

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

**DRAFT
IMA ON FILE**

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the "Bond Act"), which if adopted, would authorize the County of Westchester (the "County") to issue up to \$2,200,000.00 in bonds to finance a component of capital project BPL26 - Flood Mitigation ("BPL26"). Also attached is an Act authorizing an intermunicipal agreement ("IMA") with the Town of Mamaroneck (the "Town") setting forth the terms of the flood mitigation project.

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood LLP, would fund up to 50% of the costs associated with a municipally proposed project to replace the Waverly Avenue Bridge with a culvert that is wider and aligned with the stream channel to improve the carrying capacity of the culvert and accommodate flood waters. The project will implement a component of the larger U.S. Army Corps of Engineer's project to reduce flooding and flood damage, particularly in the immediate vicinity of the bridge and along Waverly Avenue, which becomes impassable during even moderate flood events. It is estimated that the project will take three (3) years months to complete.

Your Committee is advised that the IMA, a copy of which is attached, will set forth the responsibilities of the County and the Town in connection with the project. In accordance with the IMA, the County and the Town will each provide up to fifty (50%) percent of the total cost of the project which is estimated to be \$4,169,972.00. The County will pay to the Town, on a reimbursement basis, an amount not to exceed \$2,084,986.00. Your Honorable Board will note that the bonding request is for \$2,200,000 to include additional County costs for staff hours and administration of the project.

Your Honorable Board enacted the Westchester County Storm Water Management Law ("SWML") in 2011 to assist municipalities with storm water management (flood mitigation). *See* Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed "reconnaissance plans", and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 134-2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed. The Town and the Mamaroneck River are both identified as areas of recurring flooding in this plan. Criteria for funding stormwater management (flood mitigation) projects are also described in the plan, including discretionary fund policy requirements to affirmatively further fair housing. The IMA requires the Village to adopt regulations and policies consistent with the flood mitigation criteria in the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed.

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

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 SEQRA documentation and concurs with this conclusion.

Your Committee is further advised that since BPL26 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 2022 Capital Budget to reflect the specific location of 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 BPL26 is annexed.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act, while a simple majority of the voting strength of your Honorable Board is required to adopt the Act authorizing the IMA.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Bond Act and Act authorizing the IMA.

Dated: July 25, 2022
White Plains, New York

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C:\jg\3.10.22
COMMITTEE ON
Budget & Appropriations

Public Works & Transportation

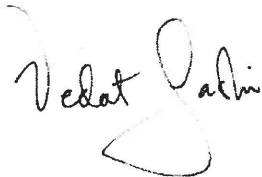
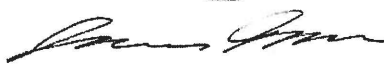


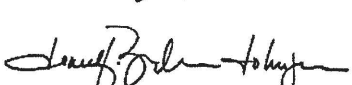
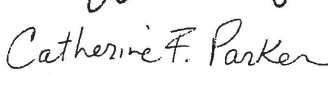

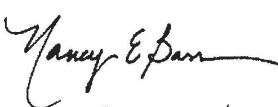

Environment, Energy
& Climate

Dated: July 25, 2022
White Plains, New York

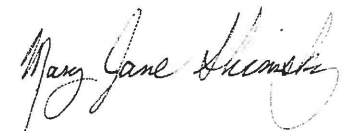
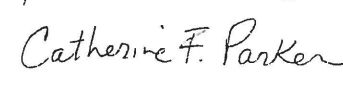
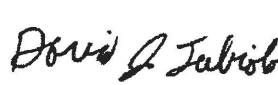
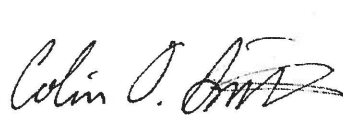
The following members attended the meeting remotely, pursuant to Chapter 56 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:


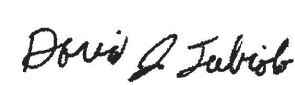
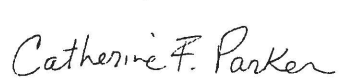
Budget & Appropriations

Public Works & Transportation

Environment, Energy & Climate

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL26

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

Waverly Ave Bridge Mamaroneck

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 2,200,000 PPU 20 Anticipated Interest Rate 3.14%

Anticipated Annual Cost (Principal and Interest): \$ 146,424

Total Debt Service (Annual Cost x Term): \$ 2,928,480

Finance Department: Interest rates from May 25, 2022 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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning


Date: 6/7/22

Reviewed By: 

Budget Director

Date: 4/5/22

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

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

DATE: April 14, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL26 FLOOD MITIGATION (TOWN OF MAMARONECK)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 03-31-2022 (Unique ID: 1857)

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: The replacement bridge will be slightly wider to accommodate sidewalks.

DSK/cnm

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 Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 21-24

WESTCHESTER COUNTY PLANNING BOARD

**Amendment of Planning Board Report on 2021 Capital Project Requests
BPL26 Flood Mitigation**

WHEREAS, the County of Westchester has established **Capital Project BPL26 Flood Mitigation**, a general fund, to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County; and

WHEREAS, the reconstruction of the bridge at Waverly Avenue in the Town of Mamaroneck, in the amount of \$2,200,000, will reduce flooding and flood damage for roadways and properties in the vicinity, including areas included within the study area of the US Army Corps of Engineers General Reevaluation Study of the Mamaroneck and Sheldrake Rivers, included in the stormwater reconnaissance plan for the Coastal Long Island Sound drainage basin; and


WHEREAS, the project has been reviewed and approved by the County Stormwater Advisory Board and will be subject to further detailed review by County staff; and

WHEREAS, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend the Capital Project BPL26 Flood Mitigation to add the project to Capital Project BPL26 and authorize bonding to fund up to 50% of the project; and

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

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2021 Capital Project Requests to include the Capital Project BPL26 Flood Mitigation for the reconstruction of the bridge at Waverly Avenue in the Town of Mamaroneck.

Adopted this 5th day of October 2021


Richard Hyman, Chair

ACT NO.92-2022

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF WAVERLY AVENUE BRIDGE IN THE TOWN OF MAMARONECK WITH A CULVERT; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$2,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,200,000 BONDS HEREIN AUTHORIZED TO FINANCE SAID COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 08/01, 2022)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$2,200,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the replacement of Waverly Avenue Bridge in the Town of Mamaroneck with a culvert; 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 total estimated maximum cost of said object or purpose,

including preliminary costs and costs incidental thereto and the financing thereof is \$2,200,000. The plan of financing includes the issuance of \$2,200,000 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 \$2,200,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$2,200,000. 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 \$2,200,000 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.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:* BPL26	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2022
Fact Sheet Year:* 2022	Project Title:* FLOOD MITIGATION	Legislative District ID: 7
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 1857

Overall Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County. This is a general fund, specific projects are subject to a Capital Budget Amendment.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	51,750	20,750	11,000	0	0	0	0	20,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	51,750	20,750	11,000	0	0	0	0	20,000

Expended/Obligated Amount (in thousands) as of : 6,626

Current Bond Description: The project involves the replacement of the existing Waverly Avenue Bridge in the Town of Mamaroneck with a culvert that is wider and aligned with the stream channel to improve the carrying capacity of the culvert and accommodate flood waters.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	2,200,000
Cash:	0
Total:	\$ 2,200,000

SEQR Classification:
TYPE II

Amount Requested:
2,200,000

Comments:

The project will implement a component of the larger USACE project and will reduce flooding and flood damage, particularly in the immediate vicinity and along Waverly Avenue, which becomes impassable during even moderate flood events, preventing access by emergency vehicles to portions of Mamaroneck.

Energy Efficiencies:
N/A

Appropriation History:

Year	Amount	Description
2009	5,400,000	MAMARONECK AND SHELDRAKE RIVERS BASIN FLOOD DAMAGE REDUCTION STUDY; FOUR LOCAL MUNICIPAL FLOOD PROJECTS
2012	5,000,000	FLOOD MITIGATION PROJECTS TO BE DETERMINED
2013	5,000,000	FLOOD RELATED PROJECTS
2015	150,000	DESIGN OF A STUDY FOR A COUNTYWIDE SYSTEM OF STREAM AND STORM GAUGES
2016	5,000,000	CONTINUATION OF THIS PROJECT
2021	200,000	DESIGN AND INSTALLATION OF A MAINTENANCE GATE AT SPRAIN BROOK, YONKERS
2022	11,000,000	DESIGN AND CONSTRUCTION OF USACE PROJECT IN VILLAGE OF MAMARONECK

Total Appropriation History:

31,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
17	11	2,974,874	2,502,238	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY (AMMENDED)
18	171	70,000	0	FUNDING FOR AN ENGINEERING STUDY TO DEVELOP A SOLUTION FOR FLOODING IN RYE BROOK, AVON CIRCLE AREA
19	108	300,000	0	INITIAL DESIGN OF PROJECT TO MITIGATE FLOODING ALONG THE HUTCHINSON RIVER
19	247	1,000,000	0	RECONSTRUCT THE HILLSIDE AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK
21	171	350,000	0	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUE ID# 1694)
21	175	270,000	0	FLOOD MITIGATION-YONKERS (UNIQUE ID# 1692)

Total Financing History:

8,306,499

Recommended By:

Department of Planning
WBB4

Date
03-31-2022

Department of Public Works
RJB4

Date
04-01-2022

Budget Department
LMY1

Date
04-04-2022

Requesting Department
WBB4

Date
04-04-2022

FLOOD MITIGATION (BPL26)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	51,750	20,750	6,626	11,000					20,000
Non County Share									
Total	51,750	20,750	6,626	11,000					20,000

Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds The US Army Corps of Engineers' project in the Village of Mamaroneck/Sheldrake and Mamaroneck rivers.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	11,000,000			11,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2009	5,400,000	Mamaroneck and Sheldrake Rivers basin flood damage reduction study; Four local municipal flood projects	COMPLETE
2012	5,000,000	Flood Mitigation Projects to be Determined	PARTIALLY IN PROGRESS
2013	5,000,000	Flood related projects	AWAITING BOND AUTHORIZATION
2015	150,000	Design of a study for a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	200,000	Design and installation of a maintenance gate at Sprain Brook, Yonkers	AWAITING BOND AUTHORIZATION
Total	20,750,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	20,750,000	6,009,371	14,740,629
Total	20,750,000	6,009,371	14,740,629

**FLOOD MITIGATION
(BPL26)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance		
79 09	900,000	12/02/10	358,000	499		
		12/02/10	(358,000)			
		11/30/11	522,141			
		11/30/11	77,859			
		11/19/15	250,434			
		11/19/15	48,566			
		11/19/15	501			
		140 09	2,441,625		10/24/12	740,494
		10/24/12	75,506			
		10/24/12	6,240			
12/10/13	852,989					
12/10/13	104,011					
12/10/13	2,925					
11/19/15	334,212					
11/19/15	64,813					
11/19/15	669					
12/15/16	259,766					
11 17	2,974,875	12/15/17	31,948	472,636		
12/15/17	5,866					
12/15/17	50					
12/15/17	29,606					
12/15/17	5,436					
12/15/17	46					
12/10/18	660,625					
12/10/19	959,846					
12/10/19	189,546					
12/10/19	117,641					
12/10/19	23,231					
04/30/20	478,398					
171 18	70,000			70,000		
108 19	300,000			300,000		
247 19	1,000,000			1,000,000		
171 21	350,000			350,000		
175 21	270,000			270,000		

**FLOOD MITIGATION
(BPL26)**

Total	8,306,500	5,843,365	2,463,135
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STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on August 1, 2022 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given
July 27, 2022

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

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

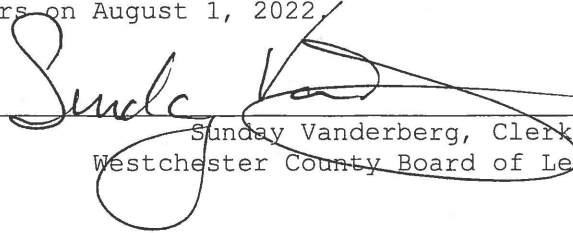
Designated Location(s)
of posted notice

Date of Posting
July 27, 2022

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on August 1, 2022.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

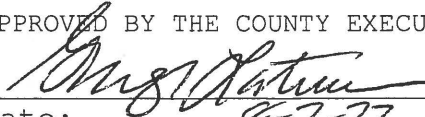
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 8-2-22

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Mamaroneck in connection with a flood mitigation project (Capital Project BPL26).

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

Section 1. The County of Westchester (the “County”) is hereby authorized to enter into an intermunicipal agreement (the “IMA”) with the Town of Mamaroneck (the “Town”), in substantially the form attached hereto, in connection with a flood mitigation project to be conducted in the Town to mitigate flooding and flood damage in the immediate vicinity of the Waverly Avenue Bridge and along Waverly Avenue (the “Project”).

§2. The County is hereby authorized to accept any real property interests from the Town in connection with the Project.

§3. The term of the IMA shall commence upon execution thereof by both parties and approval of same by the Office of the County Attorney, and shall continue for the life of the bonds issued by the County for the construction of the Project.

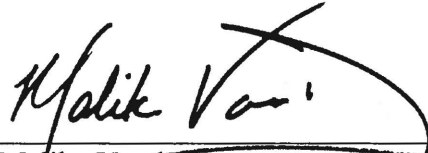
§4. The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

§5. This Act shall take effect immediately.

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

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act No. 92 - 2022, and Act No. 93 - 2022, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original (Bond) Act, and Act which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on August 1, 2022, and approved by the County Executive on August 2, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 3rd day of August, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

