

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

Your Committee is in receipt of an amended bond act ("Amended Bond Act") in the total amount of \$2,510,000 which includes \$310,000 in previously authorized bonds of the County of Westchester ("County") to finance Capital Project RMAC3 – V.E. Macy Park Site Work ("RMAC3"). The Amended Bond Act, which was prepared by the law firm Harris Beach, PLLC, is required to finance the cost of recreational area improvements to the County's V.E. Macy Park in Ardsley ("Park"), including construction and construction management for the rehabilitation of the playground and group picnic areas, soccer, baseball fields and associated work.

The Department of Parks, Recreation and Conservation ("Department") has advised that RMAC3 is necessary due to increased popularity of the Park and its programming which has occurred since the addition of soccer and baseball fields. The upgrades will help the Park keep up with its demand.

Design is currently underway and is expected to be completed by the first quarter of 2021. The design work will be completed by in-house staff. It is estimated that construction will take six months to complete 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 to finance RMAC3, as follows: Bond Act No. 340-2016 in the amount of \$310,000 to finance design of infrastructure and site work improvements including new score boards, equipment, curbing, bleachers, benches, dugouts, fencing, improvements to the soccer and baseball fields, accessory play structures, picnic facilities, irrigation system upgrades, stormwater controls and associated site work and landscaping. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 340-2016 be amended to increase the total amount authorized by \$2,200,000 for a total authorized amount, as amended, of \$2,510,000 to revise the scope of Bond Act No. 340-2016 to include work associated with the construction phase of the project and to increase the period of probable usefulness of said bonds.

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

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as an "Unlisted" action under the State Environmental Quality Review Act ("SEQR"). A Resolution, and proposed Negative Declaration, along with an Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQR. Should your Honorable Board conclude that the proposed action will not have any significant impact on the environment; it must approve the Resolution adopting the Negative Declaration prior to enacting the aforementioned Amended Bond Act. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Dated: January 25, 2021  
White Plains, New York

*Benjamin Boyfanti*

*Benjamin Boyfanti  
Chair*

*Benjamin Boyfanti  
K. J. Scull*

*Parks & Recreation*  
COMMITTEE ON

*Budget & Appropriations*

*Public Works  
& Transportation*

Dated: January 25, 2021  
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**Parks & Recreation**

David Q. Jabrob  
Klamm R. Maher  
Mary Jane Skimchy  
Ruth Walter  
Catherine F. Parker

**Budget & Appropriations**

Vedat Galin  
Klamm R. Maher  
Margaret A. Cunjio  
Alfred Willis  
Catherine F. Parker  
David Q. Jabrob  
Christy  
Ruth Walter  
Ty H

**Public Works & Transportation**

Vedat Galin  
Mary Jane Skimchy  
Christy  
Catherine F. Parker  
David Q. Jabrob  
Ruth Walter  
Ty H

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RMAC3

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 \$ 2,510,000 PPU 15 Anticipated Interest Rate 1.04%

Anticipated Annual Cost (Principal and Interest): \$ 182,245

Total Debt Service (Annual Cost x Term): \$ 2,733,675

Finance Department: Interest rates from October 27, 2020 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: 27

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Ken Uhle

Title: Program Coord. Capital Planning PRC

Department: DPW&T

Date: 11/2/20

Reviewed By: [Signature]

Budget Director

Date: 11/3/20

TO: Michelle Greenbaum, Assistant County Attorney  
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 28, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RMAC3 V.E. MACY PARK SITE WORK**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-14-2020 (Unique ID: 1505)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further 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.
  - **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. 9 -2021

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED NOVEMBER 14, 2016 IN RELATION TO FINANCING THE COST OF RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; AT THE TOTAL ESTIMATED COST OF \$2,510,000. (Adopted 01/25, 2021 ).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance planning recreational area improvements to V.E. Macy Park in Ardsley, at the estimated maximum cost of \$310,000, pursuant to Act No. 340-2016 duly adopted on November 14, 2016, and it has now been determined that the period of probable usefulness for such planning may be increased so that it shall be equal to the period of probable usefulness for such improvements; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the appropriation for such project by \$2,200,000 for estimated costs of such improvements;

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 (A).** The bond act duly adopted by this Board on November 14, 2016, entitled:

“(BOND) ACT NO. 340-2016

BOND ACT AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$310,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$310,000 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 to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,510,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF RECREATIONAL AREA IMPROVEMENTS TO V.E. MACY PARK IN ARDSLEY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,510,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,510,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted, January 25, 2021)

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, \$2,510,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of recreational area improvements to V.E. Macy Park in Ardsley, including construction and construction management for the rehabilitation of the playground and group picnic areas, soccer, baseball fields and associated work; all as set forth in the County's current year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated

maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$2,510,000. The plan of financing includes the issuance of \$2,510,000 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 bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$2,510,000. 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 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:

(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 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.

\* \* \*

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> RMAC3	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-02-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> V.E. MACY PARK SITE WORK	<b>Legislative District ID:</b> 12,
<b>Category*</b> RECREATION FACILITIES	<b>Department:*</b> PARKS, RECREATION & CONSERVATION	<b>CP Unique ID:</b> 1505

**Overall Project Description**

The project provides design and construction for site work and rehabilitation of the playground and group picnic areas at the park.

- |   |  |  |
|---|--|--|
| <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	2020	2021	2022	2023	2024	Under Review
<b>Gross</b>	2,760	2,760	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	2,760	2,760	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 232

**Current Bond Description:** This request will fund construction and construction management for the rehabilitation of the playground and group picnic areas as well as the soccer and baseball fields.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,200,000
Cash:	0
<b>Total:</b>	<b>\$ 2,200,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

2,200,000

**Comments:**

This request is to amend bond act 340-2016 upward and add construction.

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2014	250,000	DESIGN AND CONSTRUCTION FOR REPLACEMENT OF EXISTING PLAYGROUND AND RESERVED PICNIC AREAS
2016	310,000	DESIGN - UPGRADES TO IRRIGATION SYSTEM, REHABILITATION OF BALL FIELDS, LOOP PATH, AND STORM WATER CONTROL
2017	2,200,000	CONSTRUCTION.

**Total Appropriation History:**

2,760,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
14	146	250,000	108,531	V.E. MACY PARK SITE WORK
16	340	310,000	0	PLANNING RECREATIONAL AREA IMPROVEMENTS

**Total Financing History:**

560,000

**Recommended By:****Department of Planning**

WBB4

**Date**

09-14-2020

**Department of Public Works**

RJB4

**Date**

09-14-2020

**Budget Department**

GKGA

**Date**

09-18-2020

**Requesting Department**

KUU1

**Date**

09-21-2020

## V.E. MACY PARK SITE WORK ( RMAC3 )

**User Department :** Parks, Recreation & Conservation  
**Managing Department(s) :** Parks, Recreation & Conservation ; Public Works ;  
**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	2020	2021	2022	2023	2024	Under Review
Gross	2,760	2,760	232						
Non County Share									
<b>Total</b>	<b>2,760</b>	<b>2,760</b>	<b>232</b>						

### **Project Description**

The project provides design and construction for site work and rehabilitation of the playground and group picnic areas at the park.

### **Current Year Description**

There is no current year request.

### **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
2014	250,000	Design and construction for replacement of existing playground and reserved picnic areas	DESIGN
2016	310,000	Design - upgrades to irrigation system, rehabilitation of ball fields, loop path, and storm water control	DESIGN
2017	2,200,000	Construction.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>2,760,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	2,760,000	108,531	2,651,469
<b>Total</b>	<b>2,760,000</b>	<b>108,531</b>	<b>2,651,469</b>

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
146 14	250,000	12/15/17	19,162	141,469
		12/15/17	3,518	
		12/15/17	30	
		12/10/18	85,820	
340 16	310,000			310,000
<b>Total</b>	<b>560,000</b>		<b>108,531</b>	<b>451,469</b>

STATE OF NEW YORK )  
 )  
COUNTY OF WESTCHESTER )

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on January 25, 2021 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given  
January 21, 2021

WVOX  
FIOS1  
News Channel 12  
The Journal News  
Pluma Libre  
Hometown Media

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

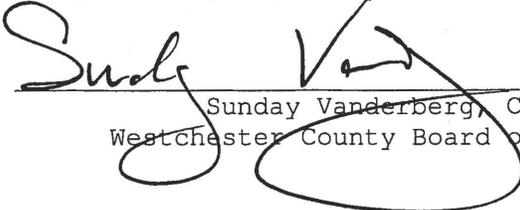
Designated Location(s)  
of posted notice

Date of Posting  
January 21, 2021

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 26, 2021.



  
\_\_\_\_\_  
Sunday Vanderberg, Clerk  
Westchester County Board of Legislators

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

AYES:

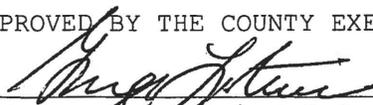
Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Kitley Covill  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator Catherine Parker  
Legislator MaryJane Shimsky  
Legislator Colin Smith  
Legislator David Tubiolo  
Legislator Ruth Walter  
Legislator Alfreda Williams  
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \* \* \*  
APPROVED BY THE COUNTY EXECUTIVE

  
Date: 1-26-21

STATE OF NEW YORK            )  
  )    ss.  
WESTCHESTER COUNTY        )

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 9 - 2021, 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 January 25, 2021, and approved by the County Executive on January 26, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 29<sup>th</sup> day of January, 2021.

*Malika Vanderberg*  
\_\_\_\_\_

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

