



Kenneth W. Jenkins
County Executive

Date: June 29, 2026

To: The Honorable Members of the Board of Legislators

From: Kenneth W. Jenkins, County Executive

RE: Acts For Capital Project BPL26 – Flood Mitigation (Powderhorn Road – Village of Ardsley)

Transmitted herewith for your review and approval is a bond act (the “Bond Act”), which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to issue up to \$550,000.00 in bonds of the County to finance a component of capital project BPL26 – Flood Mitigation (“BPL26”).

Also attached are two acts of the County, as follows: a.) one act (the “Plan Amendment Act”) authorizing the County to amend the Storm Water Reconnaissance Plan for the Saw Mill and Pocantico Rivers (the “Plan”), adopted by your Honorable Board by Act No. 120 – 2014 on June 17, 2014, to add flood problem areas designated by the Village of Ardsley (“Ardsley”) and a study conducted by the Village of Hastings-on-Hudson; and b.) one act authorizing the County to enter into an intermunicipal agreement (“IMA”) with Ardsley, setting forth the terms of the flood mitigation project (the “Project”).

The Bond Act, in the amount of \$550,000.00, would finance the County’s share of the cost of the Project in Ardsley. The Bond Act would finance the construction of new storm water infrastructure to reduce flooding on residential properties along Powderhorn Road and Captain Honeywells Road (the “Properties”) located in Ardsley, as well as related County administrative costs.

The Department of Planning (the “Department”) has advised that the Project will address significant recurring flooding on the Properties, as well as in the Properties’ immediate vicinity.

Design for this Project has been completed by a consultant retained by Ardsley. The Department estimates that the Project’s construction phase will take no more than one year to complete and will begin after award and execution of the construction contracts.

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

The Properties are located within areas designated as flood hazard areas by the Federal Emergency Management Agency, but are not currently shown on the flooding or storm water maps included in the Plan. Under LWC Section 241.256, a property must be shown on its associated reconnaissance plan to qualify for County funding as a Storm Water Management Project (defined in LWC Section 241.254(13)). Authority is therefore requested to approve the Plan Amendment Act to add the flood problem areas designated by Ardsley and the study conducted by the Village of Hastings-on-Hudson, which together include the Properties. The Plan Amendment Act is necessary for the Project to be eligible for County funding under the SWML.

The proposed IMA sets forth the responsibilities of the County and Ardsley in connection with the Project. Under the proposed IMA, Ardsley will grant the County a non-exclusive easement(s) for those portions of Ardsley’s property upon which the Project will be located (the “Right-of-Way”). The easements are necessary to carry out the work needed to complete the Project, and to create a financeable property interest for the issuance of the County bonds. The IMA will run coterminous with the life of the bonds. Ardsley will construct, operate, maintain, repair, replace, inspect, or restore the Project. The proposed IMA also requires Ardsley to adopt regulations and policies consistent with the flood mitigation criteria adopted by the County.

In accordance with the IMA, the County will reimburse up to fifty percent of the eligible expenses based upon the total cost of the Project, which is estimated to be \$1,030,000.00. The County will pay to Ardsley, on a reimbursement basis, an amount not to exceed \$515,000.00, noting that the remaining \$35,000.00 will be used to finance County administrative costs. Ardsley will be solely responsible for any additional amount beyond the total cost of the Project. Following construction, Ardsley will be responsible for the operation, maintenance, scheduling, and security of the Right-of-Way and the Project at its expense. The term of the IMA will commence retroactively on June 1, 2026 and will continue for a period at least equal to the life of any County bonds issued to fund the Project, which is estimated to be forty years pursuant to the Local Finance Law.

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with prior components of BPL26 as indicated in the annexed fact sheet.

It should also be noted 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 current-year capital budget to reflect the specific location of this Project component.

LWC Section 167.131 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.

Based on the importance of this Project to the County, favorable action on the annexed proposed acts is respectfully requested from your Honorable Board.

KWJ/BPL/DK/MR/mcz

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 of a bond act (the “Bond Act”), prepared by the law firm Hawkins, Delafield & Wood LLP, which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to issue up to \$550,000.00 in bonds of the County to finance a component of capital project BPL26 – Flood Mitigation (“BPL26”).

Also attached are two acts of the County, as follows: a.) one act (the “Plan Amendment Act”) authorizing the County to amend the Storm Water Reconnaissance Plan for the Saw Mill and Pocantico Rivers (the “Plan”), adopted by your Honorable Board by Act No. 120 – 2014 on June 17, 2014, to add flood problem areas designated by the Village of Ardsley (“Ardsley”) and a study conducted by the Village of Hastings-on-Hudson; and b.) one act authorizing the County to enter into an intermunicipal agreement (“IMA”) with Ardsley, setting forth the terms of the flood mitigation project (the “Project”).

Your Committee is advised that the Bond Act, in the amount of \$550,000.00, would finance the County’s share of the cost of the Project in Ardsley. The Bond Act would finance the construction of new storm water infrastructure to reduce flooding on residential properties along Powderhorn Road and Captain Honeywells Road (the “Properties”) located in Ardsley, as well as related County administrative costs.

The Department of Planning (the “Department”) has advised that the Project will address significant recurring flooding on the Properties, as well as in the Properties’ immediate vicinity.

Design for this Project has been completed by a consultant retained by Ardsley. The Department estimates that the Project’s construction phase will take no more than one year to complete and will begin after award and execution of the construction contracts.

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

The Properties are located within areas designated as flood hazard areas by the Federal Emergency Management Agency, but are not currently shown on the flooding or storm water maps included in the Plan. Under LWC Section 241.256, a property must be shown on its associated reconnaissance plan to qualify for County funding as a Storm Water Management Project (defined in LWC Section 241.254(13)). Authority is therefore requested to approve the Plan Amendment Act to add the flood problem areas designated by Ardsley and the study conducted by the Village of Hastings-on-Hudson, which together include the Properties. The Plan Amendment Act is necessary for the Project to be eligible for County funding under the SWML.

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In accordance with the IMA, the County will reimburse up to fifty percent of the eligible expenses based upon the total cost of the Project, which is estimated to be \$1,030,000.00. The County will pay to Ardsley, on a reimbursement basis, an amount not to exceed \$515,000.00, noting that the remaining \$35,000.00 will be used to finance County administrative costs. Ardsley will be solely responsible for any additional amount beyond the total cost of the Project. Following construction, Ardsley will be responsible for the operation, maintenance, scheduling, and security of the Right-of-Way and the Project at its expense. The term of the IMA will commence retroactively on June 1, 2026 and will continue for a period at least equal to the life of any County

bonds issued to fund the Project, which is estimated to be forty years pursuant to the Local Finance Law.

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with prior components of BPL26 as indicated in the annexed fact sheet.

It should also be noted 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 current-year capital budget to reflect the specific location of this Project component.

Your Committee is advised that LWC Section 167.131 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.

The Planning Department has advised your Committee that based on its review, the Project may be classified as an “Unlisted” action under the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQR”). The Ardsley Board of Trustees, as lead agency, prepared a short Environmental Assessment Form and issued a Negative Declaration for the Project. Since Ardsley undertook coordinated review and the County was included as an involved agency, in accordance with SEQR Section 617.6(b)(3), no further environmental review is required by the County.

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 IMA Act.

Based on the importance of this Project to the County, your Committee recommends favorable action on the annexed proposed acts.

Dated: _____, 2026
White Plains, New York

COMMITTEE ON

TO: Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

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



DATE: June 26, 2026

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
BPL26 FLOOD MITIGATION – POWDERHORN ROAD (VILLAGE OF
ARDSLEY)**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 3098) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, the Village of Ardsley classified this project as an Unlisted action. On November 29, 2025, the Village Board of Trustees circulated a notice of intent to serve as lead agency and circulated Part 1 of a short Environmental Assessment Form. On February 2, 2026, the Village Board issued a Negative Declaration for the project. Since the Village undertook coordinated review and the County of Westchester was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

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

DSK/oav

cc: Emily Saltzman, Director of Operations
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Matthew Castro, Chief Planner
Claudia Maxwell, Principal Environmental Planner

BPL26 Flood Mitigation

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2025	2026	2027	2028	2029	Under Review
Gross	120,750	76,500	44,250					
Non-County Share								
County Share	120,750	76,500	44,250					

Project Description

This project provides funding for County and local municipal flood mitigation projects that are recommended by the County Stormwater Advisory Board and identified in watershed-based flood action plans and the County-wide hazard mitigation plan and proposed by local municipalities. Grants and other funding sources will be sought to the greatest extent practical.

This 2025 Capital Budget Amendment to BPL26 is for \$550,000 for the Powder Horn Road Stormwater Improvements in the Village of Ardsley. The project has been reviewed and approved by the County Stormwater Advisory Board.

Appropriation Requests

2009: \$5,400,000 for Flood Mitigation of County facilities.

2012: \$5,000,000 for Flood mitigation.

2013: \$5,000,000 for Flood mitigation.

2015: \$150,000 for Flood mitigation.

2016: \$5,000,000 for Flood mitigation.

2021: \$200,000 for Flood mitigation.

2022: \$11,000,000 for Flood mitigation.

2023: \$17,500,000 for Flood mitigation

1. \$17,000,000 for Village of Mamaroneck from the Sheldrake and Mamaroneck Rivers.
2. BOL add of \$300,000 for Town of Mamaroneck Drainage Study,
3. \$200,000 for Yonkers Scotti Field flood projects, and

2024 BOL adds (\$27,250,000 total)

1. Pelham Flood Mitigation, \$16,000,000
2. Pelham Manor Flood Mitigation, \$6,000,000
3. Bronxville Stormwater Conveyance system, \$ 200,000
4. City of Rye Stormwater System Improvements for Flood Mitigation, \$250,000
5. County Share of ACE Project in Village of Mamaroneck, \$4,000,000
6. Flood Mitigation Study - Village of Mamaroneck Jefferson Avenue Parking Lot, \$150,000
7. Village of Mamaroneck Detention Retention Enhancement Study, \$150,000
8. Ardsley Road and Edgemont Road Drainage Study in Edgemont, \$500,000

2025: \$10M additional flood mitigation funds for continuation of this project. \$34,250,000 for BOL additions to the 2025 appropriations

Justification

The program enables Westchester County to construct projects and partner with municipalities and other government agencies to provide funding for flood mitigation or flood damage reduction projects. Through partnerships with our municipalities and other government entities such as the US Army Corps of Engineers and NYS Department of Environmental Conservation, the County will work to reduce flooding problems and impacts on people and property throughout Westchester County.

Consistency with Programs or Plans

This project is consistent with the policies of “**Westchester 2025**”, the County’s long-range land use policies. As per Westchester County policy, stormwater management must be addressed with every capital project where feasible.

Planning Board Recommendations

The Planning Board recommends this 2025 Capital Budget Amendment for Powder Horn Road Stormwater Improvements in the Village of Ardsley per resolution number 25-28 signed on the following date: 11-5-25. The Planning Board designates this project as **PL2**.

Comments

Planning Department staff will monitor the progress of design to address physical and environmental planning concerns including the stormwater management. Standards contained in the “Management Design Manual and the NYS Standards and Specifications for Erosion and Sediment Control” should be maintained.

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE COST OF A FLOOD MITIGATION PROJECT IN THE VILLAGE OF ARDSLEY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$550,000 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, an Intermunicipal Agreement between the County and the Village of Ardsley, and the provisions of other laws applicable thereto, \$550,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the County's share of the cost of a flood mitigation project to reduce flooding on residential properties along Powderhorn Road and Captain Honeywells Road, in the Village of Ardsley, 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 the County's share of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$550,000. The plan of financing includes the issuance of \$550,000 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 and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) 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 \$550,000. 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 \$550,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and

contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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 \$550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE COST OF A FLOOD MITIGATION PROJECT IN THE VILLAGE OF ARDSLEY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$550,000 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 County's share of the cost of a flood mitigation project to reduce flooding on residential properties along Powderhorn Road and Captain Honeywells Road, in the Village of Ardsley, as set forth in the County's Current Year Capital Budget, as amended.

Amount of obligations to be issued
and period of probable usefulness: \$550,000; forty (40) 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