



Public Works & Transportation Meeting Agenda

Committee Chair: Vedat Gashi

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

Wednesday, September 15, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting joint with the Committee on Budget & Appropriations

MINUTES APPROVAL

Monday, August 9, 2021 at 10:00 AM Minutes

I. ITEMS FOR DISCUSSION

1. [2021-477](#) **ACT-Release of Reverter Clause-SMR Pkwy., Dobbs Ferry**

AN ACT authorizing the County of Westchester to (i) consent to the release of a reverter clause contained in an indenture from the County of Westchester to the People of the State of New York dated July 29, 1976 with respect to approximately 8.4 acres of land located in the Village of Dobbs Ferry and (ii) the execution of a quitclaim deed.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A.

Guests: Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia and Neil Squillante - Department of Parks & Recreation

2. [2021-470](#) **ENV RES-RCG03-Stokes Greene Building Demolition**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the proposed action associated with Capital Project RCG03 - Stokes Greene Building Demolition.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A.

Guests: Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia and Neil Squillante - Department of Parks & Recreation

3. [2021-471](#) **BOND ACT-RGC03-Stokes Greene Building Demolition**

A BOND ACT authorizing the issuance of EIGHT HUNDRED THOUSAND (\$800,000) DOLLARS in bonds of Westchester County to finance Capital Project RCG03 - Stokes Greene Building Demolition.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A.

Guests: Commissioner Kathy O'Connor, First Deputy Commissioner Peter Tartaglia and Neil Squillante - Department of Parks & Recreation

4. [2021-428](#) **IMA-County-Wide Bus Shelter Program-Municipalities**

AN ACT authorizing the County of Westchester to enter into intermunicipal agreements with municipalities located within the County in order to provide for a county-wide bus shelter program.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A.

Guests: Mike Swee, Principal Planner - Department of Public Works & Transportation

5. [2021-459](#) **BOND ACT-B0122-Electrical Substation SE-21, Valhalla Campus**

A BOND ACT authorizing the issuance of NINE HUNDRED THOUSAND (\$900,000) DOLLARS in bonds of Westchester County to finance Capital Project B0012 - Electrical Substation SE-21, Valhalla Campus.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A.

Guests: Robert Abbamont, Program Coordinator - Department of Public Works & Transportation

6. [2021-457](#) **BOND ACT-BPL40-1707-Stormwater Mngmt-Various Co. Fac. II**

A BOND ACT authorizing the issuance of TWO HUNDRED FIFTY THOUSAND (\$250,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL40 - Stormwater Management - Various County Facilities II.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with B&A.

Guests: Dave Kvinge, Director of Environmental Planning - Department of Planning

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT



George Latimer
County Executive

August 2, 2021

Westchester County Board of Legislators
148 Martine Avenue, Room 800
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your consideration is an Act, which, if adopted by your Honorable Board, would authorize the County of Westchester ("County") to:

(i) consent to the release of certain restrictions contained in an indenture dated July 29, 1976 ("1976 Indenture") and recorded April 18, 1977 in Liber 7386 at page 630 in the Office of the Clerk of the County of Westchester, from the County, as the party of the first part, to the People of the State of New York ("State"), as the party of the second part, for approximately 8.4 acres of land located in the Village of Dobbs Ferry ("Village"), identified as Parcel 6 in said indenture ("Parcel"), and

(ii) execute a quitclaim deed for the Parcel to the State of New York, acting by and through its Department of Transportation ("NYSDOT").

The Parcel is located adjacent to the Saw Mill River Parkway in the Village, in the Town of Greenburgh, and is also identified as Tax Parcel No. 3.140-129-58 on the official Tax Maps for the Town of Greenburgh.

The 1976 Indenture contains a reverter clause ("Reverter Clause") as follows:

"The premises hereby conveyed are subject to: ...(d) restrictions imposed by Section 457, Subdivision 3 of the Public Authorities Law of the State of New York prohibiting the resale of the real property hereinabove described without the consent of the party of the First Part."

The Parcel was originally acquired in 1927 by the County, acting through the Westchester County Park Commission ("Park Commission"), in connection with the construction of the Saw Mill River Parkway ("Parkway").

Office of the County Executive

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

Email: CE@westchestergov.com
Telephone: (914) 995-2900

westchestergov.com

As you may know, in 1960 the East Hudson Parkway Authority was established to take over the County parkway system in the County. In February 1961, the County entered into “a certain instrument in writing to carry out the intents and purposes of Chapter 649 of the Laws of 1960, and did by said instrument grant and release unto the [State] certain lands and premises” comprising a part of the Parkway. This instrument was never recorded, however, so in 1968 the County and the State executed a new indenture documenting the transfer of those properties. Under this 1968 indenture, the County conveyed to the State various parcels in the Village, however, it did not include the subject Parcel. In 1976, the County conveyed to the State, again pursuant to Chapter 649 of the Laws of 1960, several additional parcels along the Parkway, including the subject Parcel.

Under New York State Transportation Law §71(7), in 1979 the State transferred to NYSDOT all the duties, functions and responsibilities of the East Hudson Parkway Authority. Pursuant to Transportation Law §71(7), NYSDOT cannot dispose of property previously owned by the County, and any property deemed surplus by NYSDOT shall revert back to the County. However, pursuant to the 1976 Indenture, NYSDOT can dispose of the subject Parcel with the consent of the County.

NYSDOT has advised that the Village seeks to combine the Parcel with two adjacent park parcels owned by the Village, and thereby create a new 14.8 acre Village-owned park along the Saw Mill River. Accordingly, NYSDOT has advised that the Village has applied to acquire the Parcel from NYSDOT. NYSDOT has requested that the County release its rights under the Reverter Clause and quitclaim the Parcel to NYSDOT so that NYSDOT may convey title to the Parcel to the Village.

In accordance with the Laws of Westchester County Section 249.111(2), on June 17, 2021, the Westchester County Parks, Recreation and Conservation Board (the “Parks Board”) adopted a resolution recommending the execution and delivery of a consent and release to NYSDOT of the restrictions imposed in the 1976 Indenture concerning the Parcel, for the sole purpose of permitting NYSDOT to transfer the Parcel to the Village for the purpose of establishing a park. The Parks Board further recommended that proceeds, if any, from the sale or conveyance of the Parcel be set aside in a segregated fund, dedicated solely for use by the County for the purposes of improvements to County parks and park facilities and programs. I have been informed that there will not be any proceeds in connection with this conveyance.

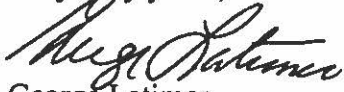
It should be pointed out that the consent and release of the Reverter Clause is only for the Parcel and is granted for the sole purpose of permitting NYSDOT to transfer the Parcel to the Village for the purposes of establishing a park. The request to consent and release the restrictions in no way affects the remaining real property identified in the 1976 Indenture, which real property shall remain subject to the covenants, conditions, restrictions and other clauses contained in the 1976 Indenture.

The Planning Department has advised that based on its review, the above-referenced action 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based upon the foregoing, approval of the attached Act authorizing the County to release its rights under the Reverter Clause and to execute a quitclaim deed for the Parcel is respectfully requested.

Very truly yours,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer
County Executive

GL/mg
Attachment

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

Your Committee is in receipt of a communication from the County Executive recommending the approval of an Act which, if adopted by your Honorable Board, would authorize the County of Westchester ("County") to:

(i) consent to the release of certain restrictions contained in an indenture dated July 29, 1976 ("1976 Indenture") and recorded April 18, 1977 in Liber 7386 at page 630 in the Office of the Clerk of the County of Westchester, from the County, as the party of the first part, to the People of the State of New York ("State"), as the party of the second part, for approximately 8.4 acres of land located in the Village of Dobbs Ferry ("Village"), identified as Parcel 6 in said indenture ("Parcel"), and

(ii) execute a quitclaim deed for the Parcel to the State of New York, acting by and through its Department of Transportation ("NYSDOT").

The Parcel is located adjacent to the Saw Mill River Parkway in the Village, in the Town of Greenburgh, and is also identified as Tax Parcel No. 3.140-129-58 on the official Tax Maps for the Town of Greenburgh.

The 1976 Indenture contains a reverter clause ("Reverter Clause") as follows:

"The premises hereby conveyed are subject to: ...(d) restrictions imposed by Section 457, Subdivision 3 of the Public Authorities Law of the State of New York prohibiting the resale of the real property hereinabove described without the consent of the party of the First Part."

The Parcel was originally acquired in 1927 by the County, acting through the Westchester County Park Commission (“Park Commission”), in connection with the construction of the Saw Mill River Parkway (“Parkway”).

As you may know, in 1960 the East Hudson Parkway Authority was established to take over the County parkway system in the County. In February 1961, the County entered into “a certain instrument in writing to carry out the intents and purposes of Chapter 649 of the Laws of 1960, and did by said instrument grant and release unto the [State] certain lands and premises” comprising a part of the Parkway. This instrument was never recorded, however, so in 1968 the County and the State executed a new indenture documenting the transfer of those properties. Under this 1968 indenture, the County conveyed to the State various parcels in the Village, however, it did not include the subject Parcel. In 1976, the County conveyed to the State, again pursuant to Chapter 649 of the Laws of 1960, several additional parcels along the Parkway, including the subject Parcel.

Under New York State Transportation Law §71(7), in 1979 the State transferred to NYSDOT all the duties, functions and responsibilities of the East Hudson Parkway Authority. Pursuant to Transportation Law §71(7), NYSDOT cannot dispose of property previously owned by the County, and any property deemed surplus by NYSDOT shall revert back to the County. However, pursuant to the 1976 Indenture, NYSDOT can dispose of the subject Parcel with the consent of the County.

NYSDOT has advised that the Village seeks to combine the Parcel with two adjacent park parcels owned by the Village, and thereby create a new 14.8 acre Village-owned park along the Saw Mill River. Accordingly, NYSDOT has advised that the Village has applied to acquire the Parcel from NYSDOT. NYSDOT has requested that the County release its rights under the Reverter Clause and quitclaim the Parcel to NYSDOT so that NYSDOT may convey title to the Parcel to the Village.

In accordance with the Laws of Westchester County Section 249.111(2), on June 17, 2021, the Westchester County Parks, Recreation and Conservation Board (the "Parks Board") adopted a resolution recommending the execution and delivery of a consent and release to NYSDOT of the restrictions imposed in the 1976 Indenture concerning the Parcel, for the sole purpose of permitting NYSDOT to transfer the Parcel to the Village for the purpose of establishing a park. The Parks Board further recommended that proceeds, if any, from the sale or conveyance of the Parcel be set aside in a segregated fund, dedicated solely for use by the County for the purposes of improvements to County parks and park facilities and programs. I have been informed that there will not be any proceeds in connection with this conveyance.

It should be pointed out that the consent and release of the Reverter Clause is only for the Parcel and is granted for the sole purpose of permitting NYSDOT to transfer the Parcel to the Village for the purposes of establishing a park. The request to consent and release the restrictions in no way affects the remaining real property identified in the 1976 Indenture, which real property shall remain subject to the covenants, conditions, restrictions and other clauses contained in the 1976 Indenture.

The Planning Department has advised your Committee that based on its review, the above-referenced action 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.

Your Committee has carefully considered this matter and recommends that your Honorable Board adopt the proposed annexed Act.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

TO: Michelle Greenbaum, Senior Assistant County Attorney
Department of Law

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



DATE: May 25, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR RELEASE OF
REVERTER CLAUSE FOR PROPERTY ALONG SAW MILL RIVER
PARKWAY, DOBBS FERRY**

PROJECT/ACTION: An Act of the County providing its consent to the release of a reverter clause and execution of a quitclaim deed pertaining to an 8.4-acre parcel of land located along the Saw Mill River Parkway in the Village of Dobbs Ferry that had been transferred to the East of Hudson Parkway Authority in 1976 following the State's takeover of the County parkway system. In 1979, the State transferred all the duties, functions and responsibilities of the East of Hudson Parkway Authority to the New York State Department of Transportation (NYSDOT). The parcel is undeveloped and not needed for parkway purposes. The Village of Dobbs Ferry would like to acquire the subject property in order to combine it with two adjoining park properties owned by the Village to create a 14.8-acre park. The County's consent is needed in order to allow NYSDOT to convey the property to the Village for this purpose.

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 because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTIONS:**
- **617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.
 - **617.5(c)(39):** an agency's acquisition and dedication of 25 acres or less of land for parkland, or dedication of land for parkland that was previously acquired, or acquisition of a conservation easement.

COMMENTS: None

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

AN ACT authorizing the County of Westchester to (i) consent to the release of a reverter clause contained in an indenture from the County of Westchester to the People of the State of New York dated July 29, 1976 with respect to approximately 8.4 acres of land located in the Village of Dobbs Ferry and (ii) the execution of a quitclaim deed.

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

Section 1. The County of Westchester ("County") is authorized to execute and deliver a consent and release to the People of the State of New York acting by and through its Department of Transportation ("NYSDOT") of the restrictions imposed in an indenture from the County to the People of the State of New York dated July 29, 1976, recorded April 18, 1977 in Liber 7386 at page 630 in the Office of the Clerk of the County of Westchester ("1976 Indenture"), for the real property identified as Parcel 6 comprising approximately 8.4 acres of land located in the Village of Dobbs Ferry ("Village"), and also identified as Tax Parcel No. 3.140-129-58 on the official Tax Maps for the Town of Greenburgh ("Parcel").

The 1976 Indenture contains the following restriction:

"The premises hereby conveyed are subject to: ...(d) restrictions imposed by Section 457, Subdivision 3 of the Public Authorities Law of the State of New York prohibiting the resale of the real property hereinabove described without the consent of the party of the First Part [the County]."

§2. The consent and release of the above restriction is only for the Parcel and is granted for the sole purpose of permitting NYSDOT to transfer the said Parcel to the Village for the purposes of establishing a park. The granting of the consent and release by the County in no way affects the remaining real property identified in the 1976 Indenture, which real property shall remain subject to the covenants, conditions, restrictions and other clauses contained in the 1976 Indenture.

§3. The County Executive or his authorized designee is hereby empowered to execute all instruments, including a Consent and Release of Right of Reverter and Quitclaim Deed, in order to release the aforementioned condition and quitclaim the County's interest in the Parcel to NYSDOT, and take such action as may be reasonably necessary to effectuate the purposes hereof.

§5. This Act shall take effect immediately.



George Latimer
County Executive

July 21, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$800,000 to finance the following capital project:

RCG03 – Stokes Greene Building Demolition ("RCG03").

The Bond Act, in the amount of \$800,000, would fund design, construction and construction management associated with the demolition, removal and associated site work of derelict building structures located at the Stokes Greene property adjacent to Croton Gorge Park in Croton-on-Hudson.

The Department of Parks, Recreation and Conservation ("Department") has advised that there are six derelict building structures located on the Stokes Greene property that pose a safety hazard to the public and require demolition. The project will also include associated removals, such as hazardous materials, asphalt paving, concrete and fallen trees. All disturbed areas will be restored with topsoil and seeded.

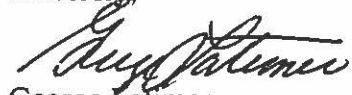
Pursuant to Section 249.101 (3) of the Laws of Westchester County, the Parks Commissioner has the right, subject to your Honorable Board's approval, to demolish or remove any buildings or structures required for park purposes. Approval of the proposed Bond Act will satisfy the requirements of this law.

Following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by outside consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised that based upon its review, this project falls within the definition of an "Unlisted" action under SEQRA and its implementing regulations 6 NYCRR, Part 617. The Planning Department has prepared the attached Short Environmental Assessment Form to assist your Honorable Board in making the required determination of significance pursuant to SEQRA.

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

GL/KOC/KU/jpg
Attachments

**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 (“Bond Act”) in the amount of \$800,000 to finance capital project RCG03 – Stokes Greene Building Demolition (“RCG03”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, would fund design, construction and construction management associated with the demolition, removal and associated site work of derelict building structures located at the Stokes Greene property adjacent to Croton Gorge Park in Croton-on-Hudson.

The Department of Parks, Recreation and Conservation (“Department”) has advised that that there are six derelict building structures located on the Stokes Greene property that pose a safety hazard to the public and require demolition. The project will also include associated removals, such as hazardous materials, asphalt paving, concrete and fallen trees. All disturbed areas will be restored with topsoil and seeded.

Your Committee notes that in accordance with Section 249.101 (3) of the Laws of Westchester County, the Parks Commissioner has the right, subject to your Honorable Board’s approval, to demolish or remove any buildings or structures required for park purposes. Approval of the proposed Bond Act will satisfy the requirements of this law.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by outside consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised that, based on its review, this project falls within the definition of an “Unlisted” action under Article 8 of SEQRA and its implementing regulations 6 NYCRR Part 617, which requires an assessment of environmental impacts. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (“EAF”) and the criteria contained in Section 617.7 of the SEQRA regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached

EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to authorize the clerk to sign the attached EAF signifying that the proposed action will not result in any significant adverse environmental impacts.

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. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2021
White Plains, New York

COMMITTEE ON

c/jpg/3-30-21

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RCG03

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 \$ 800,000 PPU 10 Anticipated Interest Rate 0.65%

Anticipated Annual Cost (Principal and Interest): \$ 82,896

Total Debt Service (Annual Cost x Term): \$ 828,960

Finance Department: Interest rates from July 19, 2021 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: 9

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: 7/26/21

Reviewed By: 

Budget Director

Date: 7/26/21

RESOLUTION

WHEREAS, there is pending before this Honorable Board an Act to authorize the County of Westchester (the “County”) to issue bonds in connection with a component of capital project RCG03 – Stokes Greene Building Demolition (the “Capital Project”); and

WHEREAS, this Honorable Board has determined that the proposed Capital Project would constitute an action under Article 8 of the Environmental Conservation Law, known as the 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, requiring 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 the only involved agency with discretionary authority for this action and, therefore, is assuming the role of Lead Agency 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 (“EAF”) 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 EAF 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 EAF, to determine if this proposed action will have an effect upon 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 EAF and the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment in connection with the proposed action; 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 EAF, 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.

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

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

DATE: July 20, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
RCG03 STOKES GREENE BUILDING DEMOLITION**

The Planning Department has reviewed the above referenced capital project (Fact Sheet ID: 1646) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to the SEQR, this project has been classified as an Unlisted action. The County is the only involved agency and, therefore, must serve as lead agency. As such, a Short Environmental Assessment Form has been prepared for the project for consideration by the Board of Legislators.

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

DSK/cnm

Att.

cc: Andrew Ferris, Chief of Staff
Lawrence Soule, Budget Director
Paula Friedman, Assistant to the County Executive
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Tami Altschiller, Assistant Chief Deputy County Attorney
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

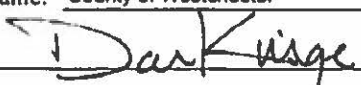
Instructions for Completing

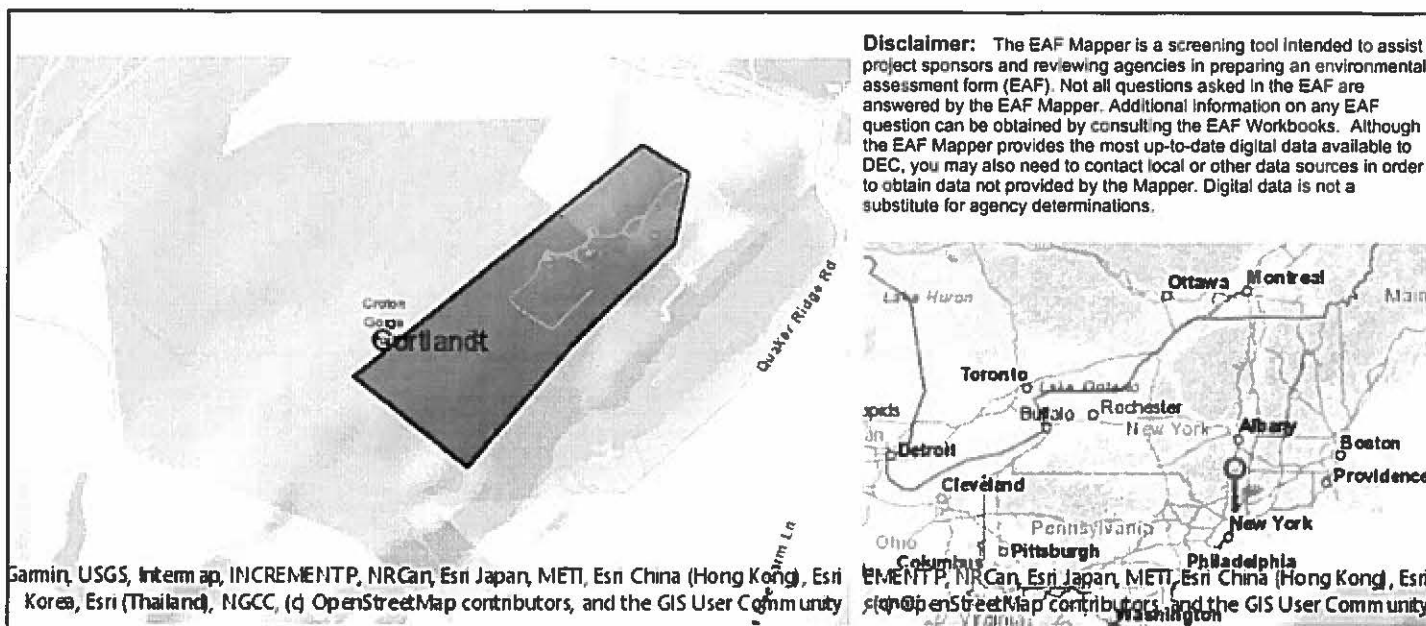
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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: Stokes Greene Building Demolition (RCG03)			
Project Location (describe, and attach a location map): 20 Croton Dam Road, Town of Cortlandt, Westchester County, New York			
Brief Description of Proposed Action: This action involves the demolition of derelict structures and site restoration at the former Stokes-Greene property. The property is the site of a former estate, and was acquired by the County in 1992. Work will include the removal of the carriage house, barn foundation, greenhouse, round shed, welding shop, dead trees, various paved driveways and concrete fixtures, as well as general regrading, replanting and site restoration. The removal of these heavily deteriorated structures will improve the safety and aesthetic qualities of the site for visitors.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestergov.com	
Address: 148 Martine Avenue			
City/PO: White Plains		State: New York	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? _____ ±5 acres b. Total acreage to be physically disturbed? _____ 1.75 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 120 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Utilities, Senior Home, Reservoir <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 type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<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 County & State Park Lands, Reason: Exceptional or unique character, Agency: Westchester County, Date: 1- If Yes, identify: 31-90	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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 project involves only the removal of derelict structures. The project is not required to comply with state energy code requirements</u>	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: Potable water is not needed for this project.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: Wastewater treatment is not needed for this project.	NO	YES	
	<input checked="" type="checkbox"/>	<input 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? 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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: <u>The property contains a large pond and various small streams, but the structures to be demolished are not proximate to any of these water bodies.</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <ul style="list-style-type: none"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>July 19, 2021</u>		
Signature: <u></u> Title: <u>Director of Environmental Planning</u>		



Garmin, USGS, Intermap, INCREMENTP, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:County & State Park Lands, 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]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Project: RCG03 Stokes Greene Building Demolition

Date: July 2021

**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"/>

PRINT FORM

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 Stokes-Greene property was formerly a 120-acre residential estate, containing a main house and multiple accessory buildings to the north and undeveloped lands to the south. Approximately 101 acres were dedicated as parkland and became part of Croton Gorge County Park. Approximately 10 acres on the northeast side was subsequently acquired by the City of New York for protection of the water supply. The remaining acreage at the north end, including the main house and many of the accessory buildings, was retained as general municipal land.

In 2015, the main house was destroyed by fire. This project will remove the ancillary structures on the property that have fallen into disrepair and currently pose a safety hazard. Structures to be removed include the former carriage house, barn, greenhouse, round shed, welding shop, as well as various paved pathways and concrete fixtures. Following demolition, the site will be graded over and seeded with native grasses.

The County of Westchester designated all County and State parklands as Critical Environmental Areas for the variety of benefits they provide, including recreational, educational, social, cultural and ecological benefits. This project will support these benefits by removing hazardous structures on public property that is adjacent to and accessible from County parkland.

The project occurs within an area where Bald Eagles, a New York State threatened species, may be encountered. However, as the project involves no activities that will result in the removal of trees, disturbance of nests or taking of any animals, the project will have no impact on Bald Eagles.

The property contains wetlands located on the National Wetlands Inventory, including two riverine wetlands, one pond area and its associated shrub wetlands. All activities will occur over 300 feet away from the nearest wetland. As these activities revert the site to a more natural state, the project will result in no impacts to these wetlands.

Because the project involves only restorative activities and will not impact any of the listed areas of concern, the project has been determined to have no significant adverse impact on the environment.

- 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 Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk of the Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF STOKES GREENE BUILDING DEMOLITION; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 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, \$800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance costs of Stokes Greene Building demolition, including design, construction and construction management for the demolition, removal and associated site work of the derelict building structures at the Stokes Greene property located adjacent to Croton Gorge Park; 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 \$800,000. The plan of financing includes the issuance of \$800,000 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. 12-a. of the Law, is ten (10) 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 \$800,000. 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.

* * *

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__.

The Clerk and Administrative Officer 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__

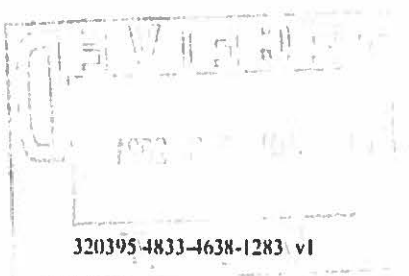
BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF STOKES GREENE BUILDING DEMOLITION; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 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 costs of Stokes Greene Building demolition, including design, construction and construction management for the demolition, removal and associated site work of the derelict building structures at the Stokes Greene property located adjacent to Croton Gorge Park; 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: \$800,000; ten (10) years

Dated: _____, 20__
White Plains, New York

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



CAPITAL PROJECT FACT SHEET

Project ID:* RCG03	<input type="checkbox"/> CBA	Fact Sheet Date:* 03-04-2021
Fact Sheet Year:* 2021	Project Title:* STOKES GREENE BUILDING DEMOLITION	Legislative District ID: 9,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 1646

Overall Project Description

This project will fund the demolition, removal, and associated work for the derelict building structures located at the Stokes Greene property located adjacent to Croton Gorge 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	2021	2022	2023	2024	2025	Under Review
Gross	800	0	800	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	800	0	800	0	0	0	0	0

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

Current Bond Description: This request will fund the design, construction and construction management for the demolition, removal and associated site work of the derelict building structures at Stokes Greene.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	800,000
Cash:	0
Total:	\$ 800,000

SEQR Classification:

UNLISTED

Amount Requested:

800,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	800,000	DEMOLITION AND REMOVAL OF DERELICT BUILDINGS

Total Appropriation History:

800,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
03-17-2021

Department of Public Works
RJB4

Date
03-17-2021

Budget Department
LMYI

Date
03-30-2021

Requesting Department
KUU1

Date
03-30-2021

STOKES GREENE BUILDING DEMOLITION (RCG03)

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	2021	2022	2023	2024	2025	Under Review
Gross	800			800					
Non County Share									
Total	800			800					

Project Description

This project will fund the demolition, removal, and associated work for the derelict building structures located at the Stokes Greene property located adjacent to Croton Gorge Park.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan				
Year	Bonds	Cash	Non County Shares	Total
2021	800,000			800,000

Impact on Operating Budget

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



George Latimer
County Executive

July 7, 2021

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

Honorable Members of the Board of Legislators:

Transmitted herewith for your consideration is legislation that, if approved, would authorize the County of Westchester to enter into intermunicipal agreements (“IMAs”) with municipalities located within the County in connection with the county-wide bus shelter program.

The IMAs will provide for the continued operation and maintenance of existing bus shelters and the addition of new shelters in the participating municipalities on an as-needed basis. The shelters are maintained by the County through its licensee Signal Outdoor Advertising, LLC or its designee (“Signal”), pursuant to a license agreement with the County. Signal, in turn, shall sell advertising space on the shelters. In consideration for allowing the County to erect and maintain bus shelters in public rights-of-way and other authorized areas, participating municipalities will receive fifty percent (50%) of the County’s share of advertising revenue derived from the shelters. The IMAs shall have a five (5) year term commencing July 1, 2021 and terminating on June 30, 2026, which is concurrent with the license agreement with Signal. The participating municipalities will also grant the County any easements or other real property interests necessary for the County to construct, operate and maintain the bus shelters and to have a financeable property interest for the purpose of issuing bonds, if necessary.

As you are aware, your Honorable Board is required to make a determination of environmental significance as required by the State Environmental Quality Review Act. The Department of Planning has advised that, based on its review, this action is classified as a “Type II” action pursuant to the State Environmental Quality Review Act (“SEQRA”). Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

I believe that the continued operation of the bus shelter program is in the best interest of the County, and I urge your Honorable Board's approval of the attached legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer
County Executive

GL/HJG/jpi
Enclosures

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

Your Committee is in receipt of a communication from the County Executive wherein he requests that your Honorable Board authorize the County of Westchester to enter into intermunicipal agreements (“IMAs”) with municipalities located within the County in connection with the county-wide bus shelter program.

The IMAs will provide for the continued operation and maintenance of existing bus shelters and the addition of new shelters in the municipalities on an as-needed basis. The shelters are maintained by the County through its licensee Signal Outdoor Advertising, LLC or its designee (“Signal”) pursuant to a license agreement with the County. Signal in turn shall sell advertising space on the shelters. In consideration for allowing the County to erect and maintain bus shelters in public rights-of-way and other authorized areas, participating municipalities will receive fifty percent (50%) of the County’s share of advertising revenue derived from the shelters. The IMAs shall have a five (5) year term commencing July 1, 2021 and terminating on June 30, 2026, which is concurrent with the license agreement with Signal. The participating municipalities will also grant the County any easements or other real property interests necessary for the County to construct, operate and maintain the bus shelters and to have a financeable property interest for the purpose of issuing bonds, if necessary.

The Planning Department has advised that, based on its review, this is a “Type II” action under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR Part 617, 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 status sheet prepared by the Planning Department and concurs with this conclusion.

It should be noted that approval of the Act authorizing the County to enter into the IMA requires the affirmative vote of a majority of the voting strength of your Honorable Board.

Your Committee believes that the continued operation of the bus shelter program is in the best interest of the County and, therefore, recommends your favorable action on the annexed proposed legislation.

Dated: _____, 2021

White Plains, New York

COMMITTEE ON

c/JPI/7.1.21

FISCAL IMPACT STATEMENT

SUBJECT: Bus Shelter IMA's Local Municipalities NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 15,625

Total Current Year Revenue \$ 31,250

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations Other (explain)

Identify Accounts: 101-44-2100-5125; 101-44-2100-9289

Potential Related Operating Budget Expenses: Annual Amount \$31,250

Describe: Estimated Annual Payout to Municipalities 7/1/2021 - 6/30/2026

(50% Bus Shelter Advertising Revenue) 2021 \$15,625; 2022 - 2025 \$31,250;

2026 \$15,625

Potential Related Operating Budget Revenues: Annual Amount \$62,500

Describe: Estimated Annual Bus Shelter Advertising Revenue

2021 \$31,250; 2022 - 2025 \$62,500; 2026 \$31,250

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Dianne Vanadia

Title: Sr. Budget Analyst

Department: Budget

Date: July 1, 2021

Reviewed By: 

Budget Director DV 7/6/21

Date: 7/6/21

TO: John Paul Iannace, Senior Assistant County Attorney
Department of Law

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



DATE: June 15, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR BUS SHELTER
INTERMUNICIPAL AGREEMENTS**

PROJECT/ACTION: Agreements with local municipalities in the County to provide for the continued operation and maintenance of existing bus shelters and the addition of new shelters, as-needed, in connection with the county-wide bus system. The shelters are erected and maintained by an outside company (pursuant to a license agreement with the County), which sells advertising space on the shelters. In consideration for allowing the County to erect and maintain bus shelters in public rights-of-way and other authorized areas, participating municipalities receive a percentage of the County's share of advertising revenue derived from the shelters. The current set of intermunicipal agreements are due to expire. The proposed authorization will allow the County to enter into new agreements for the continuation of these arrangements for an additional 5 years.

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 because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION(S):**
- **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.
 - **617.5(c)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

COMMENTS: None

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Hugh Greechan, Commissioner of Public Works & Transportation
Tami Altschiller, Assistant Chief Deputy County Attorney
Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

ACT NO. ___ - 2021

AN ACT authorizing the County of Westchester to enter into intermunicipal agreements with municipalities located within the County in order to provide for a county-wide bus shelter program.

NOW, THEREFORE, BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the “County”) is hereby authorized to enter into intermunicipal agreements (“IMAs”) with municipalities located within the County to provide for a County-wide bus shelter program wherein the County, either acting directly or through its licensee Signal Outdoor Advertising, LLC, its designee or other contractor(s), shall be allowed to erect, operate and maintain bus shelters in public rights-of-way and other authorized areas, in exchange for which participating municipalities will receive fifty percent (50%) of the County’s share of advertising revenue derived from the shelters. The IMA shall have a term of five (5) years commencing July 1, 2021 and terminating on June 30, 2026.

§2. The County is hereby authorized to accept from any participating municipality any easements or other real property interests necessary to construct, operate and maintain the bus shelters and for the County to have a financeable property interest for the purpose of issuing bonds.

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

§4. This Act shall take effect immediately.

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT entered into this ___ day of _____, 20__ 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 (the "County"),

and

THE CITY, TOWN OR VILLAGE, a municipal corporation of the State of New York, having an office and place of business at **ADDRESS** (the "Cooperating Municipality").

W I T N E S S E T H:

WHEREAS, the County has entered into a License Agreement with a private franchisee to operate and maintain bus passenger shelters at various locations within the County as well as provide advertising on bus shelters; and

WHEREAS, the Cooperating Municipality is desirous of having the County provide bus passenger shelters within the Cooperating Municipality pursuant to said License Agreement for the comfort and benefit of its citizens.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

FIRST: The County is hereby authorized to provide and maintain shelters pursuant to a License Agreement between the County and Signal Outdoor Advertising, LLC, or its successors or assigns (the "County Licensee"), at locations within the Cooperating Municipality, all as shown on Attachment "A" attached hereto and made a part hereof. The Cooperating Municipality further certifies and guarantees that the sites designated on Attachment "A" are legally designated bus stop locations or that the sites will be so designated prior to installation of new bus passenger shelters. If such designation is the responsibility of a governmental agency

other than the Cooperating Municipality, the Cooperating Municipality will use its reasonable efforts to obtain such designation.

Attachment "A" shall consist of:

1. A list of all bus shelters built under the County Bus Shelter Program located in the Cooperating Municipality.
2. A list of all necessary permits and the name of the municipal official who should be contacted. As the bus shelters are going to be provided as a municipal service, all permit fees shall be waived.

Upon mutual agreement between the County and the Cooperating Municipality, additional bus passenger shelters other than those in Attachment "A" may be installed. Any new approved shelters will be installed according to site suitability and passenger usage.

SECOND: The term of this Agreement shall be for five (5) years commencing on July 1, 2021 and expiring on June 30, 2026, which term coincides with the expiration of the License Agreement with Signal Outdoor Advertising, LLC. A copy of the License Agreement is on file with the Westchester County Department of Public Works and Transportation ("WCDPWT") and may be examined by an authorized representative of the Cooperating Municipality upon reasonable notice to the County. This Agreement shall encompass presently existing bus passenger shelters and those constructed pursuant to the License Agreement.

THIRD: The design and installation of any bus passenger shelters to be erected within the Cooperating Municipality shall be similar to, but may vary in details from the design drawings entitled "Westchester County Bus Shelter Detail" and dated December, 2010, copies of which are on file with the Cooperating Municipality and the County (hereinafter the "Design Drawings"). In no event, however, shall the size and illumination of the advertising signs vary from those shown in the Design Drawings without prior approval of the Cooperating Municipality.

Prior to the County's commencement of any work in connection with the design and construction of any new bus passenger shelters, the Cooperating Municipality shall convey to the County and its successors, assigns, invitees, contractors and agents, a non-exclusive easement, in substantially the form attached hereto as Attachment "B" (the "Easement"), in, upon, under and over any property interest of the Cooperating Municipality as depicted on the maps and legal descriptions contained in Schedule "A" to the Easement, attached hereto and made a part hereof for the purpose of creating a financeable property interest allowing the County to bond for the design and construction of any new bus passenger shelters (the "County Bonds"). Said Easement shall be in effect for so long as the County Bonds are outstanding. Upon maturity or redemption of the County Bonds, the County's Easement will automatically terminate.

FOURTH: The revenue received by the County from the County Licensee shall be divided between the County and the Cooperating Municipalities on a 50/50 ratio. The share of the revenue due the Cooperating Municipality will be determined by the ratio of that number of shelters operated by the County Licensee and producing revenue in the Cooperating Municipality to the total County-wide number of shelters operated under the License Agreement during one annual payment period. Payment will be made by the County to the Cooperating Municipality on or around June 15th of each year of this Agreement, beginning on June 15th, 2022.

FIFTH: Pursuant to the aforementioned License Agreement, or other written agreement, the County represents that the County Licensee shall be required to hold harmless and defend the Cooperating Municipality and its employees, officers and agents from all claims, suits and actions arising from the construction and maintenance of the shelters. The County represents that during the term of the aforementioned License Agreement, the Cooperating Municipality shall be named as an additional insured under the insurance certificate provided by the County Licensee.

SIXTH: All advertising to be displayed on the bus passenger shelters will be submitted to the County Commissioner of WCDPWT for approval. The Cooperating Municipality agrees that this approval shall be sufficient approval for the display of such advertising within the

Cooperating Municipality. The County agrees that no political or religious advertising shall be allowed. The County further agrees that no advertising for tobacco products will be allowed, nor shall the County accept any advertising which does not meet reasonable standards of good taste.

SEVENTH: The County shall use reasonable efforts to ensure that the County Licensee shall maintain all shelters in good condition. In accordance with the aforementioned License Agreement, the County Licensee shall clean each shelter on a regular basis, and shall be required to repair any damaged shelter.

EIGHTH: During the term of this Agreement, the Cooperating Municipality shall not enter into bus shelter advertising programs on its own. The Cooperating Municipality shall waive all municipal fees for the bus shelters.

NINTH: If during the term of this Agreement any bus passenger shelter is required to be removed or relocated for any reason at the request of the Cooperating Municipality and upon approval of the County, said approved removal or relocation shall be done only by the County Licensee or the County and/or its contractors.

TENTH: This Agreement and its attachments constitute the entire Agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. It 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.

ELEVENTH: This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

TWELFTH: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

THIRTEENTH: In the event of any conflict between the terms of this Agreement and those of its attachments, the terms of the Agreement shall control.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in triplicate.

THE COUNTY OF WESTCHESTER

By: _____
Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works And
Transportation

COOPERATING MUNICIPALITY

By: _____

(Name & Title)

Authorized by the Board of Legislators of the County of Westchester pursuant to Act No. 2021 adopted on the _____ day of _____, 2021.

Authorized by the governing board of the Cooperating Municipality on the ____ day of _____, 20__.

Approved as to form
and manner of execution:

Sr. Assistant County Attorney
County of Westchester

Corporate Counsel
Cooperating Municipality

MUNICIPALITY'S ACKNOWLEDGEMENT

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

On this _____ day of _____, 2021, before me personally came
_____, to me known, and known to me to be the
_____ of _____,
the municipal corporation described in and which executed the within instrument, who being by me duly sworn did
depose and say that he, the said _____ resides at

and that he is _____ of said municipal corporation.

Notary Public County

CERTIFICATE OF AUTHORITY
(Municipality)

I, _____,
(Officer other than officer signing contract)
certify that I am the _____ of the _____
(Title)

(Name of Municipality)

(the "Municipality") a corporation duly organized in good standing under the _____
(Law under which organized, e.g., the New York Village Law, Town Law, General Municipal Law)

named in the foregoing agreement that _____
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution _____ of the Municipality,
(Title of such person),

that said agreement was duly signed for on behalf of said Municipality by authority of its _____
(Town Board, Village Board, City Council)

thereunto duly authorized, and that such authority is in full force and effect at the date hereof.

(Signature)

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

On this _____ day of _____, 2021, before me personally came _____
_____ whose signature appears above, to me known, and know to be the _____
_____ of _____
(title)

the municipal corporation described in and which executed the above certificate, who being by me duly sworn did depose and say that he, the said _____
resides at _____, and that
he is the _____ of said municipal corporation.
(title)

Notary Public County

ATTACHMENT A

[LIST OF SHELTERS LOCATED IN MUNICIPALITY TO BE INSERTED.]

ATTACHMENT "B"

THIS EASEMENT AGREEMENT, made the ___ day of _____, 20___, by

THE CITY, TOWN OR VILLAGE, a municipal corporation of the State of New York, having an office and place of business at **ADDRESS** (hereinafter referred to as the "Grantor" or the "Municipality"),

and

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/or the "Grantee").

W I T N E S S E T H:

WHEREAS, Grantor is the owner of the fee title of those certain parcels of real property located in the [Insert Municipality Name], New York and identified on the tax maps of the Town as: Section __, Block __, Lot __, which real property is more particularly described in Schedule "A," which is annexed hereto and made a part hereof (the "Subject Property").

That the Grantor in consideration of the sum of One (\$1.00) Dollar lawful money of the United States, paid by the Grantee, receipt of which is hereby acknowledged, does hereby grant and release unto the Grantee, its successors and assigns, a non-exclusive easement (the "Easement") in, on, over, under and through the Subject Property, as more particularly described in Schedule "A" which is attached hereto and made a part hereof for the purpose of accessing, constructing, operating, maintaining, repairing, replacing, inspecting, and/or restoring certain improvements (the "Improvements") as described in a separate inter-municipal agreement between the Grantor and Grantee, to construct, operate, maintain, repair, replace, inspect, and/or restore the Improvements.

The Easement granted herein is subject to the following restrictions:

The Grantor covenants that, until such time as the Bonds (defined below) have matured or been fully redeemed, neither it, nor its successors or assigns, shall do anything, or allow anything to be done, which in the reasonable opinion of the County would injure, endanger, impede use of or impair the Improvements in any material respect, or the operation thereof, located within the Subject Property.

The Grantor acknowledges that the easement rights of the County granted herein regarding the Improvements constructed in, on, over, under or through the Subject Property shall encumber such Improvements for so long as the bonds of the County (the "Bonds"), which made funds available for said Improvements are outstanding, pursuant to

the terms of a certain inter-municipal agreement by and between the Municipality and the County. The Grantee shall not interfere with or disturb the construction, use, operation, maintenance or repair of any improvements now or hereafter situated within or upon the Subject Property.

The Easement shall run with the land and the provisions contained herein shall be binding upon and inure to the benefit of and be enforceable by the County, its successors and assigns until the Bonds have matured or been fully redeemed.

TO HAVE AND TO HOLD the Easement granted herein unto the County, its successors and assigns, until such time as the Bonds have matured or been fully redeemed.

IN WITNESS WHEREOF, the Grantor has executed this instrument the day and year first above written.

[GRANTOR MUNICIPALITY]

By: _____

COUNTY OF WESTCHESTER

By: _____

Record and Return to:

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

COUNTY'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"

[Legal Description of the Easement.]

George Latimer
County Executive

July 13, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$900,000 to finance the following capital project:

B00122 - Electrical Substation SE-21, Valhalla Campus ("B0122").

The Bond Act, in the amount of \$900,000, would finance the cost of the replacement of the existing 15 kV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building), with a new outside 15 kV high voltage transfer switch, transformer and associated work.

The Department of Public Works and Transportation ("Department") has advised that the existing switch and transformer is approximately fifty (50) years old and has exceeded its useful life. Over the last ten years, the switch has experienced operational problems. The replacement of the switch will restore the redundancy to the building(s) connected to these electrical feeders. The outside location will provide complete accessibility for maintenance and operation of the new equipment.

Following bonding authorization, design will be scheduled and is expected to take six (6) months to complete and will be completed by outside consultants. It is estimated that construction will take twelve (12) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is written in a cursive style with a large initial "G".

George Latimer
County Executive

GL/JG/RA/jpg
Attachments

**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 (“Bond Act”) in the amount of \$900,000 to finance capital project B0122 - Electrical Substation SE-21, Valhalla Campus (“B0122”). The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will finance the cost of the replacement of the existing 15 KV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building), with a new outside 15 KV high voltage transfer switch, transformer and associated work.

The Department of Public Works and Transportation (“Department”) has advised that the existing switch and transformer is approximately fifty (50) years old and has exceeded its useful life. Over the last ten years, the switch has experienced operational problems. The replacement of the switch will restore the redundancy to the building(s) connected to these electrical feeders. The outside location will provide complete accessibility for maintenance and operation of the new equipment.

Your Committee is advised that following bonding authorization, design will be scheduled and is expected to take six (6) months to complete and will be completed by outside consultants. It is estimated that construction will take twelve (12) months to complete and will begin after award and execution of the construction contracts.

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.

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. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2021
White Plains, New York

c/jpg/6-22-2021

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0122

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 \$ 900,000 PPU 10 Anticipated Interest Rate 0.77%

Anticipated Annual Cost (Principal and Interest): \$ 93,821

Total Debt Service (Annual Cost x Term): \$ 938,210

Finance Department: Interest rates from July 1, 2021 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): N/A

Potential Related Revenues (Annual): N/A

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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Director of Operations (Capital Planning)

Department: Public Works/Transportation


Date: 7/7/21

Reviewed By: 

Budget Director

Date: 7/9/21

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

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

DATE: June 30, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0122 ELECTRICAL SUBSTATION SE-21, VALHALLA CAMPUS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-21-2021 (Unique ID: 1710)

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.
-

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. - 20 ____

BOND ACT AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION IN CONNECTION WITH THE REPLACEMENT OF A HIGH VOLTAGE TRANSFER SWITCH AND TRANSFORMER AT THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$900,000 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, \$900,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction management and construction associated with the replacement of the existing 15 KV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building) with a new outside 15 KV high voltage transfer switch, transformer 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 class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$900,000. The plan of financing includes the issuance of \$900,000 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 the class of objects or purposes for which the \$900,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.13 of the Law, is ten (10) 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 \$900,000. 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 \$900,000 as the estimated total cost of the aforesaid objects or purposes 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 §2.00 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___.

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_____

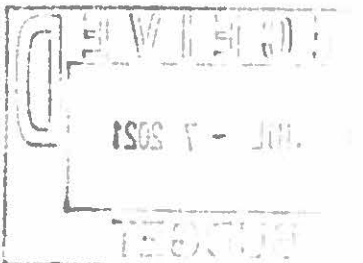
BOND ACT AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION IN CONNECTION WITH THE REPLACEMENT OF A HIGH VOLTAGE TRANSFER SWITCH AND TRANSFORMER AT THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$900,000 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 design, construction management and construction associated with the replacement of the existing 15 KV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building) with a new outside 15 KV high voltage transfer switch, transformer and associated work, 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: \$900,000; ten (10) 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:*
B0122

CBA

Fact Sheet Date:*
06-14-2021

Fact Sheet Year:*
2021

Project Title:*
ELECTRICAL SUBSTATION SE-21,
VALHALLA CAMPUS

Legislative District ID:
3,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
1710

Overall Project Description

This project will replace the existing 15 KV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building) with a new outside 15 KV high voltage transfer switch and transformer.

- | | | |
|---|--|--|
| <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	2021	2022	2023	2024	2025	Under Review
Gross	1,800	900	900	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,800	900	900	0	0	0	0	0

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

Current Bond Description: Funding is requested for the replacement of the existing 15 KV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building) with a new outside 15 KV high voltage transfer switch, transformer and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	900,000
Cash:	0
Total:	\$ 900,000

SEQR Classification:
TYPE II

Amount Requested:
900,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	900,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:
900,000

Total Financing History:
0

Recommended By:

Department of Planning
WBB4

Date
06-21-2021

Department of Public Works
RJB4

Date
06-21-2021

Budget Department
GKGA

Date
06-22-2021

Requesting Department
RJB4

Date
06-22-2021

ELECTRICAL SUBSTATION SE-21, VALHALLA CAMPUS (B0122)

User Department : Public Works

Managing Department(s) : 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	2021	2022	2023	2024	2025	Under Review
Gross	900			900					
Non County Share									
Total	900			900					

Project Description

This project will replace the existing 15 KV high voltage transfer switch and transformer currently in the basement of Sunshine Cottage (New York Medical College Administration Building) with a new outside 15 KV high voltage transfer switch and transformer.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	900,000			900,000

Impact on Operating Budget

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

George Latimer
County Executive

July 13, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$250,000.00 to finance a component of the following capital project:

BPL40 - Stormwater Management - Various County Facilities II ("BPL40").

The Bond Act, in the amount of \$250,000.00, would fund a stormwater management project along the Bronx River Parkway in the Village of Scarsdale.

The Department of Planning (the "Department") has advised that this capital program is a continuation of capital project BPL23 Stormwater Management – Various County Facilities, which funds stormwater management projects for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). The current request will fund the design of a project to mitigate flooding along the Bronx River Parkway in the Village of Scarsdale. The project will reconnect the river to the grassed floodplain on the west side of the southbound lane of the parkway just north of Strathmore Road. The project is identified in the Bronx River Corridor Study and Plan prepared in 2020 for the County Soil and Water Conservation District.

The Department anticipates that following bonding authorization, this project will take approximately twelve (12) months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior separate components of this capital project as set forth in the attached fact sheet.

The Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Office of the County Executive

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

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

It should be noted that since BPL40 is a “general fund” project, specific components are subject to a Capital Budget Amendment. Section I of the Bond Act authorizes an amendment to the County’s Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the County’s 2021 Capital Budget to reflect this project component.

In addition, 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 Planning Board Report for BPL40 is annexed.

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

GL/ND/WB/jpg

**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 (the “County”) of a bond act (the “Bond Act”) in the amount of \$250,000.00 to finance a component of capital project BPL40 - Stormwater Management - Various County Facilities II (“BPL40”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund a stormwater management project along the Bronx River Parkway in the Village of Scarsdale.

The Department of Planning (the “Department”) has advised that this capital program is a continuation of capital project BPL23 Stormwater Management – Various County Facilities, which funds stormwater management projects for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). The current request will fund the design of a project to mitigate flooding along the Bronx River Parkway in the Village of Scarsdale. The project will reconnect the river to the grassed floodplain on the west side of the southbound lane of the parkway just north of Strathmore Road. The project is identified in the Bronx River Corridor Study and Plan prepared in 2020 for the County Soil and Water Conservation District.

The Department anticipates that following bonding authorization, this project will take approximately twelve (12) months to complete.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds for prior separate components of this capital project as set forth on the attached fact sheet.

The 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.

Your Committee is further advised that since BPL40 is a “general fund” project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County’s Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the County’s 2021 Capital Budget to reflect this project component.

In addition, 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 Planning Board Report for BPL40 is annexed.

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. Your Committee recommends the adoption of the proposed Bond Act.

Dated: _____, 2021

White Plains, New York

COMMITTEE ON

k/jpg/06.16.2021

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 \$ 250,000 PPU 5 Anticipated Interest Rate 0.39%

Anticipated Annual Cost (Principal and Interest): \$ 50,578

Total Debt Service (Annual Cost x Term): \$ 252,890

Finance Department: Interest rates from July 1, 2021 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: NA

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William C. Brady

Title: Chief Planner


Department: Planning

Date: 7/9/21

Reviewed By:  Budget Director

Date: 7/12/21

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

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

DATE: June 30, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL40 Stormwater Management – Various County Facilities II**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-11-2021 (Unique ID: 1707)

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)(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. Funds for construction management will not be expended until construction funding is approved.

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

RESOLUTION 21-17

WESTCHESTER COUNTY PLANNING BOARD

**Amendment of Planning Board Report of Capital Project
BPL40 Stormwater Management – Various County Facilities II**

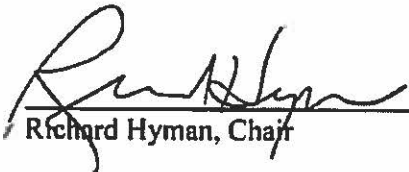
WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize amending an existing “fund” type capital project **BPL40 Stormwater Management – Various County Facilities II** to fund the design and of flood mitigation and stream restoration projects within the Bronx River Parkway Reservation; and

WHEREAS, the projects will help protect the reservation from repeated inundation, particularly during more frequent small storm events, and will enhance the quality and stability of the Bronx River, its tributaries and its floodplain; and

WHEREAS, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010, in that it will preserve and protect natural resources, control and treat stormwater, mitigate or reduce the impacts of flooding and also enhance the use of recreational facilities; now, therefore, be it

RESOLVED, that the County Planning Board includes the location of the above-described work in its Report on the 2020 Capital Projects Requests to include the location of the above-described project in the program of **BPL40 Stormwater Management – Various County Facilities II**.

Adopted this 6th day of July, 2021.


Richard Hyman, Chair

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$250,000 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 THE CONSTRUCTION OF STORMWATER MANAGEMENT MEASURES AT VARIOUS COUNTY FACILITIES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$250,000 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, to the provisions of other laws applicable thereto, \$250,000 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 construction of stormwater management measures at various County facilities, to wit: the mitigation of flooding along the Bronx River Parkway in the Village of Scarsdale including the reconnection of the river

to the grassed floodplain on the west side of the southbound lane of the parkway just north of Strathmore Road; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$250,000. The plan of financing includes the issuance of \$250,000 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 the object or purpose for which said \$250,000 bonds authorized by this Act are to be issued, 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 \$250,000. 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 \$250,000 as the estimated total 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 §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 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__

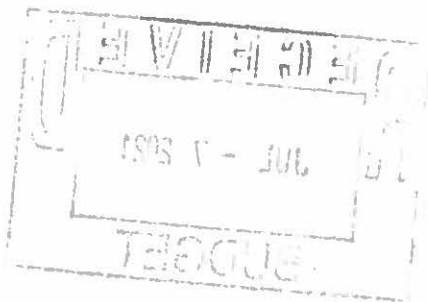
BOND ACT AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR THE CONSTRUCTION OF STORMWATER MANAGEMENT MEASURES AT VARIOUS COUNTY FACILITIES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$250,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (adopted on _____, 20__)

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of stormwater management measures at various County facilities, to wit: the mitigation of flooding along the Bronx River Parkway in the Village of Scarsdale including the reconnection of the river to the grassed floodplain on the west side of the southbound lane of the parkway just north of Strathmore Road; 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: \$250,000; 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:* BPL40	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 06-11-2021
Fact Sheet Year:* 2021	Project Title:* STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II	Legislative District ID: 10, 15
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 1707

Overall Project Description

This capital program is a continuation of capital project BPL23 Stormwater Management - Various County Facilities. This project will fund stormwater management for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). 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 type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input checked="" type="checkbox"/> Other(FLOOD MITIGATION) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	9,475	7,725	750	500	500	0	0	0
Less Non-County Shares	475	475	0	0	0	0	0	0
Net	9,000	7,250	750	500	500	0	0	0

Expended/Obligated Amount (in thousands) as of: 2,896

Current Bond Description: This project will fund the design of a project to mitigate flooding along the Bronx River Parkway in the Village of Scarsdale. The project will reconnect the river to the grassed floodplain on the west side of the southbound land of the parkway just north of Strathmore Road. The project is identified in the Bronx River Corridor Study and Plan prepared in 2020 for the County Soil and Water Conservation District.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	250,000
Cash:	0
Total:	\$ 250,000

SEQR Classification:
TYPE II

Amount Requested:
250,000

Comments:
Design and Construction Management

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2013	5,000,000	\$3,750,000 - CONSTRUCTION ON BRONX RIVER & ANITA LANE BRIDGE; \$1,250,000 - CONSTRUCTION ON BRONX RIVER AT HARNEY RD
2016	1,475,000	\$475,000 NCS FOR FULTON BROOK; \$1,000,000 FOR CONTINUATION OF THIS PROJECT
2020	500,000	CONTINUATION OF THIS PROJECT
2021	750,000	CONTINUATION OF THIS PROJECT \$500,000 ; FEASIBILITY STUDY FOR BRONX RIVER FLOOD MITIGATION \$250,000

Total Appropriation History:

7,725,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
14	26	1,250,000	1,083,188	STORMWATER MANAGEMENT - BOTH SIDES OF BRONX RIVER BY TOWN OF EASTCHESTER AND CITY OF YONKERS
16	61	850,000	701,446	RESTORE WATERWAY & BANKS- CONFLUENCE OF BRX RIV & SPRAIN BR IN BNXVLL & YONK
19	13	1,000,000	281,430	STORMWATER MANAGEMENT- VARIOUS COUNTY FACILITIES II
19	174	400,000	0	

Total Financing History:

3,500,000

Recommended By:

Department of Planning
DSK2

Date
06-11-2021

Department of Public Works
RJB4

Date
06-14-2021

Budget Department
GKGA

Date
06-14-2021

Requesting Department
WBB4

Date
06-16-2021

STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II (BPL40)

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	2021	2022	2023	2024	2025	Under Review
Gross	8,725	6,975	2,891	750	500	500			
Non County Share	(475)	(475)	1						
Total	8,250	6,500	2,892	750	500	500			

Project Description

This capital program is a continuation of capital project BPL23 Stormwater Management - Various County Facilities. This project will fund stormwater management for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). This is a general fund; specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds the continuation of this project, \$500,000 and a feasibility study for Bronx River Flood Mitigation, \$250,000.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	750,000			750,000

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
2013	5,000,000	\$3,750,000 - Construction on Bronx River & Anita Lane Bridge; \$1,250,000 - Construction on Bronx River at Harney Rd	Anita Lane - AWAITING BOND AUTHORIZATION; Harney Rd - CONSTRUCTION
2016	1,475,000	\$475,000 NCS for Fulton Brook; \$1,000,000 for continuation of this project	IN PROGRESS
2020	500,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	6,975,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	6,500,000	2,066,063	4,433,937
State Funds	475,000		475,000
Others		(688)	688
Total	6,975,000	2,065,375	4,909,625

**STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II
(BPL40)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance			
26 14	1,250,000	12/15/16	63,549	166,812			
		12/15/17	129,277				
		12/15/17	23,737				
		12/15/17	201				
		12/10/18	363,679				
		12/10/19	264,920				
		12/10/19	52,315				
		04/30/20	164,510				
		10/28/20	17,816				
		10/28/20	2,496				
		10/28/20	688				
		61 16	850,000		12/15/16	35,761	148,554
					12/15/17	94,934	
12/15/17	17,431						
12/15/17	147						
12/10/18	249,897						
12/10/19	182,021						
12/10/19	35,945						
04/30/20	85,312						
13 19	1,000,000	12/10/19	75,158	718,570			
		12/10/19	14,842				
		04/30/20	191,430				
174 19	400,000			400,000			
Total	3,500,000		2,066,064	1,433,936			