

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$2,000,000 in additional bonds of the County to finance capital project BPL40 – Stormwater Management – Various Facilities (“BPL40”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s capital budget to increase the County share for BPL40 by \$900,000. The Department of Planning (“Department”) has advised your Committee has advised that BPL40 will demonstrate proven bioengineering technology and methods to not only improve the resilience of the coastal shoreline and associated land and infrastructure landward, but enhance the resiliency and improve the habitat of the shoreline and aquatic environment in the area. Additional funds are necessary due to significant cost increases associated with the project are the result of increases in costs of materials and labor, as well as methods of construction and project modifications required by state and federal permitting agencies.

Design has been finalized by a consultant and permits have been acquired from the United States Army Corps of Engineers, New York State Department of Environmental Conservation, and New York State Department of State. 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 authorized the County to issue bonds for BPL40 as indicated in the annexed fact sheet and as follows: Bond Act No. 91-2022 in the amount of \$2,000,000, which authorized financing for design and installation of a living shoreline/artificial reef. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 91-2022 be amended to increase the amount authorized by \$2,000,000, for a total authorized amount, as amended, of \$4,000,000.

The Planning Department has advised your Committee that based on its review, BPL40 was previously reviewed by the Westchester County Board of Legislators, which classified the project as a Type I action under SEQR. In accordance with SEQR, a Full Environmental Assessment Form was prepared and, on April 26, 2021, a Negative Declaration was issued by the Board of Legislators (Resolution 88-2021). Since the current request is for an increase in funding with no change in the scope of the project, the original Negative Declaration remains valid and no further environmental review is required. Your Committee concurs with this conclusion.

Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board report for the Capital Budget Amendment is annexed.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Amended Bond Act.

Dated: *October 2<sup>nd</sup>*, 2023.  
White Plains, New York

*James Bell Johnson*  
*Self*  
*Syenna Brandt*  
*Vedat Fathi*  
*Calvin Park*  
*Marye Pan*  
*David Brown*

*Self*  
*Vedat Fathi*  
*Calvin Park*  
*Marye Pan*

**COMMITTEE ON**


s/mg/7-26-23

Budget & Appropriations


Public Works & Transportation

Dated: October 2, 2023  
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.*



Colin J. Smith



Colin J. Smith

**COMMITTEES ON**

**Budget & Appropriations**

**Public Works & Transportation**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL40

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 \$ 4,000,000 PPU 5 Anticipated Interest Rate 3.05%

Anticipated Annual Cost (Principal and Interest): \$ 885,021

Total Debt Service (Annual Cost x Term): \$ 4,425,105

Finance Department: Interest rates from September 6, 2023 Bond Buyer - ASBA

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

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

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## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 43

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning

Date: 9/6/23

Reviewed By: 

Budget Director

Date: 9/8/23

*09/17/23*

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

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



DATE: July 26, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT  
BPL40 STORMWATER MANAGEMENT – VARIOUS COUNTY  
FACILITIES II (LIVING SHORELINE/ARTIFICIAL REEF, RYE)**

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The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2257) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

This project was previously reviewed by the Westchester County Board of Legislators, which classified the project as a Type I action under SEQR. In accordance with SEQR, a Full Environmental Assessment Form was prepared and, on April 26, 2021, a Negative Declaration was issued by the Board of Legislators (Resolution 88-2021). Since the current request is for an increase in funding with no change in the scope of the project, the original Negative Declaration remains valid and no further environmental review is required.

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

DSK/cnm

cc: 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  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 23- 7

**WESTCHESTER COUNTY PLANNING BOARD**  
**Amendment of Planning Board Report on 2023 Capital Project Requests**

**BPL40 Stormwater Management – Various County Facilities II**  
**Living Shoreline at Edith Read and Playland Park,**  
**City of Rye**

**WHEREAS**, the County of Westchester has established **Capital Project BPL40 Stormwater Management – Various County Facilities II**, a general fund, to fund projects that reduce stormwater pollution, reduce flooding and restore floodplains, improve water quality and riparian health, and can be used to demonstrate best management practices to all municipalities; and

**WHEREAS**, the County Planning Board previously approved funding for this project, by Resolution 20-12 dated July 7<sup>th</sup>, 2020; and

**WHEREAS**, the barrier beach located at the eastern edge of Playland Park has undergone significant coastal erosion during severe coastal storms over the past three decades. This beach area is a thin strip of land that contains the driveway entrance to the Edith Read Sanctuary and serves as a barrier between the Long Island Sound and Manursing Lake. Armoring the shoreline and other attempts at coastal protective practices have not been able to provide long-term solutions to this erosion. The breakwater features are designed to temper the wave action at the beach and include boulder sills and reef balls; and

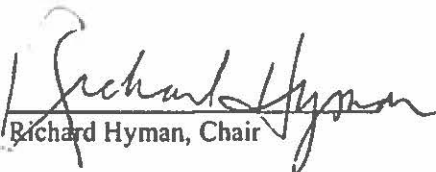
**WHEREAS**, due to significant cost escalations from pandemic related supply and labor costs as well as changes to the project and construction methods a capital budget amendment in the amount of \$2,000,000 is requested; and

**WHEREAS**, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL40, Stormwater Management – Various County Facilities II, to add additional funds to Capital Project BPL40 and authorize bonding to fund project costs; and

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

**RESOLVED**, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2023 Capital Project Requests to include the additional funding request for Living Shoreline at Edith Read and Playland Park, Rye under Capital Project BPL40, Stormwater Management – Various County Facilities II.

Adopted this 6<sup>th</sup> day of June 2023

  
Richard Hyman, Chair