



George Latimer
County Executive

September 10, 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 an amended Bond Act ("Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of \$6,415,000 to finance the following capital project:

RKP02 – Kingsland Point Park Bulkhead Replacement ("RKP02").

The Amended Bond Act, in the total amount of \$6,785,000, which includes \$370,000 in previously authorized bonds of the County, would finance the cost of bulkhead and shoreline stabilization improvements at the County's Kingsland Point Park ("Park") located in Tarrytown, including repairs and replacement to the bulkhead, shoreline stabilization, rehabilitation of the seawall structure and walkway along the shoreline.

The Department of Parks, Recreation and Conservation ("Department") has advised that the structures are required to protect the shoreline from erosion caused by the Hudson River, and that they are in poor condition and have failed in some places. RKP02 is necessary to maintain Park patrons' safety, protect the Park land mass and prevent erosion.

Design is currently being undertaken by a consultant and is expected to be completed by the fourth quarter of 2021. It is anticipated that construction will take fifteen to eighteen months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance RKP02, as follows: Bond Act No. 91-2017 in the amount of \$370,000 which authorized financing for design work in connection with RKP02. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 91-2017 be amended to increase the total amount authorized by \$6,415,000, for a total authorized amount, as amended, of \$6,785,000, to revise the scope of Bond Act No. 91-2017 to include work associated with the construction phase of RKP02 and to increase the period of probable usefulness of said bonds.

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.

Office of the County Executive


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

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

westchestergov.com

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

Sincerely,

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

George Latimer
County Executive

Attachments

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$6,785,000 which includes \$370,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project RKP02 – Kingsland Point Park Bulkhead Replacement (“RKP02”). The Amended Bond Act, which was prepared by the law firm Harris Beach, PLLC, is required to finance bulkhead and shoreline stabilization improvements at the County’s Kingsland Point Park (“Park”) located in Tarrytown, including repairs and replacement to the bulkhead, shoreline stabilization, rehabilitation of the seawall structure and walkway along the shoreline.

The Department of Parks, Recreation and Conservation (“Department”) has advised that the structures are required to protect the shoreline from erosion caused by the Hudson River, and that they are in poor condition and have failed in some places. RKP02 is necessary to maintain Park patrons’ safety, protect the Park land mass and prevent erosion.

Design is currently being undertaken by a consultant and is expected to be completed by the fourth quarter of 2021. It is anticipated that construction will take fifteen to eighteen months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance RKP02, as follows: Bond Act No. 91-2017 in the amount of \$370,000 which authorized financing for design work in connection with RKP02. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 91-2017 be amended to increase the total amount authorized by \$6,415,000, for a total authorized amount, as amended, of \$6,785,000, to revise the scope of Bond Act No. 91-2017 to include work associated with the construction phase of RKP02 and to increase the period of probable usefulness of said bonds.

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

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

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RKP02

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 \$ 6,785,000 PPU 30 Anticipated Interest Rate 1.38%

Anticipated Annual Cost (Principal and Interest): \$ 275,014

Total Debt Service (Annual Cost x Term): \$ 8,250,426

Finance Department: 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: 74

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: 9/7/22


Reviewed By: 

Budget Director

Date: 9/7/22

9/8/22

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

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

DATE: August 13, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RKP02 KINGSLAND POINT PARK BULKHEAD REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-10-2021 (Unique ID: 1608)

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:

- **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.
-

COMMENTS: NYSDEC classified the project as a Type II action, per plans submitted to the New York State Department of Environmental Conservation (NYSDEC) and authorized by permit dated 6/25/2021. The project will include the removal of trees that are destabilizing the bank or would obstruct the rehabilitation of the shoreline. Landscape plans include a large number of native shrubs and trees. The number of replacement trees will exceed the number of trees to be removed.

cc: Andrew Ferris, Chief of Staff
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
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED MAY 22, 2017 IN RELATION TO FINANCING THE COST OF BULKHEAD AND SHORELINE STABILIZATION IMPROVEMENTS AT KINGSLAND POINT PARK LOCATED IN TARRYTOWN; AT THE TOTAL ESTIMATED COST OF \$6,785,000. (Adopted , 20__).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance planning recreational area improvements at Kingsland Point Park located in Tarrytown, at the estimated maximum cost of \$370,000, pursuant to Act No. 91-2017 duly adopted on May 22, 2017, and it has now been determined that the period of probable usefulness for such planning may be increased so that it shall be equal to the period of probable usefulness for the required bulkhead and shoreline stabilization improvements; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the appropriation for such project by \$6,415,000 for estimated costs of such improvements;

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

Section (A). The bond act duly adopted by this Board on May 22, 2017, entitled:

“(BOND) ACT NO. 91-2017

BOND ACT AUTHORIZING THE ISSUANCE OF \$370,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING RECREATIONAL AREA IMPROVEMENTS AT KINGSLAND POINT PARK LOCATED IN TARRYTOWN; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$370,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$370,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,785,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF BULKHEAD AND SHORELINE STABILIZATION IMPROVEMENTS AT KINGSLAND POINT PARK LOCATED IN TARRYTOWN; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,785,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,785,000 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, \$6,785,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of bulkhead and shoreline stabilization improvements at Kingsland Point Park located in Tarrytown, including repairs and replacement to the bulkhead, shoreline stabilization, rehabilitation of the seawall structure and walkway along the shoreline; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$6,785,000. The plan

of financing includes the issuance of \$6,785,000 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. 22(a) of the Law, is thirty (30) 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 \$6,785,000. 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.

of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on _____, 20__ and approved by the County Executive on _____, 20__.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this _____ day of _____, 20__.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on May 22, 2017 and amended on _____, 20__ and approved, as amended, 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 \$6,785,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF BULKHEAD AND SHORELINE STABILIZATION IMPROVEMENTS AT KINGSLAND POINT PARK LOCATED IN TARRYTOWN; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,785,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,785,000 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 the cost of bulkhead and shoreline stabilization improvements at Kingsland Point Park located in Tarrytown, including repairs and replacement to the bulkhead, shoreline stabilization, rehabilitation of the seawall structure and walkway along the shoreline; all as set forth in the County's 20__ Capital Budget, as amended

amount of obligations to be issued:
and period of probable usefulness: \$6,785,000; thirty (30) 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:*
RBR02

CBA

Fact Sheet Date:*
07-19-2021

Fact Sheet Year:*
2021

Project Title:*
BRONX RIVER RESERVATION-
SCOUT FIELD

Legislative District ID:
15,

Category*
RECREATION FACILITIES

Department:*
PARKS, RECREATION &
CONSERVATION

CP Unique ID:
1718

Overall Project Description

This project will make improvements to the Bronx River Reservation at Scout Field, in the Village of Bronxville, and the City of Yonkers.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	2,432	2,432	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,432	2,432	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 1,568

Current Bond Description: This request is for additional site improvements at Scout Field, including but not limited to, grubbing, installation of new pathways, rehabilitation of existing pathways, masonry rehabilitation, landscaping and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	0
Cash:	<u>0</u>
Total:	\$ 0

SEQR Classification:
UNLISTED

Amount Requested:
0

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2001	150,000	REHABILITATION AND CONSTRUCTION OF SOCCER AND BASEBALL FIELDS; CONSTRUCTION BY LOCAL MUNICIPALITIES; RIVERBANK STABILIZATION
2008	100,000	CREATION OF A TURF ATHLETIC FIELD AND ASSOCIATED SITE WORK
2010	500,000	IMPROVEMENTS TO THE WEST BALLFIELD, CREATION OF A TURF ATHLETIC FIELD, AND ASSOCIATED SITE WORK
2016	1,682,000	CREATION OF A TURF ATHLETIC FIELD AND ASSOCIATED SITE WORK

Total Appropriation History:

2,432,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
05	133	150,000	150,000	REC. AREA IMPROVEMNTS-BRX RIVER RESERVATN
13	205	350,000	74,066	SCOUT FIELD RECREATIONAL IMPROVEMENTS ON BRONX RIVER RESERVATION IN MOUNT VERNON AND YONKERS
16	142	1,932,000	141,797	BRONX RIVER RESERVATION - SCOUT FIELD

Total Financing History:

2,432,000

Recommended By:

Department of Planning
WBB4

Date
07-23-2021

Department of Public Works
RJB4

Date
07-26-2021

Budget Department
LMY1

Date
07-26-2021

Requesting Department
KUU1

Date
07-26-2021

KINGSLAND POINT PARK INFRASTRUCTURE (RKP01)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;
Estimated Completion Date: TBD
Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (In thousands)									
	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	11,170	5,170	238				400		5,600
Non County Share									
Total	11,170	5,170	238				400		5,600

Project Description

This project provides for repairs and rehabilitates site and infrastructure facilities at the park.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History			
Year	Amount	Description	Status
2013	1,200,000	Design and Construction of Infrastructure Improvements	DESIGN
2015	370,000	Design for Phase II	AWAITING BOND AUTHORIZATION
2017	3,600,000	Design and construction to remove the pedestrian bridge; resurface walkways; drives and parking area; three planting and landscaping.	AWAITING BOND AUTHORIZATION
Total	5,170,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	5,170,000	224,171	4,945,829
Total	5,170,000	224,171	4,945,829

Bonds Authorized				
Bond Act	Amount	Date Sold	Amount Sold	Balance
175 13				
245 15	1,200,000	12/15/16	182,481	975,829
		12/15/17	35,177	
		12/15/17	6,459	
		12/15/17	55	
Total	1,200,000		224,171	975,829