

**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 a bond act (the “Bond Act”) in the amount of \$300,000 to finance a portion of capital project RM102 – Marshlands Site Work (“RM102”).

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield and Wood, LLP, will fund the cost of design associated with various site improvements at the Marshlands Conservancy in Rye. Work will include resurfacing the entrance drive and parking lots, providing additional parking spaces, pathways and boardwalks, environmental education gathering spaces, drainage, landscaping and other related improvements.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by consultants. It is estimated that construction will take twelve (12) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board’s further approval of construction funding.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project may be 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 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 in order to adopt the Bond Act. For the reasons set forth above, your Committee respectfully recommends adoption of the proposed Bond Act.

Dated: June 17<sup>th</sup>, 2024

White Plains, New York

Henry Zelen John  
SAG  
Don J. [unclear]  
Maryellen  
[unclear]  
[unclear]  
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Henry Zelen John  
Maryellen  
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Don J. [unclear]  
SAG  
Maryellen  
[unclear]

Budget & Appropriations  
COMMITTEE ON

Public works &  
Transportation

Parks & Environment

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RM102

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 \$ 300,000 PPU 5 Anticipated Interest Rate 3.05%

Anticipated Annual Cost (Principal and Interest): \$ 66,404

Total Debt Service (Annual Cost x Term): \$ 332,020

Finance Department: Interest rates from May 22, 2024 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: 3

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 5/28/24

Reviewed By: 

05/28/24 Budget Director

Date: 5/28/24

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: April 16, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RM102 MARSHLANDS SITE WORK**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 04-01-2024 (Unique ID: 2493)

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.

DSK/jfg

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  
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation  
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation  
Robert Lopane, Program Coordinator, Department of Public Works & Transportation  
Susan Darling, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Principal Environmental Planner

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

BOND ACT AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING OF SITE IMPROVEMENTS FOR MARSHLAND IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$300,000 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 to the provisions of other laws applicable thereto, \$300,000 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 planning Marshland improvements, including resurfacing the entrance drive and parking lots, providing additional parking spaces, pathways and boardwalks, environmental education gathering spaces, drainage, landscaping and other related site improvements, all as set forth in the County's Current Year



Capital Budget, as amended. The total estimated cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$300,000. The plan of financing includes the issuance of \$300,000 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 of said specific object or purpose, within the limitations of Section 11.00 a. 62(2<sup>nd</sup>) 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 \$300,000. 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 \$300,000 as the estimated total 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 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\_\_\_\_.

(SEAL)

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



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 \$300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING OF SITE IMPROVEMENTS FOR MARSHLAND IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$300,000 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 planning Marshland improvements, including resurfacing the entrance drive and parking lots, providing additional parking spaces, pathways and boardwalks, environmental education gathering spaces, drainage, landscaping and other related site improvements, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued and period of probable usefulness: \$300,000; 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:\***  
RM102

CBA

**Fact Sheet Date:\***  
03-07-2024

**Fact Sheet Year:\***  
2024

**Project Title:\***  
MARSHLANDS SITE WORK

**Legislative District ID:**  
7,

**Category\***  
RECREATION FACILITIES

**Department:\***  
PARKS, RECREATION &  
CONSERVATION

**CP Unique ID:**  
2493

**Overall Project Description**

This project will fund infrastructure and site work improvements at the Marshlands Conservancy.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies     | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	4,000	900	0	3,100	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	4,000	900	0	3,100	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 0

**Current Bond Description:** This request will fund the design of site improvements including resurfacing the entrance drive and parking lots, providing additional parking spaces, pathways and boardwalks, environmental education gathering spaces, drainage, landscaping and other related site improvements.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	300,000
Cash:	0
<b>Total:</b>	<b>\$ 300,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

300,000

**Expected Design Work Provider:**

- County Staff                       Consultant                       Not Applicable

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2008	600,000	STUDY AND IMPLEMENTATION OF FINDINGS
2018	300,000	DESIGN.

**Total Appropriation History:**

900,000

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
MLLL

**Date**  
04-01-2024

**Department of Public Works**  
RJB4

**Date**  
04-03-2024

**Budget Department**  
DEV9

**Date**  
04-04-2024

**Requesting Department**  
RCL3

**Date**  
04-05-2024

## MARSHLANDS SITE WORK ( RM102 )

**User Department :** Parks, Recreation & Conservation

**Managing Department(s) :** Parks, Recreation & Conservation ;

**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	2024	2025	2026	2027	2028	Under Review
Gross	4,000	900			3,100				
Non County Share									
<b>Total</b>	<b>4,000</b>	<b>900</b>			<b>3,100</b>				

**Project Description**

This project will fund infrastructure and site work improvements at the Marshlands Conservancy.

**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
2008	600,000	Study and implementation of findings	AWAITING BOND AUTHORIZATION
2018	300,000	Design.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>900,000</b>		

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	900,000		900,000
<b>Total</b>	<b>900,000</b>		<b>900,000</b>