

Parks & Environment Meeting Agenda



Committee Chair: David Tubiolo

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

Tuesday, October 15, 2024

1:00 PM

Committee Room

Joint with B&A and PWT

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2024-534](#) **ACT-Release & Transfer of Funds-EOH WQIP Fund**

AN ACT authorizing the release and transfer of ONE HUNDRED SIXTY-EIGHT THOUSAND (\$168,000) DOLLARS from the East of Hudson Water Quality Investment Program Fund earnings, for which the County of Westchester is custodian under the 1997 Watershed Memorandum of Agreement, into a County Trust Account for the purpose of disbursement to the Town of Lewisboro.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND
PARKS & ENVIRONMENT**

Joint with B&A.

Guests: Planning Department

Program Administrator Millie Magraw

2. [2024-535](#) IMA-Disburse Funds-EOH WQIP Fund-Lewisboro

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the Town of Lewisboro in order to disburse funds of the East of Hudson Water Quality Investment Program Fund earnings, for which the County of Westchester is custodian under the 1997 Watershed Memorandum of Agreement.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PARKS & ENVIRONMENT

Joint with B&A.

Guests: Planning Department

Program Administrator Millie Magraw

3. [2024-522](#) BOND ACT-RTB05-Tibbetts Brook Park Infrastructure

A BOND ACT authorizing the issuance of FOUR HUNDRED THOUSAND (\$400,000) DOLLARS in bonds of Westchester County to finance Capital Project RTB05 - Tibbetts Brook Park Infrastructure.

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

Joint with B&A and PWT.

Guests: Department of Parks, Recreation & Conservation

First Deputy Commissioner Peter Tartaglia

Program Coordinator-Capital Planning Rob Lopane

4. [2024-523](#) BOND ACT-RTB09-Tibbetts Site Work II

A BOND ACT authorizing the issuance of TWO HUNDRED EIGHTY THOUSAND (\$280,000) DOLLARS in bonds of Westchester County to finance Capital Project RTB09 - Tibbetts Site Work II.

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

Joint with B&A and PWT.

Guests: Department of Parks, Recreation & Conservation

First Deputy Commissioner Peter Tartaglia

Program Coordinator-Capital Planning Rob Lopane

5. [2024-548](#) BOND ACT(Amended)-RBR07-Bronx River Pathway Reconstruction

A BOND ACT (Amended) to authorize the removal of EIGHT HUNDRED THOUSAND (\$800,000) DOLLARS allocable to Capital Project RBR07 - Bronx River Pathway Reconstruction and to decrease the estimated maximum amount of bonds authorized to TWELVE MILLION, EIGHT HUNDRED FIFTY THOUSAND (\$12,850,000) DOLLARS.

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

Joint with B&A and PWT.

Guests: Department of Parks, Recreation & Conservation

First Deputy Commissioner Peter Tartaglia

Program Coordinator-Capital Planning Rob Lopane

6. [2024-549](#) BOND ACT(Consolidated)-RBR07-Bronx River Pathway Reconstruction

A BOND ACT (Consolidated) authorizing the issuance of EIGHT MILLION, SEVEN HUNDRED THIRTY THOUSAND (\$8,730,000) DOLLARS in bonds of Westchester County to finance Capital Project RBR07 - Bronx River Pathway Reconstruction.

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

Joint with B&A and PWT.

Guests: Department of Parks, Recreation & Conservation

First Deputy Commissioner Peter Tartaglia

Program Coordinator-Capital Planning Rob Lopane

7. [2024-550](#) BOND ACT-RGI06-Glen Island Castle Rehabilitation

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project RG106.

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

Joint with B&A and PWT.

Guests: Department of Parks, Recreation & Conservation

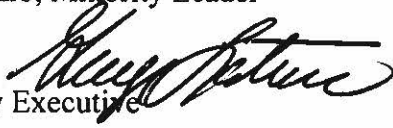
First Deputy Commissioner Peter Tartaglia

Program Coordinator-Capital Planning Rob Lopane

II. OTHER BUSINESS**III. RECEIVE & FILE****ADJOURNMENT**

September 27, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: Act – Release & Transfer of Funds from EOH WQIP Fund; IMA with Town of Lewisboro in Order to Disburse Funds.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

Transmitted herewith for your consideration are two (2) Acts relevant to the East of Hudson Water Quality Investment Program Fund.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 30, 2024

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your consideration are two (2) Acts to authorize the County of Westchester (the "County") to: 1) release from the East of Hudson Water Quality Investment Program Fund (the "EOH WQIP Fund"), of which the County serves as custodian under the New York City Watershed Memorandum of Agreement (the "Watershed MOA") (as defined below), in an amount not to exceed One Hundred Sixty Eighty Thousand (\$168,000.00) Dollars (the "EOH Funds"). The EOH Funds will be provided to the Town of Lewisboro (the "Town") for the Town's costs ("Eligible Costs") as defined in the Watershed MOA, for the development of two studies to assist the Town's sewer planning efforts, including preparation of Maps, Plans and Reports to examine the wastewater needs and feasible solutions in the areas surrounding Lakes Kitchawan, Waccabuc, Truesdale, Rippowam and Oscaleta which are in the New York City watershed, as more particularly described in a proposal dated September 14, 2023 prepared by Woodard & Curran Engineering and Geological Services P.A. P.C. ("Woodard & Curran"). These studies (the "Project") will focus on evaluating solutions to reduce phosphorous levels in area watercourses, and overall fecal coliform reduction from the five abovementioned lakes; and 2) enter into an intermunicipal agreement (the "IMA") with the Town, which sets forth the terms under which the County will disburse the EOH Funds.

Your Honorable Board will recall that, pursuant to Act Nos.145-1996 and 165-1996, which were approved by your Honorable Board, the County, along with the City, the State of New York, United States Environmental Protection Agency, the Catskill Watershed Corporation, the Coalition of Watershed Towns, certain environmental parties, and the Towns of Bedford, Cortlandt, Lewisboro, Mount Pleasant, New Castle, North Castle, North Salem, Pound Ridge, Yorktown, and the Town/Villages of Harrison and Mount Kisco are parties to the Watershed MOA. It should be noted that the chief elected official (or appointed designee) of each of the aforementioned municipalities, along with representatives of the County, comprise the Northern Westchester Watershed Committee (the "NWWC").

Your Honorable Board will further recall that, pursuant to Article V, paragraph 140 of the

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Michaelian Office Building
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Telephone: (914)995-2900 Website: westchestercountyny.gov



Watershed MOA and the East of Hudson Water Quality Investment Program Contract (which is incorporated into and made a part of the Watershed MOA), the City paid the County Thirty-Eight Million (\$38,000,000) Dollars to create a fund, known as the EOH WQIP Fund, to support a program of water quality investments east of the Hudson River in order to protect New York City's drinking water supply. Pursuant to the Watershed MOA, the EOH WQIP Fund monies may be distributed by the County to fund specified water quality improvement projects as enumerated therein and/or as New York City Department of Environmental Protection ("NYCDEP") may authorize.

Specifically, the Town has requested \$71,000.00 to develop a Map, Plan and Report for the formation of a septic maintenance district at Lake Kitchawan for approximately 187 developed parcels. Lake Kitchawan is in the New York City watershed and drains into the Cross River which drains into the Cross River Reservoir. This study shall include, but will not be limited to a property list with estimated first year annual costs per property as well as the capital, and operation and maintenance cost estimates for a septic maintenance district. Additionally, as part of this request, Woodard & Curran shall support the Town in a variety of ways which shall include, but will not be limited to public engagement activities, the public hearing process, preparation for a public referendum related to the formation of a septic maintenance district, and completion of the SEQR process, including the preparation of the Full Environmental Assessment Form Parts 1, 2, and 3.

By way of background, in 2021, Woodward & Curran completed a water quality study of Lake Kitchawan ("Woodard & Curran Study") which was funded by the City of New York under a contract administered by "NEIWPCC", formerly known as the New England Interstate Water Pollution Control Commission. Sampling that took place as part of this study showed that the fecal coliform and E. coli levels at two of the outfalls at Lake Kitchawan exceed health hazard levels established by the New York State Department of Health ("NYSDOH"). These are two common indicators of wastewater system failures. The Woodward & Curran Study estimated the cost and the benefit of creating a septic maintenance district and estimated the cost and benefit of installing low pressure sewers in the project area in two different scenarios. The septic maintenance district plan was determined to be the least expensive and most favorable option to address the water quality problems in this area.

Additionally, the Town has requested \$97,000.00 to develop a Map, Plan and Report for the formation of a sewer district for approximately 304 developed parcels surrounding Lakes Waccabuc, Truesdale, Rippowam and Oscaleta. This study shall include, but will not be limited to the preliminary wastewater treatment plant site layout, a review of location and discharge requirements with New York State Department of Environmental Conservation and NYCDEP, and development of capital and operation and maintenance cost estimates for the sanitary sewer collection system and wastewater treatment plant. This study will fully describe the areas served and will include a property list with estimated first year annual costs per property. Additionally, as part of this request, the Woodard & Curran will support the Town in a variety of ways which shall include but will not be limited to public engagement activities related to the formation of a sewer district. The improvements that may result from the study findings, would be undertaken to achieve the goal of improved water quality within the New York City Watershed; specifically, Lakes Waccabuc, Truesdale, Rippowam and Oscaleta which are tributaries of the Cross River

Reservoir. The study will focus on evaluating solutions to reduce phosphorous levels in the aforementioned lakes and overall fecal coliform reduction from the area.

By way of background, in 2021, Barton & Loguidice, D.P.C. completed a water quality study of Lake Waccabuc which was funded by the City of New York under a contract administered by NEIWPCC. Further, Ramboll Group A/S completed a water quality study of Lake Truesdale which was also funded by the City of New York under a contract administered by NEIWPCC. The Town is requesting this additional study which would incorporate the developed parcels surrounding all of the four aforementioned lakes into one sewer district project.

The EOH Funds are proposed to be issued from earnings on the principal of the EOH WQIP Fund. I have been advised that Section 140(c)(vii) of the Watershed MOA lists “Any other purpose approved by NYCDEP. NYCDEP shall base its decision whether to approve such purpose on whether the proposed use of earnings on EOH Water Quality Funds is designed to protect and improve water quality in the Watershed”, as eligible expenses of the EOH WQIP Fund. The Department of Planning (“Planning”) has advised that NYCDEP has approved the Project pursuant to this section of the Watershed MOA.

Further, I have been advised that, in order to properly spend the EOH WQIP Fund, the County must comply with certain other procedures as set forth in the Watershed MOA, and all State and local laws, rules and regulations, including the Laws of Westchester County. This includes, among other things, compliance with the right of objection procedures specified in paragraph 107(c) of the Watershed MOA. Planning, as the Administrator of the Watershed MOA and any program initiated pursuant thereto, issued a right of objection letter to the requisite parties on August 26, 2024, stating the County's intent to access and distribute the EOH Funds in connection with this Project. Pursuant to the provisions of Paragraph 107(f), such parties have fifteen (15) days from the date of mailing of the right of objection letter, to object to this decision, or to petition for an additional fifteen (15) day period to raise an objection. Planning has advised that no objections were received during the applicable timeframe. Accordingly, subject to receipt of the approval of your Honorable Board, the EOH Funds may now be expended in accordance with the Watershed MOA.

I have been advised that the NWWC supports the expenditure of the EOH Funds for the Project, and on June 12, 2024, adopted a Resolution formalizing that support. The Resolution was adopted supporting the allocation of up to Twelve Million (\$12,000,000) Dollars of the EOH WQIP Fund to be used for this Project and a larger project which will include funding for the formation of a septic maintenance district, and a sewer collection system and wastewater treatment plant subsequent to the studies being completed. Authority from your Honorable Board for the additional portions of the larger project will be requested at later date.

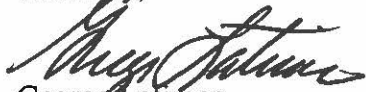
I have been further advised that because the County acts as custodian of the EOH WQIP Fund, and because such funds are not currently included in any County operating or capital budget, the first annexed Act, if approved by your Honorable Board, will provide for the transfer of the EOH Funds from the County's general custodial account for the EOH WQIP Fund to a County Trust Account created for the specific purpose of funding this Project. As the Administrator of the Watershed MOA, Planning will manage the disbursement of the EOH Funds all in accordance

with the terms outlined herein, and in the Watershed MOA.

The second annexed Act will authorize the County to enter into an IMA with the Town, which will outline the terms and conditions under which the EOH Funds will be released. Specifically, the proposed IMA will have a term of two (2) years, will authorize the release of up to One Hundred Sixty Eighty Thousand (\$168,000.00) Dollars, and will be conditioned upon the completion of the Project.

Your Honorable Board's approval of the two (2) annexed Acts is recommended as they will result in a worthwhile use of the EOH WQIP Fund for the purpose of protecting water quality in the New York City watershed.

Sincerely,

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

George Latimer
Westchester County Executive

GL/BPL/LAC
Attachments

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

Your Committee is in receipt of a communication from the County Executive recommending the adoption of two (2) Acts to authorize the County of Westchester (the "County") to: 1) release from the East of Hudson Water Quality Investment Program Fund (the "EOH WQIP Fund"), of which the County serves as custodian under the New York City Watershed Memorandum of Agreement (the "Watershed MOA") (as defined below), in an amount not to exceed One Hundred Sixty Eighty Thousand (\$168,000.00) Dollars (the "EOH Funds"). The EOH Funds will be provided to the Town of Lewisboro (the "Town") for the Town's costs ("Eligible Costs") as defined in the Watershed MOA, for the development of two studies to assist the Town's sewer planning efforts, including preparation of Maps, Plans and Reports to examine the wastewater needs and feasible solutions in the areas surrounding Lakes Kitchawan, Waccabuc, Truesdale, Rippowam and Oscaleta which are in the New York City watershed, as more particularly described in a proposal dated September 14, 2023 prepared by Woodard & Curran Engineering and Geological Services P.A. P.C. ("Woodard & Curran"). These studies (the "Project") will focus on evaluating solutions to reduce phosphorous levels in area watercourses, and overall fecal coliform reduction from the five abovementioned lakes; and 2) enter into an intermunicipal agreement (the "IMA") with the Town, which sets forth the terms under which the County will disburse the EOH funds.

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Your Honorable Board will further recall that, pursuant to Article V, paragraph 140 of the

Watershed MOA and the East of Hudson Water Quality Investment Program Contract (which is incorporated into and made a part of the Watershed MOA), the City paid the County Thirty- Eight Million (\$38,000,000) Dollars to create a fund, known as the EOH WQIP Fund, to support a program of water quality investments east of the Hudson River in order to protect New York City's drinking water supply. Pursuant to the Watershed MOA, the EOH WQIP Fund monies may be distributed by the County to fund specified water quality improvement projects as enumerated therein and/or as New York City Department of Environmental Protection ("NYCDEP") may authorize.

Your Committee has been advised that the Town has requested \$71,000.00 to develop a Map, Plan and Report for the formation of a septic maintenance district at Lake Kitchawan for approximately 187 developed parcels. Lake Kitchawan is in the New York City watershed and drains into the Cross River which drains into the Cross River Reservoir. This study shall include, but will not be limited to a property list with estimated first year annual costs per property as well as the capital, and operation and maintenance cost estimates for a septic maintenance district. Additionally, as part of this request, Woodard & Curran shall support the Town in a variety of ways which shall include, but will not be limited to public engagement activities, the public hearing process, preparation for a public referendum related to the formation of a septic maintenance district, and completion of the SEQR process, including the preparation of the Full Environmental Assessment Form Parts 1, 2, and 3.

Your Committee has been informed that, by way of background, in 2021, Woodward & Curran completed a water quality study of Lake Kitchawan ("Woodard & Curran Study") which was funded by the City of New York under a contract administered by "NEIWPC", formerly known as the New England Interstate Water Pollution Control Commission. Sampling that took place as part of this study showed that the fecal coliform and E. coli levels at two of the outfalls at Lake Kitchawan exceed health hazard levels established by the New York State Department of Health ("NYSDOH"). These are two common indicators of wastewater system failures. The Woodward & Curran Study estimated the cost and benefit of creating a septic maintenance district and estimated the cost and benefit of installing low pressure sewers in the project area in two different scenarios. The septic maintenance district plan was determined to be the least expensive

and most favorable option to address the water quality problems in this area.

Your Committee is further advised that the Town has requested \$97,000.00 to develop a Map, Plan and Report for the formation of a sewer district for approximately 304 developed parcels surrounding Lakes Waccabuc, Truesdale, Rippowam and Oscaleta. This study shall include, but will not be limited to the preliminary wastewater treatment plant site layout, a review of location and discharge requirements with New York State Department of Environmental Conservation and NYCDEP, and development of capital, and operation and maintenance cost estimates for the sanitary sewer collection system and wastewater treatment plant. This study will fully describe the areas served and will include a property list with estimated first year annual costs per property. Additionally, as part of this request, Woodard & Curran will support the Town in a variety of ways which shall include, but will not be limited to public engagement activities related to the formation of a sewer district. The improvements that may result from the study findings, would be undertaken to achieve the goal of improved water quality within the New York City Watershed; specifically, Lakes Waccabuc, Truesdale, Rippowam and Oscaleta which are tributaries of the Cross River Reservoir. The study will focus on evaluating solutions to reduce phosphorous levels in the aforementioned lakes and overall fecal coliform reduction from the area.

Your Committee is further advised that, by way of background, in 2021, Barton & Loguidice, D.P.C. completed a water quality study of Lake Waccabuc which was funded by the City of New York under a contract administered by NEIWPCC. Further, Ramboll Group A/S completed a water quality study of Lake Truesdale which was also funded by the City of New York under a contract administered by NEIWPCC. The Town is requesting this additional study which would incorporate the developed parcels surrounding all of the four aforementioned lakes into one sewer district project.

Further, your Committee has been advised that the EOH Funds are proposed to be issued from earnings on the principal of the EOH WQIP Fund. Your Committee is advised that Section 140(c)(vii) of the Watershed MOA lists “Any other purpose approved by NYCDEP. NYCDEP shall base its decision whether to approve such purpose on whether the proposed use of earnings on EOH Water Quality Funds is designed to protect and improve water quality in the Watershed”, as

eligible expenses of the EOH WQIP Fund. The Department of Planning (“Planning”) has advised that NYCDEP has approved the Project pursuant to this section of the Watershed MOA

Your Honorable Board will recall that, in order to properly spend the EOH WQIP Fund, the County must comply with certain other procedures as set forth in the Watershed MOA, and all State and local laws, rules and regulations, including the Laws of Westchester County. This includes, among other things, compliance with the right of objection procedures specified in paragraph 107(c) of the Watershed MOA. Planning, as the Administrator of the Watershed MOA and any program initiated pursuant thereto, issued a right of objection letter to the requisite parties on August 26, 2024 stating the County's intent to access and distribute the EOH Funds in connection with this Project. Pursuant to the provisions of Paragraph 107(f), such parties have fifteen (15) days from the date of mailing of the right of objection letter, to object to this decision, or to petition for an additional fifteen (15) day period to raise an objection. Planning has advised that no objections were received during the applicable timeframe. Accordingly, subject to receipt of the approval of your Honorable Board, the EOH Funds may now be expended in accordance with the Watershed MOA.

Your Committee has been further advised that the NWWC supports the expenditure of the EOH Funds for the Project, and on June 12, 2024, adopted a Resolution formalizing that support. The Resolution was adopted supporting the allocation of up to Twelve Million (\$12,000,000) Dollars of the EOH WQIP Fund to be used for this Project and a larger project which will include funding for the formation of a septic maintenance district, and a sewer collection system and wastewater treatment plant subsequent to the studies being completed. Your Committee has been advised that authority from your Honorable Board for the additional portions of the larger project will be requested at later date.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the New York State Environmental Quality Review (“SEQR”) Act and its implementing regulations, 6 NYCRR Part 617 have been met. Planning has advised that, based on its review, this Project may be classified as a Type II action pursuant to 6 NYCRR Part 617 Sections 617.5(c)(24) and 617.5(c)(27). Therefore, no further environmental review is

required. Your Committee has reviewed the annexed SEQR documentation prepared by Planning and concurs with this conclusion.

Your Honorable Board will recall that because the County acts as custodian of the EOH WQIP Fund, and because such funds are not currently included in any County operating or capital budget, the first annexed Act, if approved by your Honorable Board, will provide for the transfer of the EOH Funds from the County's general custodial account for the EOH WQIP Fund to a County Trust Account created for the specific purpose of funding this Project. As the Administrator of the Watershed MOA, Planning will manage the disbursement of the EOH Funds all in accordance with the terms outlined herein, and in the Watershed MOA.

The second annexed Act will authorize the County to enter into an IMA with the Town, which will outline the terms and conditions under which the EOH Funds will be released. Specifically, the proposed IMA will have a term of two (2) years, will authorize the release of up to One Hundred Sixty Eighty Thousand (\$168,000.00) Dollars, and will be conditioned upon the completion of the Project.

Your Committee has carefully considered this legislation and recommends the adoption of the two (2) annexed Acts which require no more than an affirmative vote of the majority of your Honorable Board.

Dated: _____, 2024
White Plains, New York

COMMITTEE ON
c:lac:9.24.24

FISCAL IMPACT STATEMENT

SUBJECT: EOH WQIP Lewisboro Study

☒ 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 \$ -

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☒ Other (explain)

Identify Accounts: EOH WQIP

Potential Related Operating Budget Expenses: Annual Amount \$0.00

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$0.00

Describe: _____

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

Current Year: \$0.00

Next Four Years: \$0.00

Prepared by: Millie Magraw

Title: Water Quality Coordinator


Department: Planning

Date: September 25, 2024

Reviewed By: 
Budget Director

Date: 9/26/24

TO: Lynne Colavita, Senior Assistant County Attorney
Department of Law

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

DATE: September 24, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR THE ALLOCATION
OF EOH FUNDS FOR TOWN OF LEWISBORO SEPTIC MAINTENANCE
AND SEWER DISTRICT STUDIES IN THE VICINITY OF LAKES**

PROJECT/ACTION: Approval of the Board of Legislators to authorize the release of \$168,00 from the East of Hudson Water Quality Investment Program Fund (EOH Fund) into a County Trust Account to finance two studies: (1) Septic Maintenance District for Lake Kitchawan Study; and (2) Lakes Waccabuc, Truesdale, Rippowam and Oscaleta Sewer District Study. The action includes an Intermunicipal Agreement (IMA) with the Town of Lewisboro setting forth the terms under which the County will distribute the EOH funds.

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)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
 - **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 County of Westchester serves as a custodian of the EOH Fund under the New York City (NYC) 1997 Watershed Memorandum of Agreement (MOA), which was created to protect the NYC water supply. As custodian, the County is responsible for allocating funds and ensuring that projects requesting EOH funds comply with the criteria outlined in the MOA. Under the proposed IMA, the Town of Lewisboro will be responsible for conducting the study and will be reimbursed by the County following completion of each study.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Millie Magraw, Principal Environmental Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. ____-2024

AN ACT authorizing the release and transfer of \$168,000.00 from the East of Hudson Water Quality Investment Program Fund earnings, for which the County of Westchester is custodian under the 1997 Watershed Memorandum of Agreement, into a County Trust Account for the purpose of disbursement to the Town of Lewisboro

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

Section 1. The County of Westchester (the “County”), as custodian of the East of Hudson Water Quality Investment Program Fund pursuant to the New York City Watershed Memorandum of Agreement (the “Watershed MOA”), dated January 21, 1997, is hereby authorized to release and transfer One Hundred Sixty Eight Thousand (\$168,000.00) Dollars of earnings on monies currently held in such fund into a County Trust Account for distribution to the Town of Lewisboro (the “Town”) to fund a portion of the Town’s “Eligible Costs” as defined in the Watershed MOA, for the provision of two studies to assist the Town’s sewer planning efforts, including the preparation of Maps, Plans and Reports in order to examine wastewater needs and feasible solutions in the areas surrounding Lakes Kitchawan, Waccabuc, Truesdale, Rippowam and Oscaleta in the New York City watershed.

§ 2. The County Department of Planning (“Planning”) is hereby designated as the Administrator of said County Trust Account for the implementation of

the funding in order to ensure that Planning may comply with its obligations as Administrator under the Watershed MOA with respect to expenditure of the East of Hudson Water Quality Investment Program Funds.

§ 3. The County Executive or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Executive deems necessary or desirable to accomplish the purposes hereof.

§ 4. This Act shall take effect immediately.

ACT NO. ____ - 2024

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with the Town of Lewisboro in order to disburse funds of the East of Hudson Water Quality Investment Program Fund earnings, for which the County of Westchester is custodian under the 1997 Watershed Memorandum of Agreement

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 inter-municipal agreement (“IMA”) with the Town of Lewisboro (the “Town”) in order to distribute funds from the County Trust Account established by Act No. ____-2024, noting that said funds originally formed a part of the East of Hudson Water Quality Investment Program Fund earnings, for which the County is custodian under the 1997 Watershed Memorandum of Agreement, in an amount not to exceed One Hundred Sixty Eight Thousand (\$168,000.00) Dollars to fund a portion of the Town’s “Eligible Costs”, as defined in the Watershed MOA, for the provision of two studies to assist the Town’s sewer planning efforts, including the preparation of Maps, Plans and Reports in order to examine wastewater needs and feasible solutions in the areas surrounding Lakes Kitchawan, Waccabuc, Truesdale, Rippowam and Oscaleta in the New York City watershed.

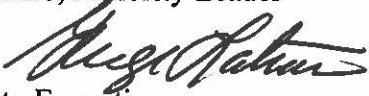
§ 2. The IMA will have a term of two (2) years commencing upon execution.

§ 3. The County Executive or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Executive deems necessary or desirable to accomplish the purposes hereof.

§ 4. This Act shall take effect immediately.

September 27, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – RTB05 – Tibbets Brook Park Infrastructure.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

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 \$400,000 to finance the following capital project: RTB05.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 25, 2024

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

Dear Honorable 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 \$400,000 to finance the following capital project:

RTB05 – Tibbetts Brook Park Infrastructure ("RTB05").

The Bond Act, in the amount of \$400,000, would finance design of infrastructure improvements at Tibbetts Brook Park, including reconstruction of steps and paving around the bathhouse, rehabilitation of the tennis courts, repairs to pedestrian bridges and their abutments and other related site work and landscaping.

The Department of Parks, Recreation and Conservation ("Department") has advised that infrastructure and facilities at Tibbetts Brook Park are aging and in need of rehabilitation. Addressing these issues is crucial to maintain safety and accessibility, as well as to enhance the overall visitor experience.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by a consultant. It is estimated that construction will take eighteen months to complete and will begin after award and execution of the construction contracts.

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 over a horizontal line.

George Latimer
Westchester County Executive

**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 \$400,000 to finance capital project RTB05 – Tibbetts Brook Park Infrastructure (“RTB05”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance design of infrastructure improvements at Tibbetts Brook Park, including reconstruction of steps and paving around the bathhouse, rehabilitation of the tennis courts, repairs to pedestrian bridges and their abutments and other related site work and landscaping.

The Department of Parks, Recreation and Conservation (“Department”) has advised that infrastructure and facilities at Tibbetts Brook Park are aging and in need of rehabilitation. Addressing these issues is crucial to maintain safety and accessibility, as well as to enhance the overall visitor experience.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by a consultant. It is estimated that construction will take eighteen 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, RTB05 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

c ing 8-29-24

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RTB05

☐ 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 \$ 400,000 PPU 5 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest):

Total Debt Service (Annual Cost x Term): \$ -

Finance Department:

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: 4

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 9/26/24

Reviewed By: 

Budget Director

Date: 9/26/24

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

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



DATE: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RTB05 TIBBETTS BROOK PARK INFRASTRUCTURE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-15-2024 (Unique ID: 2620)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request is for design only.

DSK/CNM

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING INFRASTRUCTURE IMPROVEMENTS AT TIBBETTS BROOK PARK; STATING THE ESTIMATED TOTAL COST THEREOF IS \$400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$400,000 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, \$400,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning infrastructure improvements at Tibbetts Brook Park, including reconstruction of steps and paving around the bathhouse, rehabilitation of the tennis courts, repairs to pedestrian bridges and their abutments and

other related site work and landscaping; 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 total cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$400,000. The plan of financing includes the issuance of \$400,000 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 \$400,000 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 total amount of \$400,000. 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 \$400,000 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__.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20__ and approved by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the 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 \$400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING INFRASTRUCTURE IMPROVEMENTS AT TIBBETTS BROOK PARK ; STATING THE ESTIMATED TOTAL COST THEREOF IS \$400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$400,000 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 planning infrastructure improvements at Tibbetts Brook Park, including reconstruction of steps and paving around the bathhouse, rehabilitation of the tennis courts, repairs to pedestrian bridges and their abutments and other related site work and landscaping; 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: \$400,000; 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:* RTB05	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-02-2024
Fact Sheet Year:* 2024	Project Title:* TIBBETTS BROOK PARK INFRASTRUCTURE	Legislative District ID: 17,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2620

Overall Project Description

This project provides for infrastructure improvements at the park pursuant to the Master Plan. The work will include expansion of the existing parking areas, pedestrian and vehicular circulation, pathway signage, site work, landscaping and drainage work.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	11,675	7,175	400	0	4,100	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	11,675	7,175	400	0	4,100	0	0	0

Expended/Obligated Amount (in thousands) as of : 5,866

Current Bond Description: This Project will fund the design of infrastructure improvements including reconstruction of steps and paving around the bathhouse, rehabilitation of the tennis courts, repairs to pedestrian bridges and their abutments and other related site work and landscaping.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	400,000
Cash:	0
Total:	\$ 400,000

SEQR Classification:

TYPE II

Amount Requested:

400,000

Expected Design Work Provider:

- | | | |
|---------------------------------------|--|---|
| <input type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|--|---|

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2010	575,000	DESIGN
2011	2,500,000	CONSTRUCTION
2018	500,000	DESIGN AND CONSTRUCTION OF NEW AMENITIES FOR SOCCER FIELD 3, INCLUDING CHANGING ROOM FACILITIES, BLEACHERS AND PRESS BOX, AS WELL AS RESURFACING THE FIELD WITH A NEW ASTROTURF SURFACE.
2020	3,600,000	CONSTRUCTION FOR PHASE II
2024	400,000	FUNDS DESIGN OF INFRASTRUCTURE IMPROVEMENTS INCLUDING THE STEPS AND PAVING AROUND THE BATHHOUSE, REHABILITATION OF THE TENNIS COURTS, PEDESTRIAN BRIDGES, BRIDGE ABUTMENTS AND RELATED SITE WORK AND LANDSCAPING

Total Appropriation History:

7,575,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
12	47	0	0	
20	189	6,675,000	4,503,329	IMPROVEMENTS TO TIBBETTS BROOK PARK, EXPANSION OF THE EXISTING PARKING AREAS, PEDESTRIAN ETC

Total Financing History:

6,675,000

Recommended By:**Department of Planning**

MLLL

Date

08-15-2024

Department of Public Works

RJB4

Date

08-15-2024

Budget Department

DEV9

Date

08-20-2024

Requesting Department

RCL3

Date

08-29-2024

TIBBETTS BROOK PARK INFRASTRUCTURE (RTB05)

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	2024	2025	2026	2027	2028	Under Review
Gross	11,675	7,175	5,866	400		4,100			
Non County Share									
Total	11,675	7,175	5,866	400		4,100			

Project Description

This project provides for infrastructure improvements at the park pursuant to the Master Plan. The work will include expansion of the existing parking areas, pedestrian and vehicular circulation, pathway signage, site work, landscaping and drainage work.

Current Year Description

The current year request funds design of infrastructure improvements including the steps and paving around the bathhouse, rehabilitation of the tennis courts, pedestrian bridges, bridge abutments and related site work and landscaping.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	400,000			400,000

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
2010	575,000	Design	COMPLETE
2011	2,500,000	Construction	CONSTRUCTION
2018	500,000	Design and construction of new amenities for Soccer Field 3, including changing room facilities, bleachers and press box, as well as resurfacing the field with a new AstroTurf surface.	AWAITING BOND AUTHORIZATION
2020	3,600,000	Construction for Phase II	CONSTRUCTION
Total	7,175,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	7,175,000	1,133,375	6,041,625
Total	7,175,000	1,133,375	6,041,625

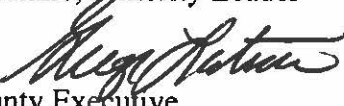
TIBBETTS BROOK PARK INFRASTRUCTURE (RTB05)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
47	12				
189	20	6,675,000	12/01/21	294,159	5,541,625
			12/01/22	763,353	
			12/01/22	75,863	
Total		6,675,000		1,133,375	5,541,625

September 27, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – RTB09 – Tibbetts Site Work II.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 30, 2024 Agenda.

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 \$280,000 to finance the following capital project: RTB09.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 25, 2024

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

Dear Honorable 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 \$280,000 to finance the following capital project:

RTB09 – Tibbetts Site Work II ("RTB09").

The Bond Act, in the amount of \$280,000, would finance the cost of design in connection with necessary for planning site improvements at Tibbetts Brook Park, including the renovation of existing and installation of new group picnic areas, playgrounds, pathways, drainage and other associated site work and infrastructure.

The Department of Parks, Recreation and Conservation ("Department") has advised that that due to the ever-increasing popularity of Tibbetts Brook Park and the increased recreation facility usage, the existing group picnic areas, playgrounds and associated pathways and landscaped areas have deteriorated and require upgrading. Upgrading these recreation facilities will significantly enhance the park's usability and enjoyment for all park patrons.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by a consultant. It is estimated that construction will take eighteen months to complete and will begin after award and execution of the construction contracts.

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 over a horizontal line.

George Latimer
Westchester County Executive

**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 \$280,000 to finance capital project RTB09 – Tibbetts Site Work II (“RTB09”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of design in connection with necessary for planning site improvements at Tibbetts Brook Park, including the renovation of existing and installation of new group picnic areas, playgrounds, pathways, drainage and other associated site work and infrastructure.

The Department of Parks, Recreation and Conservation (“Department”) has advised that that due to the ever-increasing popularity of Tibbetts Brook Park and the increased recreation facility usage, the existing group picnic areas, playgrounds and associated pathways and landscaped areas have deteriorated and require upgrading. Upgrading these recreation facilities will significantly enhance the park’s usability and enjoyment for all park patrons.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by a consultant. It is estimated that construction will take eighteen 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, RTB09 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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

Dated: _____, 20____
White Plains, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RTB09

☐ 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 \$ 280,000 PPU 5 Anticipated Interest Rate 2.36%

Anticipated Annual Cost (Principal and Interest): \$ 60,623

Total Debt Service (Annual Cost x Term): \$ 303,115

Finance Department: maab 9-26-24

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 3

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 9/26/24

Reviewed By: 

Budget Director

Date: 9/27/24

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

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

DATE: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RTB09 TIBBETTS SITE WORK II**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-15-2024 (Unique ID: 2619)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request is for design only.

DSK/CNM

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$280,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING SITE IMPROVEMENTS AT TIBBETTS BROOK PARK; STATING THE ESTIMATED TOTAL COST THEREOF IS \$280,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$280,000 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, \$280,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning site improvements at Tibbetts Brook Park, including the renovation of existing and installation of new group picnic areas, playgrounds, pathways, drainage and other associated site work and

infrastructure; 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 total cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$280,000. The plan of financing includes the issuance of \$280,000 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 \$280,000 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 total amount of \$280,000. 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 \$280,000 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__.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20__ and approved by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the 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 \$280,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING SITE IMPROVEMENTS AT TIBBETTS BROOK PARK ; STATING THE ESTIMATED TOTAL COST THEREOF IS \$280,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$280,000 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 planning site improvements at Tibbetts Brook Park, including the renovation of existing and installation of new group picnic areas, playgrounds, pathways, drainage and other associated site work and infrastructure; 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.

amount of obligations to be issued:

and period of probable usefulness: \$280,000; 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:* RTB09	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-02-2024
Fact Sheet Year:* 2024	Project Title:* TIBBETTS SITE WORK II	Legislative District ID: 17,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2619

Overall Project Description

This project provides funding for the development of new group picnic areas at the park as well as renovate the existing playgrounds, tennis courts, gazebo, pathways, drainage, sitework and landscaping.

- | | | |
|---|--|--|
| <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 checked="" type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	3,250	3,250	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,250	3,250	0	0	0	0	0	0

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

Current Bond Description: This project will fund the design of site improvements including the renovation of existing and installation of new group picnic areas, playgrounds, pathways, drainage and other associated site work and infrastructure.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	280,000
Cash:	0
Total:	\$ 280,000

SEQR Classification:

TYPE II

Amount Requested:

280,000

Expected Design Work Provider:

- ☐ County Staff
 ☒ Consultant
 ☐ Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	600,000	DESIGN AND CONSTRUCTION FOR THE MAIN PLAYGROUND.
2018	200,000	DESIGN FOR A NEW GROUP PICNIC AREA.
2020	1,450,000	COST ESCALATION
2021	1,000,000	DESIGN AND CONSTRUCTION OF A CRICKET FIELD

Total Appropriation History:

3,250,000

Total Financing History:

0

Recommended By:

Department of Planning
MLLL

Date
08-15-2024

Department of Public Works
RJB4

Date
08-15-2024

Budget Department
DEV9

Date
08-20-2024

Requesting Department
RCL3

Date
08-29-2024

TIBBETTS SITE WORK II (RTB09)

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	2024	2025	2026	2027	2028	Under Review
Gross	3,250	3,250							
Non County Share									
Total	3,250	3,250							

Project Description

This project provides funding for the development of new group picnic areas at the park as well as renovate the existing playgrounds, tennis courts, gazebo, pathways, drainage, sitework and landscaping.

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
2017	600,000	Design and construction for the main playground.	AWAITING BOND AUTHORIZATION
2018	200,000	Design for a new group picnic area.	AWAITING BOND AUTHORIZATION
2020	1,450,000	Cost escalation	AWAITING BOND AUTHORIZATION
2021	1,000,000	Design and construction of a cricket field	AWAITING BOND AUTHORIZATION
Total	3,250,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,250,000		3,250,000
Total	3,250,000		3,250,000

October 4, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **2 Bond Acts - RBR07 – Bronx River Pathway Reconstruction.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 7, 2024 Agenda.

Transmitted herewith for your consideration are two Bonds Acts for Capital Project RBR07; Amended and Consolidated.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 7, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

October 4, 2024

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 are two bond acts ("Bond Acts") of the County of Westchester ("County") as follows:

(1) a bond act to amend, in part, prior Bond Act No. 248-2023 to remove an \$800,000 authorization allocable to Capital Project RBR07 – Bronx River Pathway Reconstruction ("RBR07"), and to decrease the estimated maximum amount of bonds authorized to \$12,850,000 ("Amending Bond Act"); and

(2) a bond act authorizing the issuance of bonds in the amount of \$8,730,000 to finance the cost of design, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work in connection with RBR07. This \$8,730,000 proposed Bond Act represents an increase in the amount of \$7,930,000 for construction costs and includes the \$800,000 previously authorized for RBR07 in 219-2021, as amended by Bond Act 248-2023 ("Consolidated Bond Act").

The Amending Bond Act is required to remove design bonding authorizations related to RBR07 so that those authorizations may be included in the Consolidated Bond Act for RBR07.

The Department of Parks, Recreation and Conservation ("Department") has advised that according to a recent recreation preference survey, walking and bicycling continue to rank high among the top recreation activities enjoyed by Westchester County residents. The Bronx River Pathway, being the most heavily used pathway in the parks system, plays a critical role in supporting these activities. To maintain its popularity and usability, the Department is addressing the deterioration of older sections as part of a multi-year phased program aimed at rehabilitating the pathway.

Design is currently being undertaken by in-house staff and consultants and is expected to be completed by the end of the fourth quarter of 2024. It is estimated that construction will take eighteen months to complete and will begin after the award and execution of the construction contracts.

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914)995-2900

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance RBR07 as indicated in the annexed fact sheet.

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

Sincerely,



George Latimer
Westchester County Executive

Attachments

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

Your Committee is in receipt of an amended bond act (“Amending Bond Act”) of the County of Westchester (“County”) authorizing amendment to prior Bond Act, in part, prior Bond Act No. 248-2023 to remove an \$800,000 authorization allocable to Capital Project RBR07 – Bronx River Pathway Reconstruction (“RBR07”), and to decrease the estimated maximum amount of bonds authorized to \$12,850,000. The Bond Act was prepared by the law firm Hawkins, Delafield & Wood.

The Amending Bond Act is required to remove design bonding authorizations related to RBR07 so that those authorizations may be included in the Consolidated Bond Act for RBR07.

The Department of Parks, Recreation and Conservation (“Department”) has advised that according to a recent recreation preference survey, walking and bicycling continue to rank high among the top recreation activities enjoyed by Westchester County residents. The Bronx River Pathway, being the most heavily used pathway in the parks system, plays a critical role in supporting these activities. To maintain its popularity and usability, the Department is addressing the deterioration of older sections as part of a multi-year phased program aimed at rehabilitating the pathway.

Design is currently being undertaken by in-house staff and consultants and is expected to be completed by the end of the fourth quarter of 2024. It is estimated that construction will take eighteen months to complete and will begin after the 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 RBR07 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, RBR07 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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

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

COMMITTEE ON

C:MG 9-6-24

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RBR07

☐ 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

AMEND BA 248-2023 PULL OUT \$800,000 PERTINENT TO RBR07

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 12,850,000 PPU 5 Anticipated Interest Rate 2.34%

Anticipated Annual Cost (Principal and Interest): \$ 2,780,766

Total Debt Service (Annual Cost x Term): \$ 13,903,829

Finance Department: maab 10-4-24

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: 95

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/4/24

Reviewed By:

*10/4/24
10/16/24*


[Signature]

Budget Director

Date:

10/4/24

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

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

DATE: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RBR07 BRONX RIVER PATHWAY RECONSTRUCTION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
09-04-2024 (Unique ID: 2683)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(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)(8):** maintenance of existing landscaping or natural growth;
 - **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 project involves rehabilitation or in-kind replacement of the existing trailway and infrastructure with the exception of one pedestrian bridge that will be relocated approximately 200 feet to the north to relieve current bicycle/pedestrian conflicts. The project will include new site furniture (i.e., benches) and signage to improve the recreational experience, as well as restoring culverts and swales to maintain a clear pathway. Landscape maintenance may include the removal of hazardous trees in proximity of the pathway as needed for public safety, as well as the addition of native plantings. Disturbance will not exceed 5 acres. Overall this project will serve to prevent erosion, bolster native habitat, and enhance public recreation.

DSK/CNM

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Blanca P. Lopez, Commissioner of Planning
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

REFERENCE BPL36
T0073
T0047
RCC17
B015E
RB180
RB04A
BCR50
BCR62

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 219-2021 ADOPTED DECEMBER 7, 2021, AS AMEDNED BY ACT 248/2023 ADOPTED DECEMBER 11, 2023, IN RELATION TO THE PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY, AT THE MAXIMUM ESTIMATED COST OF \$16,150,000. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$13,700,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for various capital purposes in and for the County, pursuant to Act No. 219-2021 duly adopted on December 7, 2021 (the “Bond Act 219-2021”); and

WHEREAS, \$50,000 of such amount was authorized for the preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the County Center roof and associated building renovations; and

WHEREAS, such \$50,000 was subsequently authorized to be issued pursuant to a subsequent Bond Act and Bond Act 219-2021 was amended to reduce the amount of bonds authorized to be issued by such \$50,000 pursuant to Bond Act 248/2023 duly adopted on December 11, 2023; and

WHEREAS, the Bond Act 219-2021 also authorized the issuance of \$800,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the reconstruction of the Bronx River Pathway; and

WHEREAS, such \$800,000 has been or will be authorized pursuant to another Bond Act authorizing the planning, construction and construction management associated with the reconstruction of the Bronx River Pathway and that it is necessary to reduce the amount of bonds Authorized pursuant to Bond Act 219-2021 as amended by Bond Act 248/2023, now therefore

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 December 7, 2021 and amended on December 11, 2023, entitled:

“ACT NO. 248/2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$13,650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,950,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,300,000 GRANT FUNDS EXPECTED TO BE RECEIVED AND THE ISSUANCE OF \$13,650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

is hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$12,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING

VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,150,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,300,000 GRANT FUNDS EXPECTED TO BE RECEIVED AND THE ISSUANCE OF \$12,850,000 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, \$12,850,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance a portion of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning various capital purposes in and for the County, to wit: campus wide site improvements at the Valhalla Complex, the electrification of the County's two mass transit bus garages, design and engineering services for the replacement of the HVAC system at the Cerrato maintenance facility, design for the restoration and modification of the County Center, design associated with the replacement of chillers, ice storage system and related work at the Michaelian Office Building, design associated with the rehabilitation of approximately 5.57 miles of Central Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles, study and

preliminary design to determine options and associated costs for the replacement of the Broad Street viaduct over the Bronx River Parkway, design for a stand-alone building to replace the existing infirmary at the County Jail, and design to rehabilitate or replace elevators for the Corrections Department; 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$16,150,000. The plan of financing includes the expenditure of \$3,000,000 expected to be received from ConEd and \$300,000 expected to be received from the New York Power Authority (collectively, the "Grant Funds") and the issuance of \$12,850,000 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 said \$12,850,000 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 total amount of \$12,850,000. 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 \$16,150,000 as the estimated total cost of the aforesaid class of 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 §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 not earlier than January 1, 2024 and in accordance with Section 107.71 of the Westchester County Charter.

SECTION (B) The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

SECTION (C) This Act shall take effect not earlier than January 1, 2024 and 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____.

(SEAL)

The Clerk and Chief Administrative Office 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 December 7, 2021 and amended on December 11, 2023 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 \$12,850,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING VARIOUS CAPITAL PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,150,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,300,000 GRANT FUNDS EXPECTED TO BE RECEIVED AND THE ISSUANCE OF \$12,850,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on December 7, 2021 and amended on December 11, 2023 and amended on _____, 20____)

object or purpose: to finance a portion of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning various capital purposes in and for the County, to wit: campus wide site improvements at the Valhalla Complex, the electrification of the County's two mass transit bus garages, design and engineering services for the replacement of the HVAC system at the Cerrato maintenance facility, design for the restoration and modification of the County Center, design associated with the replacement of chillers, ice storage system and related work at the Michaelian Office Building, design associated with the rehabilitation of approximately 5.57 miles of Central Avenue from the Bronx/Westchester line to the NYS Thruway bridge and the rehabilitation of the Central Avenue access ramps to and from Palmer Road, a distance of approximately 0.38 miles, study and preliminary design to determine options and associated costs for the replacement of the Broad Street viaduct over the Bronx River Parkway, design for a stand-alone building to replace the existing infirmary at the County Jail, and design to rehabilitate or replace elevators for the Corrections Department; 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: \$12,850,000; 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

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

Your Committee is in receipt of an amended bond act (“Consolidated Bond Act”) of the County of Westchester (“County”) authorizing the issuance of bonds in the amount of \$8,730,000 to finance the cost of design, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work in connection with Capital Project RBR07 – Bronx River Pathway Reconstruction (“RBR07”).

This \$8,730,000 proposed Bond Act was prepared by the law firm Hawkins Delafield & Wood and represents an increase in the amount of \$7,930,000 for construction costs and includes \$800,000 previously authorized for RBR07 in 219-2021, as amended by Bond Act 248-2023.

The Department of Parks, Recreation and Conservation (“Department”) has advised that according to a recent recreation preference survey, walking and bicycling continue to rank high among the top recreation activities enjoyed by Westchester County residents. The Bronx River Pathway, being the most heavily used pathway in the parks system, plays a critical role in supporting these activities. To maintain its popularity and usability, the Department is addressing the deterioration of older sections as part of a multi-year phased program aimed at rehabilitating the pathway.

Design is currently being undertaken by in-house staff and consultants and is expected to be completed by the end of the fourth quarter of 2024. It is estimated that construction will take eighteen months to complete and will begin after the 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 RBR07 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, RBR07 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its

implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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

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

COMMITTEE ON

C:MG 9-6-24

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RBR07

☐ 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 \$ 8,730,000 PPU 15 Anticipated Interest Rate 2.68%

Anticipated Annual Cost (Principal and Interest): \$ 714,494

Total Debt Service (Annual Cost x Term): \$ 10,717,414

Finance Department: maab 10-4-24

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: 95

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/4/24


Reviewed By: 

CO 10/4/24
DV 10/4/24

Budget Director

Date: 10/4/24

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

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

DATE: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RBR07 BRONX RIVER PATHWAY RECONSTRUCTION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-04-2024 (Unique ID: 2683)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(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)(8):** maintenance of existing landscaping or natural growth;
- **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 project involves rehabilitation or in-kind replacement of the existing railway and infrastructure with the exception of one pedestrian bridge that will be relocated approximately 200 feet to the north to relieve current bicycle/pedestrian conflicts. The project will include new site furniture (i.e., benches) and signage to improve the recreational experience, as well as restoring culverts and swales to maintain a clear pathway. Landscape maintenance may include the removal of hazardous trees in proximity of the pathway as needed for public safety, as well as the addition of native plantings. Disturbance will not exceed 5 acres. Overall this project will serve to prevent erosion, bolster native habitat, and enhance public recreation.

DSK/CNM

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Blanca P. Lopez, Commissioner of Planning
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20 _____

BOND ACT AUTHORIZING THE ISSUANCE OF \$8,730,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$8,730,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$8,730,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted _____, 20____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$800,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the reconstruction of the Bronx River Pathway, pursuant to Act No. 219-2021 duly adopted on December 7, 2021, as amended by Bond Act 248-2023 duly adopted on December 11, 2023; and

WHEREAS, it is now appropriate to authorize such purposes, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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; \$8,730,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site 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 total cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$8,730,000. The plan of financing includes the issuance of \$8,730,000 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 the object or purpose for which said \$8,730,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) 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 \$8,730,000. 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 \$8,730,000 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 not earlier than January 1, 2024 and 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 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 \$8,730,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO THE BRONX RIVER RESERVATION PATHWAY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$8,730,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$8,730,000 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 the planning, construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue, including rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site 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: \$8,730,000; fifteen (15) 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:* RBR07	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-29-2024
Fact Sheet Year:* 2024	Project Title:* BRONX RIVER PATHWAY RECONSTRUCTION	Legislative District ID: 3, 10, 5,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2683

Overall Project Description

This project will reconstruct approximately 10 miles of asphalt pathway from Kensico Dam Plaza to Greenacres Avenue and Crane Road to Scout Field. The project will also include reconstruction of just over 1 mile of stone dust pathway, pedestrian footbridge renovations, crosswalk improvements, fencing and guiderail improvements, culvert replacement, swale construction, stone masonry, signage, benches and associated sitework and landscaping.

- | | | |
|---|--|--|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	16,100	1,800	6,930	7,370	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	16,100	1,800	6,930	7,370	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 435

Current Bond Description: This request will fund construction and construction management of improvements to the Bronx River Reservation pathway and related infrastructure from the Kensico Dam Plaza to Green Acres Avenue. The work includes rehabilitation and improvements to all pathway infrastructure including pathway pavement, footbridges, railings, stone walls, site furnishings, signage, pavement markings, grading, drainage, planting and other associated site work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	7,930,000
Cash:	0
Total:	\$ 7,930,000

SEQR Classification:

TYPE II

Amount Requested:

7,930,000

Expected Design Work Provider:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|--|--|---|

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,800,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2024	6,930,000	FUNDS PHASE 1 CONSTRUCTION

Total Appropriation History:

8,730,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
2023	248	800,000	0	BRONX RIVER PATHWAY RECONSTRUCTION

Total Financing History:

800,000

Recommended By:**Department of Planning**

MLLL

Date

09-04-2024

Department of Public Works

RJB4

Date

09-04-2024

Budget Department

DEV9

Date

09-04-2024

Requesting Department

RCL3

Date

09-06-2024

BRONX RIVER PATHWAY RECONSTRUCTION (RBR07)

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	2024	2025	2026	2027	2028	Under Review
Gross	16,100	1,800	435	6,930	7,370				
Non County Share									
Total	16,100	1,800	435	6,930	7,370				

Project Description

This project will reconstruct approximately 10 miles of asphalt pathway from Kensico Dam Plaza to Greenacres Avenue and Crane Road to Scout Field. The project will also include reconstruction of just over 1 mile of stone dust pathway, pedestrian footbridge renovations, crosswalk improvements, fencing and guiderail improvements, culvert replacement, swale construction, stone masonry, signage, benches and associated sitework and landscaping.

Current Year Description

The current year request funds Phase 1 construction.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	6,930,000			6,930,000

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
2022	1,800,000	Design, construction and construction management	DESIGN
Total	1,800,000		

Prior Appropriations


	Appropriated	Collected	Uncollected
Bond Proceeds	1,800,000		1,800,000
Total	1,800,000		1,800,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
219 21	800,000			800,000
Total	800,000			800,000

October 4, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – RGI06 –
Glen Island Castle Rehabilitation.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 7, 2024 Agenda.

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 \$1,000,000 to finance the following capital project: RGI06.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 7, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

October 7, 2024

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

Dear Honorable 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 \$1,000,000 to finance the following capital project:

RGI06 – Glen Island Castle Rehabilitation ("RGI06").

The Bond Act, in the amount of \$1,000,000, would finance the cost of planning for improvements to Glen Island Castles; including rehabilitation of roof and flashing, masonry repair, structural stabilization, flooring systems, doors, windows, ceiling and roof framing, interior walls, and a feasibility study to explore possibilities for the future re-use of Castle #2.

The Department of Parks, Recreation and Conservation ("Department") has advised that the existing castles at Glen Island Park date back to the late 1800s and are historically significant and integral to the park's charm. Stabilizing and rehabilitating these iconic structures is essential to preserve their legacy for current and future visitors.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by a consultant. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

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 blue ink, appearing to read "George Latimer", written over a horizontal line.

George Latimer
Westchester County Executive

**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 \$1,000,000 to finance capital project RGI06 – Glen Island Castle Rehabilitation (“RGI06”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the cost of planning for improvements to Glen Island Castles; including rehabilitation of roof and flashing, masonry repair, structural stabilization, flooring systems, doors, windows, ceiling and roof framing, interior walls, and a feasibility study to explore possibilities for the future re-use of Castle #2.

The Department of Parks, Recreation and Conservation (“Department”) has advised that the existing castles at Glen Island Park date back to the late 1800s and are historically significant and integral to the park's charm. Stabilizing and rehabilitating these iconic structures is essential to preserve their legacy for current and future visitors.

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by a consultant. It is estimated that construction will take twelve 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, RGI06 may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RG106

☐ 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 \$ 1,000,000 PPU 5 Anticipated Interest Rate 2.34%

Anticipated Annual Cost (Principal and Interest): \$ 216,420

Total Debt Service (Annual Cost x Term): \$ 1,082,101

Finance Department: maab 10-4-24

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: 11

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/4/24


Reviewed By: 

*DV 10/6/24
CR 10/4/24*

Date: 10/4/24

Budget Director

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

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

DATE: September 18, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RGI06 GLEN ISLAND CASTLE REHABILITATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
09-04-2024 (Unique ID: 2684)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

COMMENTS: The current request is for design only.

DSK/CNM

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Dianne Vanadia, Associate Budget Director
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE IMPROVEMENTS TO GLEN ISLAND CASTLES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 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 (the "County"), 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, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of planning for improvements to Glen Island Castles; including rehabilitation of roof and flashing, masonry repair, structural stabilization, flooring systems, doors, windows, ceiling and roof framing, interior walls, and a feasibility study to explore possibilities for the future re-use of Castle #2; 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 \$1,000,000. The plan of financing includes the issuance of \$1,000,000 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 bonds authorized by this resolution is 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 \$1,000,000. 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. 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__.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20__ and approved by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE IMPROVEMENTS TO GLEN ISLAND CASTLES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 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 planning for the improvements to Glen Island Castles; including rehabilitation of roof and flashing, masonry repair, structural stabilization, flooring systems, doors, windows, ceiling and roof framing, interior walls, and a feasibility study to explore possibilities for the future re-use of Castle #2; 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: \$1,000,000; 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:* RGI06	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-29-2024
Fact Sheet Year:* 2024	Project Title:* GLEN ISLAND CASTLE REHABILITATION	Legislative District ID: 11,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2684

Overall Project Description

This project funds the rehabilitation of the two castles at Glen Island 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	2024	2025	2026	2027	2028	Under Review
Gross	5,000	5,000	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,000	5,000	0	0	0	0	0	0

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

Current Bond Description: The current bond authorization request will fund the design of improvements to the Glen Island Castles including rehabilitation of roof and flashing, masonry repair, structural stabilization, flooring systems, doors, windows, ceiling and roof framing, interior walls and the project will also include a feasibility study to explore possibilities for the future re-use of Castle #2.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,000,000
Cash:	0
Total:	\$ 1,000,000

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Expected Design Work Provider:

- ☐ County Staff
 ☒ Consultant
 ☐ Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	5,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

5,000,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

09-04-2024

Department of Public Works

RJB4

Date

09-04-2024

Budget Department

DEV9

Date

09-07-2024

Requesting Department

RCL3

Date

09-16-2024

GLEN ISLAND CASTLE REHABILITATION (RGI06)

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	2024	2025	2026	2027	2028	Under Review
Gross	5,000	5,000							
Non County Share									
Total	5,000	5,000							

Project Description

This project funds the rehabilitation of the two castles at Glen Island 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
2022	5,000,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION
Total	5,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,000,000		5,000,000
Total	5,000,000		5,000,000