and BPL50 Fair and Affordable Housing, this funding provides a significant mechanism to fulfill the affordable housing goals of Westchester County.

CONSISTENCY WITH PLANS AND PROGRAMS

The project is consistent with the policies of "*Westchester 2025*", the County's long-range land use policies, in that it supports the development of fair and affordable housing.

PLANNING BOARD RECOMMENDATIONS

The Planning Board recommends this 2025 Capital Budget Amendment for 80 Main Street in the Village of Ossining per resolution number 25-30 signed on the following date: 11/5/2025. The Planning Board designates this project as **PL2**.

COMMENTS

The Planning Board strongly supports the continuation of this program which helps reduce infrastructure costs of new housing, making it more affordable. The program is a partnership between the County and local governments to provide affordable housing throughout Westchester. The Planning Department will continue to take the lead in reviewing funding applications and ensuring that the goals of "*Westchester 2025*" continue to be met.

Short Environmental Assessment Form

Part 1 - Project Information

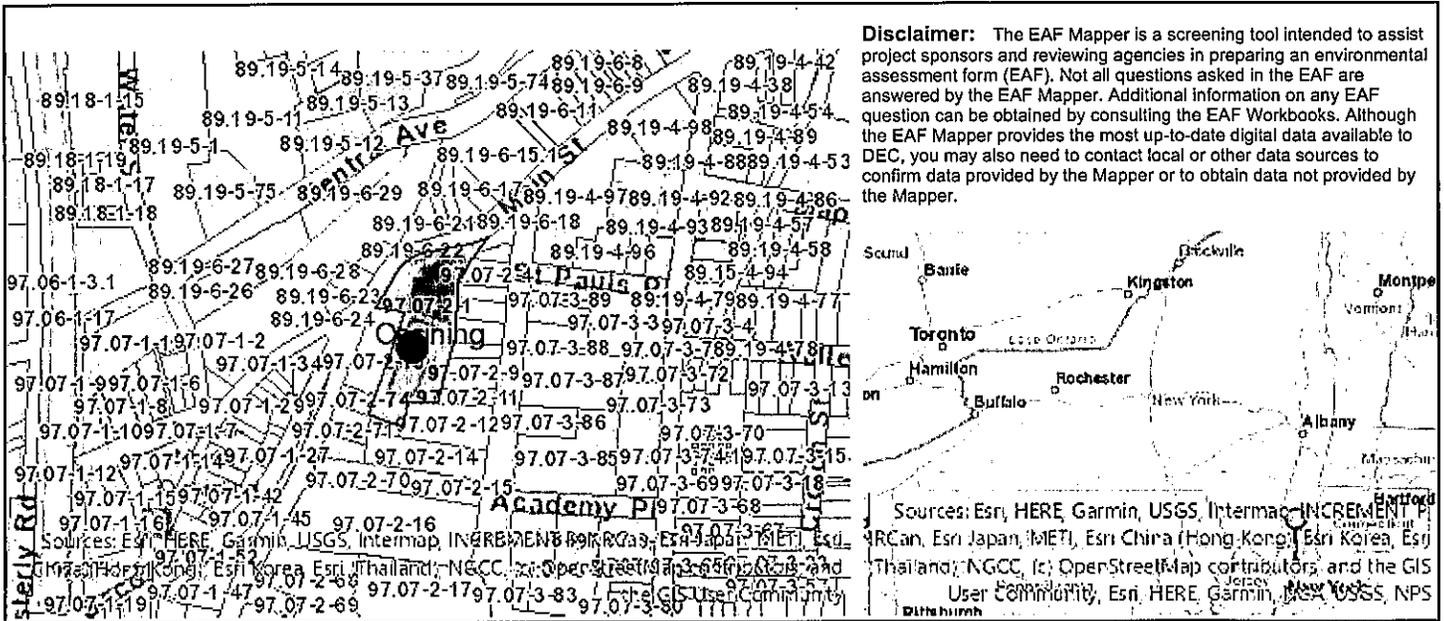
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 80 Main Street Ossining Affordable Housing			
Project Location (describe, and attach a location map): 80 Main Street, Ossining, Westchester County, New York			
Brief Description of Proposed Action: The action involves the provision of County funding to support the creation of 25 affordable units at 80 Main Street in the Village of Ossining. Funds will be applied towards the purchase of approximately 1.4 acre of property, consisting of a three-story building and 35 parking spaces upon which the County will file a restrictive covenant that will require all of the proposed apartments to be marketed and leased to households meeting certain income thresholds for a period of not less than 50 years.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400	
Address: 148 Martine Avenue		E-Mail:	
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<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:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ +/- 1.4 acres			
b. Total acreage to be physically disturbed? _____ 0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ +/- 1.4 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Railroad			
<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 checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90 If Yes, identify: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
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>The Development will be constructed with energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operations and maintenance costs, minimize energy consumption and conserve natural resources. The Development will provide all electric, high performance heating/cooling/domestic hot water equipment.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
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? Calvary Baptist Church and Annex, Downtown Ossining Historic District	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? 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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Hudson River, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project: 80 Main Street OSV

Date: January 2026

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: **80 Main Street OSV**

Date: **January 2026**

**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 project will not have significant adverse impact as the property is already developed and there will be no further land disturbance.

The Hudson River, its islands, and underwater land and all shore lands within the cultural boundaries of its shoreline has been designated a Critical Environmental Area by Westchester County. The Hudson River shoreline was designated due to it's ecological value and important water recreation assets. The proposed action is limited to purchase of real property over 1,000 feet away from the shoreline and will not have adverse impact on the designated Critical Environmental Area.

The proposed action is also near the Downtown Ossining Historic District and Calvary Baptist Church which are on the National Register of Historic Places. The closest historic structure is over 300 feet away and there is no physical disturbance in conjunction with the action. As such, the project will not have adverse impact on the area's historic character.

The site is located near several properties that have been the subject of remediation (ongoing and completed) for hazardous waste. However, these properties are located over 200 feet away from the subject parcel which is already developed. As such, project will not have adverse impact in connection with hazardous waste remediation associated with the aforementioned sites.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderburg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk to the Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

RESOLUTION

WHEREAS, there is pending before this Honorable Board an Act to authorize the County of Westchester to acquire and convey real property located at 80 Main Street in the Village of Ossining, New York (“Village”), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5, for the creation of 25 affordable rental units that will affirmatively further fair housing in Westchester County and to remain affordable for a period of not less than 50 years; and

WHEREAS, this Honorable Board has determined that the proposed real property acquisition and conveyance would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this project is classified as an “Unlisted action,” which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is conducting an uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in

Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the Short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the acquisition and conveyance of real property located at 80 Main Street in the Village of Ossining in support of acquiring the Property in order to make available 25 affordable rental units that will affirmatively further fair housing; and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the Short Environmental Assessment Form, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that the Resolution shall take effect immediately.

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,040,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 80 MAIN STREET, IN THE VILLAGE OF OSSINING, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,040,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,040,000 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 \$6,040,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 1.424 acres of real property located at 80 Main Street, in the Village of Ossining and identified on the tax maps as Section 97.7: Block 2: Lots 1 and 5 (the “AFFH Property”) from the current owner(s) of record at a cost of \$6,040,000, including acquisition and settlement costs, in order to make available 25 affordable housing units that will affirmatively further fair housing

("AFFH"). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is to make available 25 affordable AFFH rental units and 35 parking spaces for residents, at the aggregate estimated maximum cost of \$6,040,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Interfaith Council for Action, Inc. (the "Developer"), its successors or assigns. The County's acquisition of the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,040,000. The plan of financing includes the issuance of \$6,040,000 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 \$6,040,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$6,040,000. 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 \$6,040,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

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

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

the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

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

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

* * *

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

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

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

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

(SEAL)

LEGAL NOTICE

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

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,040,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 80 MAIN STREET, IN THE VILLAGE OF OSSINING, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,040,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,040,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted _____, 20__)

Object or purpose: to finance the cost of the purchase of approximately 1.424 acres of real property located at 80 Main Street, in the Village of Ossining and identified on the tax maps as Section 97.7: Block 2: Lots 1 and 5 (the “AFFH Property”) from the current owner(s) of record at a cost of \$6,040,000, including acquisition and settlement costs, in order to make available 25 affordable housing units that will affirmatively further fair housing (“AFFH”). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk’s office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is to make available 25 affordable AFFH rental units and 35 parking spaces for residents, at the aggregate estimated maximum cost of \$6,040,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Interfaith Council for Action, Inc. (the “Developer”), its successors or assigns. The County’s acquisition of the AFFH Property is set forth in the County’s Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended

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

\$6,040,000 - thirty (30) years

Dated: _____, 20____
White Plains, New York

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

Capital Project Fact Sheet Form

Project ID: *
BPL37

CBA

Fact Sheet Date: *
01/02/2026

Fact Sheet Year *
2026

Project Title: *
NEW HOMES LAND ACQUISITION
III (2024-33)

Legislative District ID:
9

Category *
BUILDINGS, LAND &
MISCELLANEOUS

Department *
PLANNING

Unique Identifier
3070

Overall Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Best Management

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

Other Details

Five Year Capital Program (in Thousands)								
	Estimate d Ultimate Total Cost	Prior Appropri ation	2026	2027	2028	2029	2030	Under Review
Gross	245,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non- County Shares	0	0	0	0	0	0	0	0
Net	245,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000

Expended Obligated Amount (in thousands)

0

Current Bond Request / Description:

Bonding is requested to finance the acquisition of approximately 1.424 acres of real property located at 80 Main Street in the Village of Ossining and identified on the tax maps as Section 97.7: Block 2: Lots: 1 and 5 (the "Property") in order to acquire one three-story building with 25 units that will Further Fair Housing (the "Affordable AFFH Units"). The Development will also include 35 parking spaces for residents.

Financing Plan for Current Request:

Bond/Notes:	6,040,000
Cash:	0
Non-county Shares:	0
Total:	6,040,000

SEQR Classification
UNLISTED

Amount Requested
6,040,000

PPU

Description	Amount	Years
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Expected Design Work Provider

County Staff Consultant Not Applicable

Comments

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL37 and to authorize the County to purchase the land and structure from the current owner for an amount not to exceed \$6,040,000 (includes \$40,000 for County Administrative Costs) to support the acquisition of one three-story residential building with 25 Affordable AFFH rental units and 35 parking spaces. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 50% and up to 60% of the County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to IFCA Housing Network (the "Developer") its successors or assigns for one dollar (\$1.00).

Energy Efficiencies:

THE BUILDING IS EQUIPPED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING AND COOLING SYSTEMS AND WATER CONSERVING FIXTURES.

Appropriation History

Appropriation Year	Amount	Description
2024	25,000,000	FUNDS THIS PROJECT
2025	25,000,000	CONTINUATION OF THIS PROJECT
2026	25,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History
75,000,000

Financing History

Year	Bond Act #	Amount	Issued Amount	Description
25	201	5,900,000	0	632-636 SOUTH BROADWAY YONKERS

Cash History

Year	Amount	Description
------	--------	-------------

Financing History Total
5,900,000

Recommended By:

Department of Planning DVWA	Date 12/04/2025
Department of Public Works RJB4	Date 12/05/2025
Budget Department DEV9	Date 12/05/2025
Requesting Department DVWA	Date 12/08/2025

NEW HOMES LAND ACQUISITION III (2024-33) (BPL37)

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	2026	2027	2028	2029	2030	Under Review
Gross	245,000	50,000		25,000	25,000	25,000	25,000	25,000	70,000
Non County Share									
Total	245,000	50,000		25,000	25,000	25,000	25,000	25,000	70,000

Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2026	25,000,000			25,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2024	25,000,000	Funds this project	AWAITING BOND AUTHORIZATION
2025	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	50,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	50,000,000		50,000,000
Total	50,000,000		50,000,000

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,040,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 80 MAIN STREET, IN THE VILLAGE OF OSSINING, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,040,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,040,000 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 \$6,040,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 1.424 acres of real property located at 80 Main Street, in the Village of Ossining and identified on the tax maps as Section 97.7: Block 2: Lots 1 and 5 (the “AFFH Property”) from the current owner(s) of record at a cost of \$6,040,000, including acquisition and settlement costs, in order to make available 25 affordable housing units that will affirmatively further fair housing

("AFFH"). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is to make available 25 affordable AFFH rental units and 35 parking spaces for residents, at the aggregate estimated maximum cost of \$6,040,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Interfaith Council for Action, Inc. (the "Developer"), its successors or assigns. The County's acquisition of the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$6,040,000. The plan of financing includes the issuance of \$6,040,000 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 \$6,040,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$6,040,000. 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 \$6,040,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

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

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

the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

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

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

* * *

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

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

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

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

(SEAL)

LEGAL NOTICE

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

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,040,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 80 MAIN STREET, IN THE VILLAGE OF OSSINING, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH"); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,040,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,040,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted _____, 20__)

Object or purpose: to finance the cost of the purchase of approximately 1.424 acres of real property located at 80 Main Street, in the Village of Ossining and identified on the tax maps as Section 97.7: Block 2: Lots 1 and 5 (the "AFFH Property") from the current owner(s) of record at a cost of \$6,040,000, including acquisition and settlement costs, in order to make available 25 affordable housing units that will affirmatively further fair housing ("AFFH"). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is to make available 25 affordable AFFH rental units and 35 parking spaces for residents, at the aggregate estimated maximum cost of \$6,040,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Interfaith Council for Action, Inc. (the "Developer"), its successors or assigns. The County's acquisition of the AFFH Property is set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended

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

\$6,040,000 - thirty (30) years

Dated: _____, 20____
White Plains, New York

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

Capital Project Fact Sheet Form

Project ID:*
BPL37

CBA

Fact Sheet Date:*
01/02/2026

Fact Sheet Year*
2026

Project Title:*
NEW HOMES LAND ACQUISITION
III (2024-33)

Legislative District ID:
9

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department*
PLANNING

Unique Identifier
3070

Overall Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Best Management

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

Other Details

Five Year Capital Program (in Thousands)

	Estimate d Ultimate Total Cost	Prior Appropri ation	2026	2027	2028	2029	2030	Under Review
Gross	245,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non- County Shares	0	0	0	0	0	0	0	0
Net	245,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000

Expended Obligated Amount (in thousands)

0

Current Bond Request / Description:

Bonding is requested to finance the acquisition of approximately 1.424 acres of real property located at 80 Main Street in the Village of Ossining and identified on the tax maps as Section 97.7; Block 2; Lots: 1 and 5 (the "Property") in order to acquire one three-story building with 25 units that will Further Fair Housing (the "Affordable AFFH Units"). The Development will also include 35 parking spaces for residents.

Financing Plan for Current Request:

Bond/Notes:	6,040,000
Cash:	0
Non-county Shares:	0
Total:	6,040,000

SEQR Classification
UNLISTED

Amount Requested
6,040,000

PPU

Description	Amount	Years
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Expected Design Work Provider

County Staff Consultant Not Applicable

Comments

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL37 and to authorize the County to purchase the land and structure from the current owner for an amount not to exceed \$6,040,000 (includes \$40,000 for County Administrative Costs) to support the acquisition of one three-story residential building with 25 Affordable AFFH rental units and 35 parking spaces. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 50% and up to 60% of the County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to IFCA Housing Network (the "Developer") its successors or assigns for one dollar (\$1.00).

Energy Efficiencies:

THE BUILDING IS EQUIPPED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING AND COOLING SYSTEMS AND WATER CONSERVING FIXTURES.

Appropriation History

Appropriation Year	Amount	Description
2024	25,000,000	FUNDS THIS PROJECT
2025	25,000,000	CONTINUATION OF THIS PROJECT
2026	25,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History
75,000,000

Financing History

Year	Bond Act #	Amount	Issued Amount	Description
25	201	5,900,000	0	632-636 SOUTH BROADWAY YONKERS

Cash History

Year	Amount	Description
------	--------	-------------

Financing History Total
5,900,000

Recommended By:

Department of Planning DVWA	Date 12/04/2025
Department of Public Works RJB4	Date 12/05/2025
Budget Department DEV9	Date 12/05/2025
Requesting Department DVWA	Date 12/08/2025

NEW HOMES LAND ACQUISITION III (2024-33) (BPL37)

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	2026	2027	2028	2029	2030	Under Review
Gross	245,000	50,000		25,000	25,000	25,000	25,000	25,000	70,000
Non County Share									
Total	245,000	50,000		25,000	25,000	25,000	25,000	25,000	70,000

Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2026	25,000,000			25,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2024	25,000,000	Funds this project	AWAITING BOND AUTHORIZATION
2025	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	50,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	50,000,000		50,000,000
Total	50,000,000		50,000,000

ACT NO. - 2026

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 25 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

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

Section 1. The County of Westchester (the “County”) is hereby authorized to purchase from the current owner(s) of record approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York (“Village”), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the “Property”), for the purpose of creating 25 affordable rental housing units that will affirmatively further fair housing (the “Affordable AFFH Units”) as set forth in 42 U.S.C. Section 5304(b)(2).

§2. The County is hereby authorized to purchase the Property from the current owner(s) of record for an amount not to exceed SIX MILLION (\$6,000,000) DOLLARS.

§3. The County is hereby authorized to convey the Property to Interfaith Council for Action, Inc., its successors or assigns or any entity created to carry out the purposes of the transaction, for One (\$1.00) Dollar to create the Affordable AFFH Units that will be marketed and leased to households earning at or below 50% and up to 60% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

§4. The County is hereby authorized to file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office, which will run with the land and bind the Property and any successor(s) in interest, requiring that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty (50) years.

§5. The period of affordability of the Affordable AFFH Units shall be a minimum of fifty (50) years.

§6. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

§7. The transfer of the Property shall be by such deed as approved by the County Attorney.

§8. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§9. This Act shall take effect immediately.

ACT NO. - 2026

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 25 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

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

Section 1. The County of Westchester (the "County") is hereby authorized to purchase from the current owner(s) of record approximately +/- 1.424 acres of real property located at 80 Main Street in the Village of Ossining, New York ("Village"), identified in the Town of Ossining tax maps as Section 97.7, Block 2, Lots 1 and 5 (the "Property"), for the purpose of creating 25 affordable rental housing units that will affirmatively further fair housing (the "Affordable AFFH Units") as set forth in 42 U.S.C. Section 5304(b)(2).

§2. The County is hereby authorized to purchase the Property from the current owner(s) of record for an amount not to exceed SIX MILLION (\$6,000,000) DOLLARS.

§3. The County is hereby authorized to convey the Property to Interfaith Council for Action, Inc., its successors or assigns or any entity created to carry out the purposes of the transaction, for One (\$1.00) Dollar to create the Affordable AFFH Units that will be marketed and leased to households earning at or below 50% and up to 60% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

§4. The County is hereby authorized to file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office, which will run with the land and bind the Property and any successor(s) in interest, requiring that the Affordable AFFH Units be maintained and marketed in accordance thereto for a period of not less than fifty (50) years.

§5. The period of affordability of the Affordable AFFH Units shall be a minimum of fifty (50) years.

§6. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

§7. The transfer of the Property shall be by such deed as approved by the County Attorney.

§8. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§9. This Act shall take effect immediately.

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

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

Land Purchase and Conveyance. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 0.33 acres of real property located at 19 Greenridge Avenue in the City of White Plains (the "Property") to Sheltering the Homeless is our Responsibility, Inc., its successors or assigns, or any entity created to carry out the purpose of the proposed transaction (the "Developer"), as part of the County's program to support the creation of affordable rental housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act") prepared by the firm of Hawkins, Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed \$1,425,000 as a part of Capital Project BPL37 New Homes Land Acquisition III. The Department of Planning ("Planning") has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$1,425,000 (including \$40,000 for County Administrative costs) to purchase the Property from the current owner(s) of record to create six (6) Affordable AFFH Units (the "Development"). The Development will include approximately twelve (12) parking spaces for the residents.

Your Committee is advised that upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property, to require that the Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible household earning at or below 50% and up to 60% of the Westchester County area median income ("AMI"). The units will remain affordable for a period of not less than fifty (50) years, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and

Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer for One (\$1.00) Dollar to construct the Development which will be an adaptive reuse of an existing vacant building. It is anticipated that the Development will include 1 one-bedroom 3 two-bedroom and 2 three-bedroom units.

Planning has advised that additional funds for the Development are anticipated to include a first mortgage loan from a conventional bank and funding from New York State Homes and Community Renewal ("NYS HCR") through their Small Rental Development Program, for an estimated total Development cost of approximately \$3,635,000.

Planning has further advised that Section 167.131 of the Laws of Westchester County ("LWC") 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 by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. On November 5, 2025, the Planning Board adopted Resolution No. 25-31, which recommended the County provide NHLA funding. The Planning Board Resolutions are attached hereto for your Honorable Board's information. In addition, in accordance with LWC Section 191.41, the Commissioner of Planning has provided a report, which is also attached hereto for your Honorable Board's consideration.

Your Committee has been advised by Planning that based on its review, the proposed Development pursuant to capital project BPL37 may be classified as a "Type II" action under the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 ("SEQR"), pursuant to section 617.5(c)(18), "reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by a special use permit, and the action does not meet or exceed any of the thresholds in section 617.4 of this Part." Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation with regard to capital

project BPL37.

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 Land Acquisition Act and NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: February, 2026
White Plains, New York

[Handwritten signatures]
John J. Gilliam John F. [unclear]
Walt [unclear]

[Handwritten signatures]
Walt [unclear]
John [unclear]
John [unclear]

Budget & Appropriations

Infrastructure & Housing

COMMITTEE ON:

Dated: February 17, 2026
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
COMMITTEE**

Anant Nambiar

**INFRASTRUCTURE & HOUSING
COMMITTEE**

Anant Nambiar

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL37

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

New Homes Land Acquisition III - 19 Greenridge Avenue White Plains

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,425,000 PPU 30 Anticipated Interest Rate 4.07%

Anticipated Annual Cost (Principal and Interest): \$ 83,150

Total Debt Service (Annual Cost x Term): \$ 2,494,500

Finance Department: Interest from January 13, 2026 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

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

Prepared by: Blanca P. Lopez

Title: Commissioner

Department: Planning

Date: 1/13/26

Reviewed By: 

dy 1/14/26
@ 1/14/26
Date:

Budget Director

1/14/26

TO: Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

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

DATE: January 12, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
NEW HOMES LAND ACQUISITION III (2024-33)
19 Greenridge Avenue, White Plains**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 12-04-2025 (Unique ID: 3071)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(18):** reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part.
-

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Leonard Gruenfeld, Program Administer
Claudia Maxwell, Principal Environmental Planner
Douglas Wessels, Planner

Memorandum

WESTCHESTER
COUNTY

**Department of Planning
432 Michaelian Office Building
148 Martine Avenue
White Plains, NY 10601**

TO: Honorable Kenneth W. Jenkins
County Executive

FROM: Blanca P. Lopez
Commissioner

DATE: January 16, 2026

SUBJECT: Acquisition of Real Property – 19 Greenridge Avenue –City of White Plains

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 0.33 acres of real property located at 19 Greenridge Avenue in the City of White Plains, identified on the City tax maps as Section 130.28; Block 9; Lot: 6 (the “Property”) for the purpose of creating 6 affordable housing units (the “Affordable AFFH Units”), that will affirmatively further fair housing (“AFFH”). The development will also provide approximately 12 on-site parking spaces for residents.

The County of Westchester (“the County”) intends to finance the purchase of the Property from the current owner in an amount not to exceed \$1,425,000 (including \$40,000 for County Administrative costs) as a part of Capital Project BPL37 New Homes Land Acquisition III. Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Sheltering the Homeless is our Responsibility, Inc. (the “Developer”), its successors or assigns, for One (\$1.00) Dollar.

The Developer proposes to adaptively reuse one three-story building that will include a mix of affordable one, two and three-bedroom rental apartments that will be leased to households who earn at or below 50% and up to 60% of the area median income (collectively the “Development”).

I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County’s efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in *Westchester 2025 - Context for County and Municipal Planning*

in Westchester County and Policies to Guide County Planning, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;

3. The Development is proposed to include green technology, such as energy efficient appliances, lighting and heating systems and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. The Development is designed to meet the sustainability guidelines of New York State Homes and Community Renewal;
4. The Development is consistent with the land use policies and regulations of the City of White Plains; and
5. On November 5, 2025, the County Planning Board adopted a resolution to recommend County financing towards the purchase the Property to support the Development.

BPL/lg

cc: Richard Wishnie, Deputy County Executive
Joan McDonald, Director of Operations
John M. Nonna, County Attorney
Westchester County Planning Board

RESOLUTION 25-31

WESTCHESTER COUNTY PLANNING BOARD

**New Homes Land Acquisition II
Capital Project Funding Request
19 Greenridge Avenue,
City of White Plains**

WHEREAS, the County of Westchester (the “County”) has established Capital Project BPL37 New Homes Land Acquisition III (“NHLA”) to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

WHEREAS, Sheltering the Homeless is our Responsibility, Inc. (“SHORE”) (the “Developer”), its successors or assigns, desires to acquire/develop the real property located at 19 Greenridge Avenue in the City of White Plains (the “City”), identified on the tax maps as Section 130.28, Block 9, Lot: 6 (the “Property”) to create 6 affordable residential units that will further fair housing (the “Affordable Units”) and approximately 12 parking spaces (collectively the “Development”); and

WHEREAS, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$1,385,000 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land and the existing building; and

WHEREAS, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable Units constructed on the Property be leased to households who earn at or below 50% and up to 60% of the Westchester County Area Median Income (“AMI”); and

WHEREAS, the County will transfer ownership of the Property to the Developer to acquire one building with a mix of one, two and three-bedroom units to be leased to eligible households, pursuant to an approved Fair Housing Marketing Plan, for a minimum of 50 years; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL37 NHLA III to add the Property, 19 Greenridge Avenue; City of White Plains, and authorize bonding in a not to exceed amount of \$1,425,000 (\$40,000 for County Administrative Fee) to develop the Property; and

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

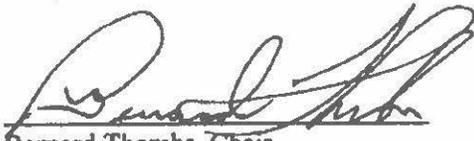
WHEREAS, the funding to support the development of the Affordable Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board’s adopted long-range land use and development policies, by contributing to the development of “a range of housing 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 acquisition of the Property; and

RESOLVED, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$1,425,000 from BPL37 NHLA III for property acquisition and County administrative costs; and be it further

RESOLVED, that the Westchester County Planning Board amends its report on the 2025 Capital Project requests to include 19 Greenridge Avenue in the City of White Plains, as a new component project in Capital Project BPL37 under the heading of Buildings, Land and Miscellaneous.

Adopted this 5th day of November 2025.



Bernard Thombs, Chair

BPL37 New Homes Land Acquisition III (2024-33)

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Total	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	150,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	150,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000

PROJECT DESCRIPTION

New Homes Land Acquisition (NHLA) provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development.

In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities.

Between 2019 and 2024, 2,569 units of fair and affordable housing have been completed, are under construction or approved for funding by the Board of Legislators on property acquired through the New Homes Land Acquisition program.

This 2025 Capital Budget Amendment to BPL37 New Homes Land Acquisition III for \$1,425,000 is to fund affordable housing at 19 Greenridge Ave. in the City of White Plains. For more information, please see Executive Summary for this project attached to this report.

APPROPRIATION HISTORY

Year	Amount	Description
2024	25,000	Funds this project
2025	25,000	Continuation of this project
Total	50,000	

PROJECT JUSTIFICATION

The New Homes Land Acquisition Fund III will provide the County with funding to acquire land that is suitable for fair and affordable housing and needed to assist with meeting the County's goals of developing of fair and affordable housing units in Westchester County. Further, the funds are instrumental in leveraging funding for the construction of fair and affordable housing county-wide, thus creating new jobs and related economic benefits in the county.

The New Homes Land Acquisition Fund addresses the need to supplement fair and affordable housing resources and to provide new housing units. Together with BPL01 Housing Implementation Fund, BPL1A Housing Implementation Fund II and BPL50 Fair and Affordable Housing, this funding provides a significant mechanism to fulfill the affordable housing goals of Westchester County.

CONSISTENCY WITH PLANS AND PROGRAMS

The project is consistent with the policies of "*Westchester 2025*", the County's long-range land use policies, in that it supports the development of fair and affordable housing.

PLANNING BOARD RECOMMENDATIONS

The Planning Board recommends this 2025 Capital Budget Amendment for 19 Greenridge Ave. in the City of White Plains per resolution number 25-31 signed on the following date: 11/5/2025. The Planning Board designates this project as **PL2**.

COMMENTS

The Planning Board strongly supports the continuation of this program which helps reduce infrastructure costs of new housing, making it more affordable. The program is a partnership between the County and local governments to provide affordable housing throughout Westchester. The Planning Department will continue to take the lead in reviewing funding applications and ensuring that the goals of "*Westchester 2025*" continue to be met.

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 19 GREENRIDGE AVENUE, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,425,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,425,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20__)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and other laws applicable thereto, bonds of the County in the aggregate amount of \$1,425,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 0.33 acres of real property located at 19 Greenridge Avenue, in the City of White Plains and identified on the tax maps as Section 130.28: Block 9: Lot 6 (the “AFFH Property”) from the current owner(s) of record at a cost of \$1,425,000, including acquisition, settlement, and County administrative costs, in order to support the construction of 6 affordable housing units that will affirmatively further fair

housing (“AFFH”). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk’s office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 6 affordable AFFH rental units and 12 parking spaces for residents, at the aggregate estimated maximum cost of \$1,425,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Sheltering the Homeless is our Responsibility, Inc., (the “Developer”), its successors or assigns. The County’s acquisition of the AFFH Property is set forth in the County’s Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,425,000. The plan of financing includes the issuance of \$1,425,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$1,425,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant

to this Bond Act, in the maximum amount of \$1,425,000. 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 \$1,425,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved.

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

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and

provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

* * *

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

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

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

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

(SEAL)

LEGAL NOTICE

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

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 19 GREENRIDGE AVENUE, IN THE CITY OF WHITE PLAINS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,425,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,425,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted _____, 20__)

Object or purpose: to finance the cost of the purchase of approximately 0.33 acres of real property located at 19 Greenridge Avenue, in the City of White Plains and identified on the tax maps as Section 130.28: Block 9: Lot 6 (the “AFFH Property”) from the current owner(s) of record at a cost of \$1,425,000, including acquisition, settlement, and County administrative costs, in order to support the construction of 6 affordable housing units that will affirmatively further fair housing (“AFFH”). The County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk’s office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 6 affordable AFFH rental units and 12 parking spaces for residents, at the aggregate estimated maximum cost of \$1,425,000 for the acquisition of the AFFH Property. The AFFH Property shall be acquired by the County, subjected to said Declaration of Restrictive Covenants and subsequently conveyed to Sheltering the Homeless is our Responsibility, Inc., (the “Developer”), its successors or assigns. The County’s acquisition of the AFFH Property is set forth in the County’s Current Year Capital Budget, as

amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended

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

\$1,425,000 - thirty (30) years

Dated: _____, 20____
White Plains, New York

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

Capital Project Fact Sheet Form

Project ID: *
BPL37

CBA

Fact Sheet Date: *
01/02/2026

Fact Sheet Year *
2026

Project Title: *
NEW HOMES LAND ACQUISITION
III (2024-33)

Legislative District ID:
8

Category *
BUILDINGS, LAND &
MISCELLANEOUS

Department *
PLANNING

Unique Identifier
3071

Overall Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Best Management

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

Other Details

Five Year Capital Program (in Thousands)

	Estimate d Ultimate Total Cost	Prior Appropri ation	2026	2027	2028	2029	2030	Under Review
Gross	245,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000
Less Non- County Shares	0	0	0	0	0	0	0	0
Net	245,000	50,000	25,000	25,000	25,000	25,000	25,000	70,000

Expended Obligated Amount (in thousands)

0

Current Bond Request / Description:

Bonding is requested to finance the acquisition of approximately 0.33 acre of real property located at 19 Greenridge Avenue in the City of White Plains and identified on the tax maps as Section 130.28: Block 9: Lot: 6 (the "Property") in order to construct 6 units of rental housing that will Further Fair Housing (the "Affordable AFFH Units"). The Development will also include 12 parking spaces for residents.

Financing Plan for Current Request:

Bond/Notes:	1,425,000
Cash:	0
Non-county Shares:	0
Total:	1,425,000

SEQR Classification
TYPE II

Amount Requested
1,425,000

PPU

Description	Amount	Years
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Expected Design Work Provider

County Staff Consultant Not Applicable

Comments

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL37 and to authorize the County to purchase the land and structure from the current owner for an amount not to exceed \$1,425,000 (including \$40,000 for County Administrative Costs) to support the adaptive reuse of a three-story building into 6 Affordable AFFH rental units and 12 parking spaces. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 50% and up to 60% of the County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to Sheltering the Homeless is our Responsibility, Inc., (the "Developer") its successors or assigns for one dollar (\$1.00).

Energy Efficiencies:

THE BUILDING WILL BE CONSTRUCTED WITH ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING AND COOLING SYSTEMS AND WATER CONSERVING FIXTURES. THE DEVELOPMENT IS DESIGNED TO MEET THE GREEN BUILDING STANDARDS OF NEW YORK STATE HOMES AND COMMUNITY RENEWAL.

Appropriation History

Appropriation Year	Amount	Description
2024	25,000,000	FUNDS THIS PROJECT
2025	25,000,000	CONTINUATION OF THIS PROJECT
2026	25,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History
75,000,000

Financing History

Year	Bond Act #	Amount	Issued Amount	Description
25	201	5,900,000	0	632-636 SOUTH BROADWAY YONKERS

Cash History

Year	Amount	Description
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Financing History Total
5,900,000

Recommended By:

Department of Planning DVWA	Date 12/04/2025
Department of Public Works RJB4	Date 12/05/2025
Budget Department DEV9	Date 12/05/2025
Requesting Department DVWA	Date 12/08/2025

NEW HOMES LAND ACQUISITION III (2024-33) (BPL37)

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	2026	2027	2028	2029	2030	Under Review
Gross	245,000	50,000		25,000	25,000	25,000	25,000	25,000	70,000
Non County Share									
Total	245,000	50,000		25,000	25,000	25,000	25,000	25,000	70,000

Project Description

This project provides funds to acquire property for the construction of fair and affordable housing. The purpose of the New Homes Land Acquisition (NHLA) Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Funds can be used in all municipalities.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2026	25,000,000			25,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2024	25,000,000	Funds this project	AWAITING BOND AUTHORIZATION
2025	25,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	50,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	50,000,000		50,000,000
Total	50,000,000		50,000,000

ACT NO. - 2026

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.33 acres of real property located at 19 Greenridge Avenue in the City of White Plains and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 6 affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

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

Section 1. The County of Westchester (the "County") is hereby authorized to purchase from the current owner(s) of record approximately +/- 0.33 acres of real property located at 19 Greenridge Avenue in the City of White Plains, (the "Property") to construct 6 affordable rental housing units that will affirmatively further fair housing (the "Affordable AFFH Units") as set forth in 42 U.S.C. Section 5304(b)(2).

§2. The County is hereby authorized to purchase the Property from the current owner(s) of record for an amount not to exceed ONE MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND (\$1,425,000) DOLLARS (including \$40,000 for County Administrative costs).

§3. The County is hereby authorized to convey the Property to Sheltering the Homeless is our Responsibility, Inc., its successors or assigns or any entity created to carry out the purposes of the transaction, for One (\$1.00) Dollar to construct the Affordable AFFH Units that will be marketed and leased to households earning at or below 50% and up to 60% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S.

Department of Housing and Urban Development.

§4. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

§5. The transfers of the Property shall be by such deeds as approved by the County Attorney.

§6. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§7. This Act shall take effect immediately.