Budget & Appropriations

Meeting Agenda

Committee Chair: Jewel Williams Johnson

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

Monday, March 3, 2025 | **10:00 AM** | **Committee Room**

Joint with PE

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.

Legislator Colin Smith will be participating remotely from 1132 Main St., Suite 1, Peekskill, NY 10566

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. 2025-62 **ENV RES-RWPR5-Ward Pound Ridge Reservation Fire Tower**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant impact on the environment from the proposed Capital Project RWPR5 - Ward Pound Ridge Reservation Fire Tower.

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

Joint with PE.
Guests: Parks, Recreation & Conservation
First Deputy Commissioner Peter Tartaglia
Director of Program Development Rob Lopane

2. 2025-63 **CBA-RWPR5-Ward Pound Ridge Reservation Fire Tower**

AN ACT amending the 2025 County Capital Budget Appropriations for Capital Project RWPR5 - Ward Pound Ridge Reservation Fire Tower.
COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & ENVIRONMENT

Joint with PE.
Guests: Parks, Recreation & Conservation
First Deputy Commissioner Peter Tartaglia
Director of Program Development Rob Lopane

3. 2025-64 **BOND ACT (Amended)-RWPR5-Ward Pound Ridge Reservation Fire Tower**

AN Amended BOND ACT authorizing an additional ONE MILLION, FOUR HUNDRED THOUSAND ($1,400,000) DOLLARS in bonds of Westchester County to finance Capital Project RWPR5 - Ward Pound Ridge Reservation Fire Tower, making the total amount ONE MILLION, SEVEN86 HUNDRED THOUSAND ($1,700,000) DOLLARS.
COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & ENVIRONMENT

Joint with PE.
Guests: Parks, Recreation & Conservation
First Deputy Commissioner Peter Tartaglia
Director of Program Development Rob Lopane

4. 2025-65 **PH-Yonkers Waterfront Park**

A RESOLUTION to set a Public Hearing on "A LOCAL LAW authorizing the County of Westchester ("County") to enter into an intermunicipal agreement with the City of Yonkers, whereby the County will lease certain property from the City of Yonkers and contribute FIFTEEN MILLION ($15,000,000) DOLLARS toward the construction of upland site work improvements, including remediation work, to create a riverfront park in Yonkers." [Public Hearing set for _____, 2025 at _____ .m.]. LOCAL LAW INTRO: 2025-66.
COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PARKS & ENVIRONMENT

Joint with PE.
Guests: Planning Department
Commissioner Blanca Lopez

Assistant to the Commissioner Brian Hegt-DPWT

5. 2025-66 **LOCAL LAW-Yonkers Waterfront Park**

A LOCAL LAW authorizing the County of Westchester ("County") to enter into an intermunicipal agreement with the City of Yonkers, whereby the County will lease certain property from the City of Yonkers and contribute FIFTEEN MILLION ($15,000,000) DOLLARS toward the construction of upland site work improvements, including remediation work, to create a riverfront park in Yonkers.

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

Joint with PE.
Guests: Planning Department
Commissioner Blanca Lopez

Assistant to the Commissioner Brian Hegt-DPWT

6. 2025-67 **CBA-BLA1A-2800-Yonkers Waterfront Park**

AN ACT amending the 2025 County Capital Budget Appropriations for Capital Project BLA1A-2800 -Yonkers Waterfront Park.

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

Joint with PE.
Guests: Planning Department
Commissioner Blanca Lopez

Assistant to the Commissioner Brian Hegt-DPWT

7. 2025-68 **BOND ACT-BLA1A-2800-Yonkers Waterfront Park**

A BOND ACT authorizing the County to issue FIFTEEN MILLION ($15,000,000) DOLLARS in bonds of Westchester County to finance the construction of upland site work improvements to create the Park, including remediation work.

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

Joint with PE.
Guests: Planning Department
Commissioner Blanca Lopez

Assistant to the Commissioner Brian Hegt-DPWT

8. 2025-69 **ACT-Property Conveyance-1 Fernbrook Street, Yonkers**

AN ACT authorizing the County of Westchester to convey to the City of Yonkers County property located at 1 Fernbrook Street, Yonkers, New York, to be used for park and recreational purposes.

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

Joint with PE.
Guests: Planning Department
Commissioner Blanca Lopez

Assistant to the Commissioner Brian Hegt-DPWT

II. OTHER BUSINESS

III. RECEIVE & FILE

1. 2025-47 **CLERK OF THE BOARD - 2024 Westchester County Clerk Annual Report**

Forwarding the 2024 Annual Report of the Westchester County Clerk.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND INFORMATION TECHNOLOGY & CYBERSECURITY

ADJOURNMENT

Westchestergov.com

Memorandum

Office of the County Executive
Michaelian Office Building

February 7, 2025

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

FROM: Kenneth W. Jenkins
County Executive

RE: Message Requesting Immediate Consideration: **CBA & Amended Bond Act – RWPR5 – Ward Pound Ridge Reservation Fire Tower.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 10, 2025 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well to as adopt a related amended bond act ("Amended Bond Act") to finance the following capital project: RWPR5.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 10, 2025 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

Westchester County

Kenneth W. Jenkins
Westchester County Executive

February 5, 2025

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well to as adopt a related amended bond act ("Amended Bond Act") to finance the following capital project:

RWPR5 – Ward Pound Ridge Reservation Fire Tower ("RWPR5").

The proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for RWPR5 by $900,000. The Department of Parks, Recreation and Conservation ("Department") has advised that the Capital Budget Amendment is necessary to fund construction of the fire tower at the County's Ward Pound Ridge Reservation ("Reservation").

The Amended Bond Act, in the total amount of $1,700,000, which increases the amount authorized by $1,400,000 and includes $300,000 in previously authorized bonds of the County, would finance the cost of installation of a fire tower at Ward Pound Ridge Reservation and all associated site work. It should be noted that the estimated maximum cost of RWPR5 is $1,800,000, which includes $100,000 in non-County shares.

The Department has advised that that the financing is necessary to replace an iconic feature at the Reservation. The new fire tower will be installed at the site of the former fire tower, located on the highest point in the Reservation, which is 860 feet above sea level. The site is accessible via the Reservation's blue trail from the Kimberly Bridge picnic area and, once constructed, will be a fantastic destination point with spectacular views across the entire Reservation.

Design is currently being undertaken by a consultant and is expected to be completed by the second quarter of 2025. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for RWPR5 as follows: Bond Act No. 188-2021 in the amount of $300,000, which authorized financing for installation of a fire tower at the Ward Pound Ridge Reservation and all associated site work. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 188-2021 be amended to increase the amount authorized by $1,400,000, for a total authorized amount, as amended, of $1,700,000.

Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board report for RWPR5 is annexed.

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

Sincerely,

Kenneth W. Jenkins
County Executive

Reference RWPR5

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester ("County") of an act amending the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related amended bond act ("Amended Bond Act") which, if adopted, will authorize the County to issue up to $1,700,000 in bonds of the County to finance capital project RWPR5 – Ward Pound Ridge Reservation Fire Tower ("RWPR5").

Your Committee is advised that proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for RWPR5 by $900,000. The Department of Parks, Recreation and Conservation ("Department") has advised that the Capital Budget Amendment is necessary to fund construction of the fire tower at the County's Ward Pound Ridge Reservation ("Reservation").

The Amended Bond Act, in the total amount of $1,700,000, which increases the amount authorized by $1,400,000 and includes $300,000 in previously authorized bonds of the County, would finance the cost of installation of a fire tower at Ward Pound Ridge Reservation and all associated site work. It should be noted that the estimated maximum cost of RWPR5 is $1,800,000, which includes $100,000 in non-County shares.

The Department has advised that that the financing is necessary to replace an iconic feature at the Reservation. The new fire tower will be installed at the site of the former fire tower, located on the highest point in the Reservation, which is 860 feet above sea level. The site is accessible via the Reservation's blue trail from the Kimberly Bridge picnic area and, once constructed, will be a fantastic destination point with spectacular views across the entire Reservation.

Design is currently being undertaken by a consultant and is expected to be completed by the second quarter of 2025. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for RWPR5 as follows: Bond Act No. 188-2021 in the amount of $300,000, which authorized

financing for installation of a fire tower at the Ward Pound Ridge Reservation and all associated site work. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 188-2021 be amended to increase the amount authorized by $1,400,000, for a total authorized amount, as amended, of $1,700,000.

The Planning Department has advised your Committee that based on its review, RWPR5 has been classified as an "Unlisted" action under the State Environmental Quality Review Act ("SEQR"). A Resolution, and proposed Negative Declaration, along with a full Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQR. Upon review, your Committee concludes that the proposed action will not have any significant impact on the environment and recommends the adoption of the Resolution adopting the Negative Declaration. As you know, a determination of significance must be made prior to enacting the aforementioned Bond Act

Your Committee is advised that Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board report for RWPR5 is annexed.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Amended Bond Act.

Dated: , 20___.
White Plains, New York

COMMITTEE ON

s/mg/12-16-24

RESOLUTION

WHEREAS, there is pending before this Honorable Board an act to authorize the County of Westchester to issue bonds in connection with capital project RWPR5 ("Bond Act"); and

WHEREAS, this Honorable Board has determined that the proposed Bond Act would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, pursuant to SEQRA and its implementing regulations (6 NYCRR Part 617), this project is classified as an "Unlisted action," which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester conducted coordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(3) of the implementing regulations and, having received no objections, is assuming the role of Lead Agency for the environmental review of this project; and

WHEREAS, in accordance with SEQRA and its implementing regulations, a Full Environmental Assessment Form ("EAF") has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached EAF and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached EAF, to determine if this proposed action will have a significant impact on the environment.

NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board's review of the EAF and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Bond Act and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the EAF, which is attached hereto and made a part hereof, as the "Responsible Officer in Lead Agency"; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that the Resolution shall take effect immediately.

Westchester County

Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner

Date: February 5, 2025

RE: **NO-ACTION MEMO - Capital Budget Amendment – RWPR5 Ward Pound Ridge Fire Tower (2025 CBA)**

The County Executive is requesting an amendment to the 2025 Capital Budget to modify the funding of the above project. Capital project **RWPR5 Ward Pound Ridge Fire Tower (2025 CBA)** will increase the County share for RWPR5 by $900,000. The Department of Parks, Recreation and Conservation has advised that the Capital Budget Amendment is necessary to fund construction of the fire tower at the County's Ward Pound Ridge Reservation.

The Amended Bond Act, in the total amount of $1,700,000, which includes $300,000 in previously authorized bonds of the County, would finance the cost of installation of a fire tower at Ward Pound Ridge Reservation and all associated site work.

This project was classified as a PL2 in the Planning Board Report for the 2020 Capital Budget adopted February 4, 2020.

There are no substantial changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Ward Pound Ridge Reservation Fire Tower		
Project Location (describe, and attach a general location map): Highest point located in the southeast section of Ward Pound Ridge Reservation, Town of Pound Ridge, Westchester County		
Brief Description of Proposed Action (include purpose or need): Installation of a new fire tower at the same location where one once stood at the County park. The new fire tower will be approximately 110 feet tall and will be used for public viewing. The base of the tower will be approximately 22 feet square and will consist of galvanized steel members, founded on a concrete foundation anchored to bedrock. An existing dirt path from Pell Hill to the top of the mountain, which previously served as a driveway to the original fire tower, will be used for construction access. The path, which has since served as a hiking trail, will require some minor improvements, such as the placement of gravel in several small sections, to level off and provide sufficient width to accommodate construction vehicles.		
Name of Applicant/Sponsor: County of Westchester	Telephone: 914-995-2000 E-Mail:	
Address: 148 Martine Avenue		
City/PO: White Plains	State: NY	Zip Code: 10601
Project Contact (if not same as sponsor; give name and title/role): David S. Kvinge, Assistant Commissioner of Planning	Telephone: 914-995-4400 E-Mail: dsk2@westchestercountyny.gov	
Address: 148 Martine Avenue, Room 432		
City/PO: White Plains	State: NY	Zip Code: 10601
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Westchester County Board of Legislators (funding)	
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	DASNY SAM Grant SHPO (consultation)	
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☐No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐Yes☑No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

NYC Watershed Boundary; Greenway Compact Community

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
R-3A Three-acre Residential District

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Bedford School District

b. What police or other public protection forces serve the project site?
Pound Ridge Police Department

c. Which fire protection and emergency medical services serve the project site?
Pound Ridge Fire District; Lewisboro EMS

d. What parks serve the project site?
N/A

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Recreational

b. a. Total acreage of the site of the proposed action? +/- 2 acres
b. Total acreage to be physically disturbed? +/- 2 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4,315 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 3-6 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No
If Yes,
i. Total number of structures 1
ii. Dimensions (in feet) of largest proposed structure: 110 height; 22 width; and 22 length
iii. Approximate extent of building space to be heated or cooled: 0 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes ☐No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☑No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☑No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☑No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☑No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

The project will require a crane, delivery trucks and other heavy equipment to install the tower.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

None

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

None

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☑No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: Typically 8AM to 4PM
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: Dawn to dusk
- Saturday: Dawn to dusk
- Sunday: Dawn to dusk
- Holidays: Dawn to dusk

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

During construction only, which is anticipated to take less than 6 months, occurring during daytime hours as listed above.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☑ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☑ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☑ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): Recreational (passive)

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.2	0.2	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)	1.8	1.8	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☑Yes ☐No

i. If Yes: explain: The site is within a county park. The former driveway is used as a trail to the top which offers scenic views.

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes ☑No

If Yes,

i. Identify Facilities:

e. Does the project site contain an existing dam? ☐Yes ☑No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes ☑No

If Yes:

i. Has the facility been formally closed? ☐Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes ☑No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? (Within the greater 4,000-acre park, but not in proximity to project site.) ☑Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes ☐No

☑ Yes – Spills Incidents database (Fuel spill on Reservation Rd) Provide DEC ID number(s): 0210131 (Closed 12/9/2003)

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes ☐No

If yes, provide DEC ID number(s): V00507

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

V00507 refers to a former refuse disposal area for the park that was utilized from 1950s - 1980s for refuse generated at the park (i.e., trash from campgrounds and on-site residences and small quantities of bulk and industrial wastes). A Remedial Closure Work Plan was developed under the Voluntary Cleanup Program and remediation was undertaken in the mid 2000s. This case is currently classified as N.

v. Is the project site subject to an institutional control limiting property uses? ☐Yes ☑No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes ☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 0 feet

b. Are there bedrock outcroppings on the project site? ☑Yes ☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? 2 %

c. Predominant soil type(s) present on project site:

CtC Chatfield-Hollis-Rock, rolling	70 %
CuD Chatfield-Hollis-Rock, hilly	20 %
ChB, ChD, CsD	10 %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils:
☑ Well Drained: 100 % of site
☐ Moderately Well Drained: ____ % of site
☐ Poorly Drained ____ % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 70 % of site
☑ 10-15%: 15 % of site
☑ 15% or greater: 15 % of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters Approximate Size 0.2 acre
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes ☑No

j. Is the project site in the 100-year Floodplain? ☐Yes ☑No

k. Is the project site in the 500-year Floodplain? ☐Yes ☑No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes ☑No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:

American toad	Blue Jay	White-tailed deer
Red-tailed hawk	Downy woodpecker	Eastern rat snake
Northern cardinal	Barred owl	Eastern garter snake

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): Acidic Talus Slope Woodland

ii. Source(s) of description or evaluation: NY Natural Heritage program

iii. Extent of community/habitat:

- Currently: 95.05 acres
- Following completion of project as proposed: 95.04 acres
- Gain or loss (indicate + or -): -0.01 acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No

If Yes:

i. Species and listing (endangered or threatened):

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No

If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No

If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No

i. If Yes: acreage(s) on project site?

ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☑ Yes ☐ No

If Yes:

i. CEA name: County & State Park Lands

ii. Basis for designation: Exceptional or unique character

iii. Designating agency and date: Agency:Westchester County, Date:1-31-90

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☑ Yes ☐ No

If Yes:

i. Describe possible resource(s): Precontact Native American resources have been found within the overall park, but none directly in project area.

ii. Basis for identification: Phase IA of Ward Pound Ridge Reservation (Hartgen, 2007)

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Not officially designated as a scenic resource, but high point of park offers publicly accessible panoramic scenic views.

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): County park.

iii. Distance between project and resource: 0 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

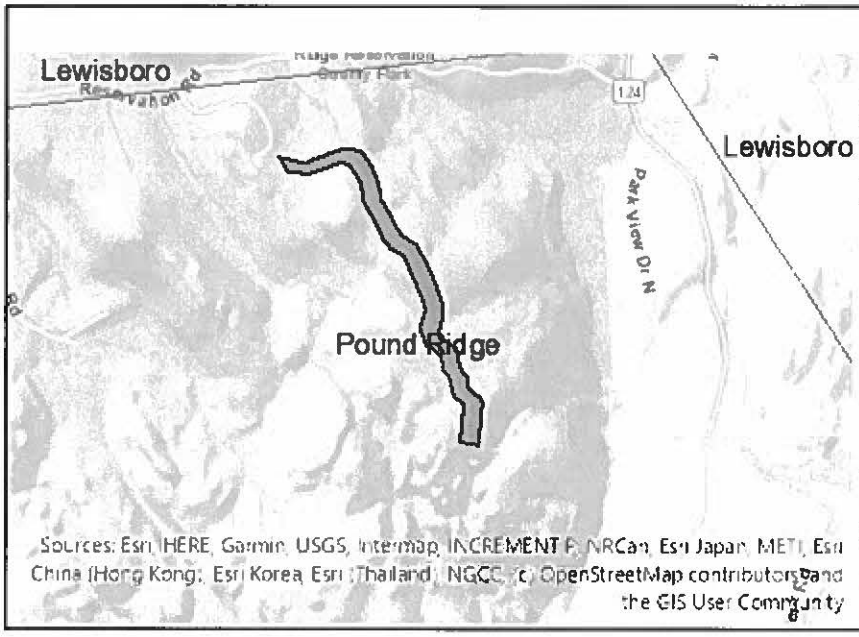
Applicant/Sponsor Name County of Westchester Date October 10, 2024

Signature Dan Kisge Title Assistant Commissioner of Planning

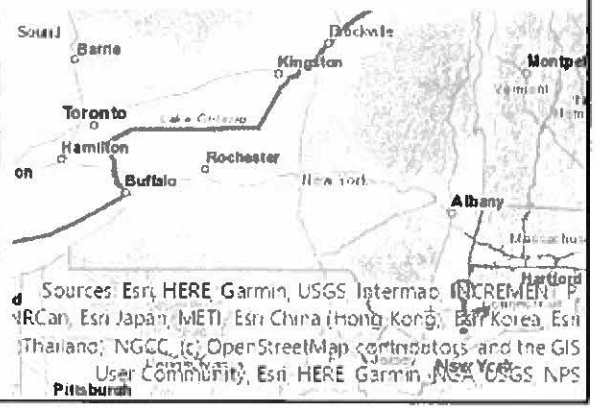
PRINT FORM

EAF Mapper Summary Report

Wednesday, August 28, 2024 12:08 PM



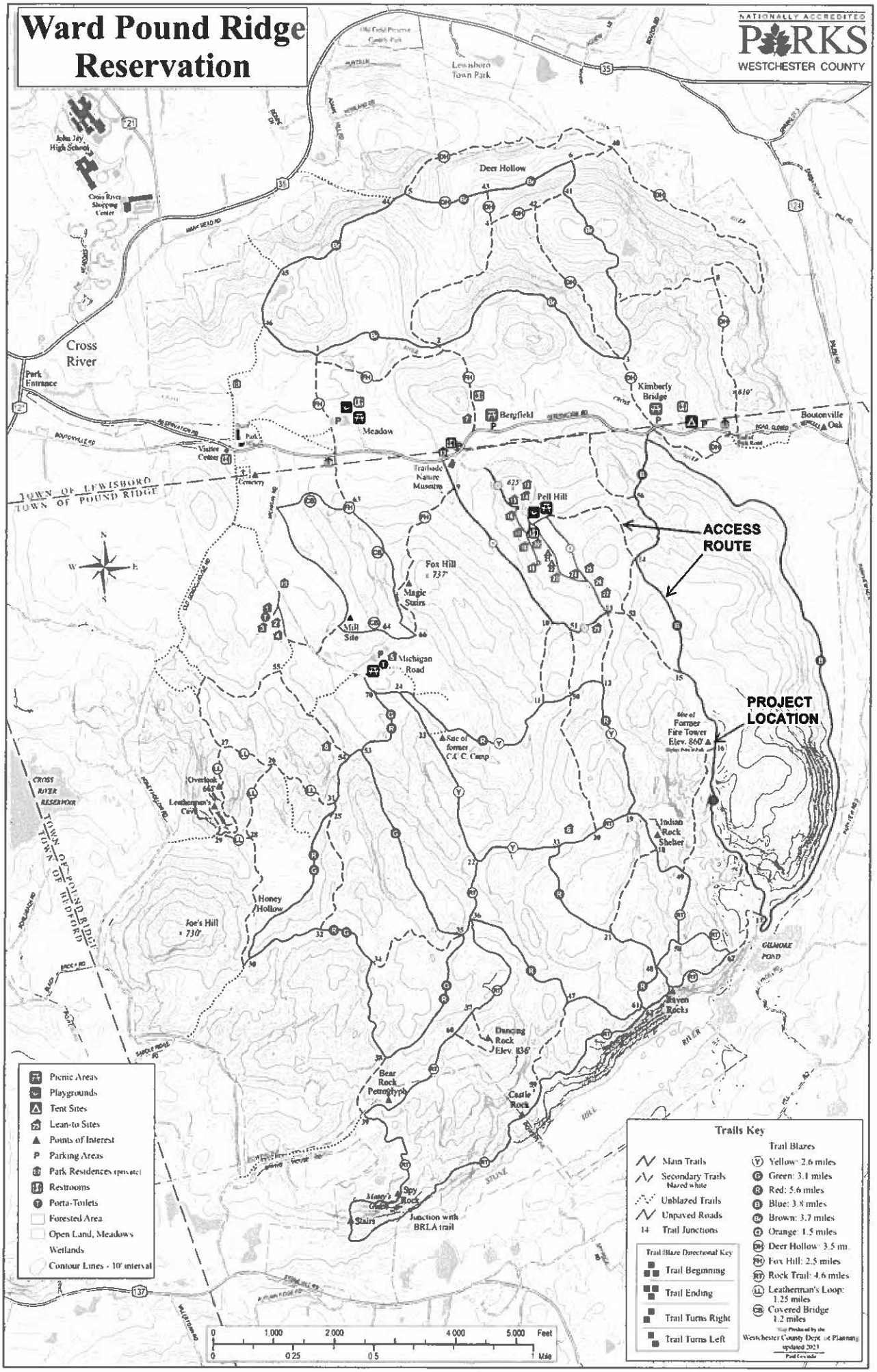
Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYC Watershed Boundary
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	V00507
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Acidic Talus Slope Woodland
E.2.n.i [Natural Communities - Acres]	95.05
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	County & State Park Lands
E.3.d.ii [Critical Environmental Area - Reason]	Exceptional or unique character
E.3.d.iii [Critical Environmental Area -- Date and Agency]	Agency:Westchester County, Date:1-31-90
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Ward Pound Ridge Reservation



Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]	
Project :	RWPR5 Fire Tower
Date :	February 2025

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) ☐NO ☑YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☑	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☑
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☑
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☑	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☑	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☑	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☑	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D,2,h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☑ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☑	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☑	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☑	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☑	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☑	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: Ground disturbance of Acidic Talus Slope Woodland per NY Natural Heritage Program.	E2n	☑	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☑	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☑	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☑	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☑	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☑	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☑ ☐	☐ ☑
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☑ ☐	☐ ☑
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☑	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☑	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☑	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☑	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____		☐	☐

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Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed fire tower will have minimal environmental impacts since it will be placed in the same location as the original fire tower, which remains an open area with scenic views and is accessible via an old access drive that now serves as a trail for park visitors to hike to the top. Exposed bedrock is found throughout the project site. Rock impacts will be limited to the anchoring of the new tower, which will consist of four concrete foundation piers, each being only 18 inches square, that will be secured to the bedrock with rods.

The only other disturbance will be to the old access drive, much of which will be on some degree of slope, which will require some improvements to minimize impacts associated with the use of construction vehicles during installation. The improvements will include the removal of ditches and laying of fresh gravel to prevent erosion and control stormwater runoff. Some sections may need slight widening and vegetation to be pruned back to provide adequate clearance for construction equipment, but this will be limited to the immediate area of the existing access drive and there will be no significant impact to the acidic talus slope woodlands.

At 110 feet tall on the highest point of the park, the top of the tower is likely to be seen from other locations. However, it's visibility will be diminished by distance, since the tower site is located 2,000 feet or more from the park boundaries, and limited by the surrounding mature forest. The tower will taper to a 9-foot square observation deck with a hip roof, reminiscent of old fire towers. Galvanized steel will weather to a dull gray finish. Lighting of the structure is not required by FAA; therefore, the tower will not be lit and there will be no nighttime impacts. A 155-foot cellular tower is located approximately 1.5 miles to the southeast.

Archaeological resources at the park will not be impacted as none of the known sites are within or adjacent to the project areas and the project will only affect areas that have previously been disturbed.

The project will enhance the recreational component of the park's CEA designation.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the County of Westchester, acting by and through its Board of Legislators, as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Ward Pound Ridge Reservation Fire Tower

Name of Lead Agency: County of Westchester

Name of Responsible Officer in Lead Agency: Malika Vanderberg

Title of Responsible Officer: Clerk and Chief Administrative Officer to the Board of Legislators

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Dan Kvinge Date: 2/4/2025

For Further Information:

Contact Person: David S. Kvinge, Assistant Commissioner, Westchester County Department of Planning

Address: 148 Martine Avenue, White Plains, New York 10601

Telephone Number: 914-995-4400

E-mail: dsk2@westchestercountyny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

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ACT No. 20

An Act amending the 2025 County Capital Budget Appropriations for Capital Project RWPR5 WARD POUND RIDGE RESERVATION FIRE TOWER

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

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

	Previous 2025 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation	$900,000	$900,000	$1,800,000

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	$800,000	$900,000	$1,700,000
Non County Shares	$100,000		$100,000
Cash			$0
Total	$900,000	$900,000	$1,800,000

Section 3. The ACT shall take effect immediately.

REFERENCE: RWPR5

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED OCTOBER 18, 2021, IN RELATION TO THE INSTALLATION OF A FIRE TOWER AT WARD POUND RIDGE RESERVATION, AT THE MAXIMUM ESTIMATED COST OF $1,800,000. (Adopted , 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of $300,000 bonds to finance the installation of a fire tower at Ward Pound Ridge Reservation, pursuant to Act No. 188-2021 duly adopted on October 18, 2021; and

WHEREAS, it has now been determined that additional funds are needed for such purposes;

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 October 18, 2021, entitled:

"ACT NO. 188-2021

BOND ACT AUTHORIZING THE ISSUANCE OF $300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF A FIRE TOWER AT WARD POUND RIDGE RESERVATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $400,000;

STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $300,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF $100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS."

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF $1,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF A FIRE TOWER AT WARD POUND RIDGE RESERVATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $1,700,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF $100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, $1,700,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost the installation of a fire tower at Ward Pound Ridge Reservation and all 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 maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is $1,800,000. The plan of financing includes the issuance of $1,700,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of $100,000 expected to be received from the State of New York to be expended towards the cost of said specific object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the specific object or purpose for which the $1,700,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.56 of the Law, is ten (10) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of $1,700,000. 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 $1,800,000 as the estimated total cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said

bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

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 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 October 18, 2021 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 $1,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE INSTALLATION OF A FIRE TOWER AT WARD POUND RIDGE RESERVATION, STATING THE ESTIMATED MAXIMUM COST THEREOF IS $1,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $1,700,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF $100,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID SPECIFIC OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on October 18, 2021 and amended on _____, 20_____)

object or purpose: to finance the cost of the construction and construction management for the installation of a fire tower at Ward Pound Ridge Reservation, 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: $1,700,000; ten (10) years

Dated: _____, 20_____
White Plains, New York

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

3951650.1 047331 LEG

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RWPR5 ☐ **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 $ 1,700,000 **PPU** 10 **Anticipated Interest Rate** 2.92%

Anticipated Annual Cost (Principal and Interest): $ 199,773

Total Debt Service (Annual Cost x Term): $ 1,997,726

Finance Department: maab 2-6-25

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: 18

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 2/7/25

Reviewed By: DV 2/7/25

Budget Director

Date: 2/7/25

CAPITAL PROJECT FACT SHEET

Project ID:* RWPR5	☒ **CBA**	**Fact Sheet Date:*** 01-02-2025
Fact Sheet Year:* 2025	**Project Title:*** WARD POUND RIDGE RESERVATION FIRE TOWER	**Legislative District ID:** 2,
Category* RECREATION FACILITIES	**Department:*** PARKS, RECREATION & CONSERVATION	**CP Unique ID:** 2780

Overall Project Description

This project will construct a new fire tower where one once stood at Ward Pound Ridge Reservation.

☐ Best Management Practices ☐ Energy Efficiencies ☒ Infrastructure

☐ Life Safety ☐ Project Labor Agreement ☐ Revenue

☐ Security ☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	1,800	900	0	0	0	0	0	900
Less Non-County Shares	100	100	0	0	0	0	0	0
Net	1,700	800	0	0	0	0	0	900

Expended/Obligated Amount (in thousands) as of : 270

Current Bond Description: This project will fund construction and construction management for the installation of the fire tower and associated site work at Ward Pound Ridge Reservation.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	1,400,000
Cash:	0
Total:	**$ 1,400,000**

SEQR Classification:

UNLISTED

Amount Requested:

1,400,000

Expected Design Work Provider:

☐ County Staff ☒ Consultant ☐ Not Applicable

Comments:

A capital budget amendment ("CBA") adding $900,000 to this project is also requested with this bond authorization request. This CBA amount is shown in "Under Review" in the Five Year Capital Program information listed above.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	100,000	FUNDS THIS PROJECT
2021	300,000	CONSTRUCTION
2024	500,000	FUNDS ADDITIONAL COSTS INCLUDING SAFETY RELATED WORK NEEDED PER PROJECT DESIGN

Total Appropriation History:

900,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	188	300,000	24,680	WARD POUND FIRE TOWER REPLACEMENT

Total Financing History:
300,000

Recommended By:

Department of Planning	**Date**
MLLL	12-13-2024
Department of Public Works	**Date**
RJB4	12-13-2024
Budget Department	**Date**
DEV9	12-13-2024
Requesting Department	**Date**
RCL3	12-16-2024

WARD POUND RIDGE RESERVATION FIRE TOWER
(RWPR5)

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	2025	2026	2027	2028	2029	Under Review
Gross	900	900	270						
Non County Share	(100)	(100)							
Total	800	800	270						

Project Description

This project will construct a new fire tower where one once stood at Ward Pound Ridge Reservation.

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
2020	100,000	Funds this project	DESIGN
2021	300,000	Construction	DESIGN
2024	500,000	Funds additional costs including safety related work needed per project design	AWAITING BOND AUTHORIZATION
Total	900,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	800,000	24,680	775,320
State Funds	100,000		100,000
Total	900,000	24,680	875,320

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
188	21	300,000	11/30/23	22,467	275,320
			11/30/23	2,213	
Total		300,000		24,680	275,320

Westchestergov.com

Memorandum

Office of the County Executive
Michaelian Office Building

February 7, 2025

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

FROM: Kenneth W. Jenkins
County Executive

RE: Message Requesting Immediate Consideration: **Local Law, CBA, Bond Act – BLA1A (2800), Act, RE: Yonkers Waterfront Park.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 10, 2025 Agenda.

Transmitted herewith for your review and consideration is legislation, which, if approved by your Honorable Board, will authorize the County of Westchester ("County") in partnership with the City of Yonkers ("City"), to create a riverfront park on the Hudson River, in the Ludlow Section of Yonkers.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 10, 2025 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

Kenneth W. Jenkins
Westchester County Executive

February 5, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and consideration is legislation, which, if approved by your Honorable Board, will authorize the County of Westchester ("County") in partnership with the City of Yonkers ("City"), to create a riverfront park on the Hudson River, in the Ludlow Section of Yonkers, as follows:

1) a local law ("Local Law"), which will authorize the County to enter into an intermunicipal agreement ("IMA") with the City of Yonkers (the "City"), pursuant to which the County will (i) contribute up to $15,000,000.00 for the creation of a riverfront park on the Hudson River, in the Ludlow section of Yonkers ("Park," "Property" or "Fernbrook/Ludlow Waterfront Park") and (ii) lease the Park from the City, which Park is comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which is being conveyed to the City and leased back to the County, as more particularly detailed in subparagraph 2) below.

   Under the proposed IMA, the County will contribute up to $15,000,000.00 to finance the construction of upland site work improvements to create the Park, including, but not limited to, remediation work. Pursuant to the IMA, the Park will be operated and maintained solely by the City and remain accessible to all County residents for park purposes, in perpetuity and free of any parking entry charges or use fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City will charge the same fees to residents and non-residents of the City of Yonkers.

   The term of the proposed IMA will commence upon the start of construction of the upland site work improvements on the Park and shall continue for the life of the bonds which is anticipated

Office of the County Executive
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601 Telephone: (914)995-2900 Email: ceo@westchestercountyny.gov

to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement.

Pursuant to the proposed IMA, the City will be responsible for all labor and equipment to create the Fernbrook/Ludlow Waterfront Park, including procuring design services and construction of the Park improvements. Such procurement will be in compliance with all applicable laws, rules and regulations. The City will not deviate from the approved drawings and specifications without the prior written consent of the County's Department of Planning Commissioner ("Planning Commissioner") and the Department of Public Works and Transportation Commissioner.

I have been advised that pursuant to Section 104.11(5)(e) of the Laws of Westchester County, authorization of the proposed IMA, pursuant to which the County will lease the Park from the City requires the passage of a Local Law. Also attached is a Resolution authorizing a Public Hearing as required by §209.141(4) of the Laws of Westchester County.

2) an act ("Conveyance Act"), which will authorize the County to convey to the City certain County-owned land located at 1 Fernbrook Street, Yonkers, New York, consisting of approximately 0.4 acres of vacant unused land, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers (the "County Parcel") to be added to the Park for the construction of certain upland park improvements by the City. Those improvements will include, but are not limited to, the installation of a parking lot and three (3) electric vehicle ("EV") charging stations, capable of charging six (6) cars at the same time, to be used by all County residents desirous of enjoying the Park for park and recreational purposes.

   The County acquired title to the County Parcel and other County property in 1970. The County Parcel is adjacent to (more particularly located on the north side of) the County's Wastewater Treatment Plant, also known as the Yonkers Joint Resource Recovery Facility ("Facility").

   The County has determined that the County Parcel is no longer required for any County purpose and desires that the County Parcel be used for park purposes. As a condition for the conveyance of the County Parcel to the City, the City (i) will grant to the County a permanent easement over the County Parcel for any purpose whatsoever related to the operation of the Facility, including, but not limited to, inspecting, installing and operating the steel bulkhead running along the Hudson River ("County Bulkhead"), new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all such rights; and (ii) shall assume full responsibility for the maintenance, repair and replacement of the existing railroad tie bulkheads ("Railroad Bulkheads") and other existing infrastructure or systems, to the County's reasonable satisfaction. The City will also agree to, in the event necessary, to replace the Railroad Bulkheads with new bulkheads to be designed at the discretion of the City engineer to meet current design and use standards. The County and the City agree to execute and record an easement agreement setting forth the rights and responsibilities of each party thereunder.

Pursuant to Section 209.101(8) of the Laws of Westchester County, the County may sell or convey any surplus real property to be used in perpetuity for park and municipal recreation purposes for the sum of $1.00. The proposed Land Conveyance Act will authorize the sale of the County Parcel to the City for $1.00 to be used by all County residents desirous of enjoying the Park for park and recreational purposes, free of any parking or use fees, except as indicated above. A Report from the Planning Commissioner, required pursuant to Section 191.41 of the Laws of Westchester County, recommending disposition of the County Parcel is attached hereto for your consideration.

3) an act ("Bond Act"), which will authorize the County to issue $15,000,000.00 in bonds of the County, to finance the construction of upland site work improvements to create the Park, including remediation work. The total estimated cost for the creation of the Park is approximately $21,000,000.00, of which $15,000,000.00 will be funded by the County under the Bond Act and the remaining amount or other excess amounts will be funded by the City to finance the creation of the Park.

4) an act ("Capital Budget Amendment Act"), which will amend the current-year capital budget to increase the County share for this specific capital project BLA1A (2800) –Yonkers Waterfront Park ("BLA1A") by $5,000,000.00, from $10,000,000.00 to $15,000,000.00, which continues capital project BLA1A Parkland Acquisition/Westchester Legacy Program.

I urge your Honorable Board's approval of the annexed legislation.

Very truly yours,

Kenneth W. Jenkins
Westchester County Executive

JWJ/BL/cmc
Attachment

HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive recommending approval of legislation, which, if approved by your Honorable Board, will authorize the County of Westchester ("County") in partnership with the City of Yonkers ("City"), to create a riverfront park on the Hudson River, in the Ludlow Section of Yonkers, as follows:

1) a local law ("Local Law"), which will authorize the County to enter into an intermunicipal agreement ("IMA") with the City of Yonkers (the "City"), pursuant to which the County will (i) contribute up to $15,000,000.00 for the creation of a riverfront park on the Hudson River, in the Ludlow section of Yonkers ("Park," "Property" or "Fernbrook/Ludlow Waterfront Park") and (ii) lease the Park from the City, which Park is comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which is being conveyed to the City and leased back to the County, as more particularly detailed in subparagraph 2) below.

Your Committee is advised that under the proposed IMA, the County will contribute up to $15,000,000.00 to finance the construction of upland site work improvements to create the Park, including, but not limited to, remediation work. Pursuant to the IMA, the Park will be operated and maintained solely by the City and remain accessible to all County residents for park purposes, in perpetuity and free of any parking entry charges or use fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City will charge the same fees to residents and non-residents of the City of Yonkers.

Your Committee is also advised that the term of the proposed IMA will commence upon the start of construction of the upland site work improvements on the Park and shall continue

for the life of the bonds which is anticipated to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement.

Your Committee is further advised that, pursuant to the proposed IMA, the City will be responsible for all labor and equipment to create the Fernbrook/Ludlow Waterfront Park, including procuring design services and construction of the Park improvements. Such procurement will be in compliance with all applicable laws, rules and regulations. The City will not deviate from the approved drawings and specifications without the prior written consent of the County's Department of Planning Commissioner ("Planning Commissioner") and the Department of Public Works and Transportation Commissioner.

Your Committee is also advised that, pursuant to Section 104.11(5)(e) of the Laws of Westchester County, authorization of the proposed IMA, pursuant to which the County will lease the Park from the City requires the passage of a Local Law. Also attached is a Resolution authorizing a Public Hearing as required by §209.141(4) of the Laws of Westchester County.

2) an act ("Conveyance Act"), which will authorize the County to convey to the City certain County-owned land located at 1 Fernbrook Street, Yonkers, New York, consisting of approximately 0.4 acres of vacant unused land, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers (the "County Parcel") to be added to the Park for the construction of certain upland park improvements by the City. Those improvements will include, but are not limited to, the installation of a parking lot and three (3) electric vehicle ("EV") charging stations, capable of charging six (6) cars at the same time, to be used by all County residents desirous of enjoying the Park for park and recreational purposes.

Your Committee is advised that the County acquired title to the County Parcel and other County property in 1970. The County Parcel is adjacent to (more particularly located on the north side of) the County's Wastewater Treatment Plant, also known as the Yonkers Joint Resource Recovery Facility ("Facility").

Your Committee is also advised that the County has determined that the County Parcel is no longer required for any County purpose and desires that the County Parcel be used for park purposes. As a condition for the conveyance of the County Parcel to the City, the City (i) will grant to the County a permanent easement over the County Parcel for any purpose whatsoever related to the operation of the Facility, including, but not limited to, inspecting, installing and operating the steel bulkhead running along the Hudson River ("County Bulkhead"), new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all such rights; and (ii) shall assume full responsibility for the maintenance, repair and replacement of the existing railroad tie bulkheads ("Railroad Bulkheads") and other existing infrastructure or systems, to the County's reasonable satisfaction. The City will also agree to, in the event necessary, to replace the Railroad Bulkheads with new bulkheads to be designed at the discretion of the City engineer to meet current design and use standards. The County and the City agree to execute and record an easement agreement setting forth the rights and responsibilities of each party thereunder.

Your Committee is further advised that, pursuant to Section 209.101(8) of the Laws of Westchester County, the County may sell or convey any surplus real property to be used in perpetuity for park and municipal recreation purposes for the sum of $1.00. The proposed Land Conveyance Act will authorize the sale of the County Parcel to the City for $1.00 to be used by all County residents desirous of enjoying the Park for park and recreational purposes, free of any parking or use fees, except as indicated above. A Report from the Planning Commissioner, required pursuant to Section 191.41 of the Laws of Westchester County, recommending disposition of the County Parcel is attached hereto for your consideration.

3) an act ("Bond Act"), which will authorize the County to issue $15,000,000.00 in bonds of the County, to finance the construction of upland site work improvements to create the Park, including remediation work. The total estimated cost for the creation of the Park is approximately $21,000,000.00, of which $15,000,000.00 will be funded by the County under

the Bond Act and the remaining amount or other excess amounts will be funded by the City to finance the creation of the Park.

4) an act ("Capital Budget Amendment Act"), which will amend the current-year capital budget to increase the County share for this specific capital project BLA1A (2800) –Yonkers Waterfront Park ("BLA1A") by $5,000,000.00, from $10,000,000.00 to $15,000,000.00, which continues capital project BLA1A Parkland Acquisition/Westchester Legacy Program.

The Department of Planning has advised your Committee that pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQRA"), the City classified this capital project as an Unlisted action. Pursuant to a resolution approved on October 22, 2024, the City Council declared itself as the lead agency and circulated the Environmental Assessment Form ("EAF"), supplemental attachments and the criteria set forth in SEQRA and has identified and carefully considered the relevant areas of environmental concern which are set forth in the EAF, to determine if this proposed action will have a significant impact upon the environment. On December 10, 2024, the City Council issued a Negative Declaration for the project. Since the City undertook coordinated review and the County was included as an involved agency, then, in accordance with SEQRA, no further environmental review is required by the County. Your Committee concurs with this recommendation.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the County Planning Board in respect to the physical planning aspects of the project. The Department of Planning has advised that since the Planning Board has reviewed the project and issued a report, which is attached hereto for your consideration, no further action by the Planning Board is necessary at this time.

Your Committee has also been informed that the adoption of the Local Law, the Land Conveyance Act, Capital Budget Amendment as well as the related Bond Act each require an affirmative vote of two-thirds of all the members of your Honorable Board. Your Committee is

further advised that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. Additionally, as indicated in subparagraph 1) above, prior to taking any action on the proposed Local Law, this Honorable Board must hold a public hearing pursuant to 209.141(4) of the Laws of Westchester County, and a resolution providing for the hearing is annexed hereto.

Your Committee has carefully considered this matter and recommends that your Honorable Board adopt the annexed Local Law and Acts authorizing the County to enter into the IMA, sell the County Property to the City for $1.00 for park purposes and accept an easement, amend the current-year capital budget and issue bonds in the amount of $15,000,000.00 to finance the needed upland park improvements, including remediation work.

Dated: _____, 2025.

White Plains, New York

COMMITTEE ON

c/cmc.02.06.2025

Westchester County

Memorandum
Department of Planning

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: January 24, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT: BLA1A, PARKLAND AND HISTORICAL PRESERVATION PROGRAM YONKERS WATERFRONT PARK ON FERNBOOK STREET**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2800) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

This capital project will provide funding to support the creation of a new waterfront park on Fernbrook Street, south of Ludlow Street, in the City of Yonkers. The park will include a playground, a pavilion, walking paths, lawn areas, an observation area overlooking the Hudson River, and a parking lot. This is part of a larger project that is being undertaken by the City of Yonkers that will include facilities for the Yonkers Fire and Police departments and for the Yonkers Paddling and Rowing Club. In addition to the provision of funding, which will require an inter-municipal agreement and a temporary lease over the City-owned property, the County will convey approximately 0.4 acres of land on the north side of the Yonkers Joint Treatment Plant to the City to be added to the new park, which will be open to all county residents. The County will retain a permanent easement over the property to be conveyed to allow the County to utilize the property as necessary to maintain the treatment plant and its operations.

Pursuant to SEQR, the Yonkers City Council classified the overall project as an Unlisted action. On November 1, 2024, the City sent out a notice of intent to serve as lead agency, along with Part 1 of a full Environmental Assessment Form. On December 10, 2024, the Yonkers City Council adopted a Negative Declaration for the project. Since the City undertook coordinated review and the County of Westchester was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions regarding this matter.

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
Blanca Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
David Vutera, Associate County Attorney
Brian Hegt, Director, Government & Community Relations (DPWT)
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

RESOLUTION NO.196-2024

BY COUNCIL PRESIDENT COLLINS-BELLAMY, MAJORITY LEADER RUBBO, MAJORITY WHIP ROBINSON, MINORITY LEADER BREEN, COUNCILMEMBERS, PINEDA –ISAAC, DIAZ AND MERANTE:

A RESOLUTION TO ISSUE A DETERMINATION OF SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA") RELATING TO THE DEVELOPMENT OF A NEW PARK LOCATED ON THE WATERFRONT AT FERNBROOK STREET

WHEREAS, there is pending before the City Council, items related to the City's development of a new waterfront park at Fernbrook Street, including an intermunicipal agreement with the County of Westchester; and

WHEREAS, the City Council has determined that the proposed development has been reviewed as an Unlisted Action under the State Environmental Quality Review Act ("SEQRA") requiring the City Council to comply with the regulations promulgated pursuant to SEQRA; and

WHEREAS, the City Council declared itself Lead Agency by resolution at its meeting of October 22, 2024; and

WHEREAS, the City Council received and considered comments from involved agencies;

WHEREAS, the City Council has carefully considered the proposed action, has reviewed the attached Environmental Assessment Form ("EAF"), supplemental attachments, and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA, and has identified and carefully considered the relevant areas of environmental concern, which are fully set forth in the EAF, to determine if this proposed action will have a significant impact upon the environment.

RESOLUTION NO.196-2024 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED by the Yonkers City Council that, based upon the City Council's review of the EAF and for the reasons set forth therein, the City Council hereby adopts a Negative Declaration under SEQRA that there will be no adverse impact on the environment from development of a new waterfront park of the Property.

THIS RESOLUTION WAS ADOPTED BY THE CITY COUNCIL AT A STATED MEETING HELD ON TUESDAY, DECEMBER 10, 2024. BY A VOTE OF 7-0.

L. Alt-Bellamy
COUNCIL PRESIDENT

12/16/2024
DATE

SENT TO MAYOR 12/19/2024
DATE

MAYOR

APPROVED 12/23/24
DATE

ATTEST:

CITY CLERK

12/24/24
DATE

RESOLUTION 24- 13

WESTCHESTER COUNTY PLANNING BOARD

BLA1A Parkland and Historical Preservation Program
Fernbrook Waterfront Park, City of Yonkers

WHEREAS. BLA1A Parkland and Historical Preservation Program funds will be used for the construction of upland site work improvements to create a riverfront park in the Fernbrook-Ludlow neighborhood in the City of Yonkers, for use by all county residents, in the amount of $15,000,000; and

WHEREAS, the County will accept an easement for access over such property and the County will lease City-owned property; and

WHEREAS, the County will convey property to the City of approximately 0.4 acre of undeveloped land adjacent to the County's Wastewater Treatment Plant, which the County desires to use as park and recreational purposes; and

WHEREAS, the proposed Land Conveyance Act will authorize the sale of the County Property to the City for $1.00 to be used as a parking lot by all County residents who would use the Fernbrook-Ludlow Park for park and recreation purposes; and

WHEREAS, the park will be open and accessible to all Westchester County residents; and

WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize an amendment adding this site to the 2024 Capital Budget requests utilizing appropriated funds in **BLA1A Parkland and Historical Preservation Program**; and

WHEREAS, the project is consistent with the policies of ***Westchester 2025***, in that it will enhance the quality of Westchester's parks and recreation facilities; be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its report on the 2024 Capital Budget to add $5,000,000 to this project as well as use of $10,000,000 from already appropriated funds from **BLA1A Parkland and Historical Preservation Program** for the construction of upland site work improvements to create a waterfront park in the City of Yonkers.

Adopted this 2nd day of April 2024

Richard Hyman, Chair

Westchestergov.com

Memorandum
Department of Planning

TO: Honorable George Latimer
County Executive

FROM: Blanca P. López, M.S.
Commissioner

DATE: April 15, 2024

SUBJECT: Disposition of 0.43 acres of undeveloped land adjacent to the County's Wastewater Treatment Plant in the City of Yonkers

Pursuant to Section 191.41 of the County Charter, this is the required report of the Commissioner of Planning on the proposed disposition of 0.43 acres of undeveloped land adjacent to the County's Wastewater Treatment Plant in the City of Yonkers for the development of the Fernbrook Waterfront Park. The proposed Land Conveyance Act will authorize the sale of the County Property to the City of Yonkers for park and recreational purposes.

The disposition of the .43-acre parcel for the purposes of creating park and recreational opportunities in the City of Yonkers is recommended for the following reasons:

1. the park will be accessible to all County residents;
2. there are few waterfront recreational opportunities in this densely populated area of Westchester County;
3. the property is pedestrian accessible as well as via Metro-North commuter rail and Bee-Line bus service;
4. there are approximately 18,000 persons who live within a 0.5-mile radius of the site;
5. the property being disposed will provide much needed parking for the site;
6. the project is consistent with the policies of ***Westchester 2025***, in that it will enhance the quality of Westchester's parks and recreation facilities

Based on this record, I have no objection to the disposition of the parcel owned by Westchester County. Attached is a copy of the resolution adopted by the Planning Board in support of the proposed disposition.

cc: John Nonna, County Attorney
Tami Altschiller, Deputy County Attorney
Christopher Steers, Director of Real Estate
Lynne A. Colavita, Senior Assistant County Attorney
Claudia Maxwell, Principal Environmental Planner
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner

BLA1A Parkland and Historical Preservation Program
Fernbrook Waterfront Park, City of Yonkers

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp-riated	2024	2025	2026	2027	2028	Under Review
Gross	32,227	27,227						5,000
Less non-County Shares								
Net	32,227	27,227						5,000

Project Description
This project continues Capital Project BLA01 Parkland Acquisition/Westchester Legacy Program. The Legacy Program is designed to aggressively pursue land acquisition for three major objectives:

1. Purchase parkland for active recreation such as baseball and soccer fields, trailways, and bike paths.
2. Preserve green space, protect natural habitats and protect rivers, streams, and lakes.
3. Preserve land for historic preservation and protection of our cultural landscape.

The project will provide funding for the construction of upland site work improvements to create a riverfront park in the Ludlow neighborhood in the City of Yonkers. The 2024 capital budget amendment (CBA) is to move $5 Million in Under Review to this project. The project has $10 Million in existing appropriations from 2021 for this project. The total county contribution will be $15 Million. The project also includes an Act to approve conveyance of County property to the City for open space, with the County accepting an easement for access over such property.

Appropriations/Requests

2020:	Funding for acquisition of properties for parkland and historic preservation ($1,000,000)
2021:	Creation of a new park in Ludlow Park, Yonkers ($10,000,000); 4th Street Playground, Mt. Vernon ($2,000,000); RiverWalk Improvements, Yonkers ($5,000,000)
2022:	Funding for environmental reviews for the design and construction of RiverWalk trail connections in Tarrytown ($1,300,000)
2023:	Funding for a True Linear RiverWalk Park in Yonkers ($5,000,000) and Flint Park Turf Field, Larchmont ($1,000,000), Habirshaw County Park (2020 appropriations)
2024:	$1,000,000 for Improvements to RiverWalk in Tarrytown. BOL add of $2,000,000 for Silliman Park in Ardsley [1]; BOL add of $427,000 for Rye Town Interior Bathhouse [2]. $500,000 was added for general purposes and cost inflation,
Under Review:	$5,000,000 additional funding for parkland preservation

Justification
The Westchester County park and open space system has contributed greatly to the quality of life in the County. Municipal officials and residents throughout Westchester have indicated that open space preservation remains a top priority. The acquisition and protection of lands for environmental protection helps to build on this legacy. The County has played an important role in expanding opportunities for active recreation; traditionally it was municipalities and school districts that developed athletic fields.

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[1] This Board of Legislator late addition to the Capital Plan 2024-2028 has not yet been reviewed by the County Planning Board.
[2] This Board of Legislator late addition to the Capital Plan 2024-2028 has not yet been reviewed by the County Planning Board.

The 1999 Open Space Policies were adopted by both the Planning and Parks Boards. These policies have goals for a continued County park and open space acquisition program that includes:

1. Provision of opportunities for active and passive recreation, with emphasis on locations close to concentrations of the County's population;
2. Establishment of a series of open space linkages to provide a connected system of parklands;
3. Preservation of significant amounts of the Hudson River waterfront;
4. Protection of environmentally significant properties; and
5. Preservation of properties considered to be of historic significance.

CONSISTENCY WITH PROGRAMS OR PLANS: The project is consistent with the policies of ***Westchester 2025***, the County's long-range land use policies, and the 1999 Open Space Polices in that it supports open space preservation, provides opportunities for active and passive recreation, promotes open space linkages, preserves environmentally significant properties and helps preserve properties considered to be of historic significance.

Planning Board Analysis:

PL2: The Planning Board supports this project to improve parkland in the densely populated City of Yonkers. The Planning Board supports projects with the goal to keep park facilities in a well-maintained state. Performing physical improvements on a priority basis reflects a comprehensive approach to undertaking capital improvements.

As per Westchester County policy, stormwater management must be addressed with every capital project. Designs should comply with the NYS Stormwater Management Design Manual and the NYS Standards and Specifications for Erosion and Sediment Control.

RESOLUTION NO. - 2025

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. -2025 entitled "A LOCAL LAW authorizing the County of Westchester ("County") to enter into an intermunicipal agreement with the City of Yonkers, whereby the County will lease certain property from the City of Yonkers and contribute $15,000,000.00 toward the construction of upland site work improvements, including remediation work, to create a riverfront park in Yonkers." The public hearing will be held at m. on the day of , 2025, in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

Dated: , 2025
White Plains, New York

LOCAL LAW NO. – 2025

A LOCAL LAW authorizing the County of Westchester to enter into an intermunicipal agreement with the City of Yonkers, whereby the County will lease certain property from the City of Yonkers, and contribute $15,000,000.00 toward the construction of upland site work improvements, including remediation work, to create a riverfront park in Yonkers.

BE IT RESOLVED by the County Board of the County of Westchester as follows:

Section 1. The County of Westchester ("County") is hereby authorized to enter into an intermunicipal agreement ("IMA") with the City of Yonkers ("City"), whereby the County shall (i) contribute up to $15,000,000.00 for the creation of a riverfront park on the Hudson River, in the Ludlow section of Yonkers ("Park," "Property" or "Fernbrook/Ludlow Waterfront Park") and (ii) lease the Park from the City, which Park is comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which is being conveyed to the City and leased back to the County.

§2. The County shall contribute up to $15,000,000.00 to finance the construction of upland site work improvements to create the Park, including, but not limited to, remediation work.

§3. The Park shall be operated and maintained solely by the City and remain accessible to all County residents for park purposes in perpetuity, free of any parking entry charges or use

fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City shall charge the same fees to residents and non-residents of the City of Yonkers.

§4. The term of the IMA term shall commence upon the commencement of the construction of the upland site work improvements on the Park and shall continue for the life of the bonds which is anticipated to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement.

§5. The County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

§6. This Local Law shall take effect immediately.

THIS INTERMUNICIPAL AGREEMENT ("Agreement"), made the____ day of _____, 20___, by and between:

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601, (hereinafter referred to as the "County")

and

THE CITY OF YONKERS, a municipal corporation of the State of New York, having an office and place of business at 40 South Broadway, Yonkers, NY 10701 (hereinafter referred to as the "Municipality" or the "City")

WITNESSETH

WHEREAS, the Municipality is the owner of certain riverfront properties consisting of approximately 3.2 acres (the "City Property"), located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, in the Ludlow Section of Yonkers, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers and described on Schedule "**A**," which is attached to and made a part of this Agreement; and

WHEREAS, the County, acting by and through the Department of Planning ("Department"), is the owner of certain real property adjacent to the City Property, consisting of approximately 0.4 acres (the "County Parcel" or "County Property"), located at 1 Fernbrook Street, Yonkers, New York 10705, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers and described on Schedule "**A-1**" which is attached to and made a part of this Agreement (the City Property together with the County Parcel shall hereinafter be referred to as the "Property")

WHEREAS, the parties desire to conduct upland site work improvements on the Property to create a riverfront park ("Park" or "Fernbrook/Ludlow Waterfront Park") on the Property and make the Property available to all Westchester County residents for park and recreational purposes; and

WHEREAS, the County desires to assist the Municipality in making the needed park improvements to the Property.

NOW, THEREFORE, in consideration of the premises and of the mutual representations, covenants and agreements herein set forth, the County and the Municipality, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

ARTICLE I

IMPROVEMENTS TO THE PROPERTY

Section 1.0. The Municipality shall provide, all labor and equipment required to perform all work described below, as more particularly detailed in Schedule "**B**" which is attached to and made a part of this Agreement. All work by the Municipality shall be performed in conformance with the specifications to be pre-approved by the County and using the MasterSpec/CSI format Specifications with unit pricing as a framework for construction methodology.

The Municipality shall undertake park improvements to the Property which have been approved by the Municipality and the County including, but not limited to, site preparation and demolition, site & soil remediation, excavation and grading, pre and post storm water erosion and sedimentation control, bulkhead and pilings work, and then the construction of park facilities, as more particularly described in the drawings and specifications attached hereto as Schedule "B", to be used, occupied and/or enjoyed by all County residents ("Park Improvements"). Park improvements shall consist, among other things, of park facilities to including but not limited to a playground, dog park, non-wading water spray park, outdoor fitness area, parking lot with EV charging stations, picnic and seating areas, and associated drainage structures, pavements, separation walls, fences, railings, site furniture, lighting and landscaping. The Municipality shall not deviate from the approved drawings and specifications without the prior written consent of the County's Commissioner of Planning or his authorized representative (the "Planning Commissioner") and the County's Commissioner of Public Works and Transportation (the "Public Works Commissioner"). The Property and the improvements shall be accessible to all Westchester County residents in perpetuity.

All of the activities listed herein shall be incorporated into the unique project undertaken to create the Park and shall not be segregated into separate construction contracts or other agreements scheduled to take place at a future date. Any and all permits and approvals necessary to complete this work from any agencies, including but not limited to all State and Federal agencies, are the responsibility of the Municipality and shall be provided to the County prior to undertaking any construction activities.

No alterations, changes or modifications to the Park shall be made by the Municipality during the term of this Agreement, without first obtaining the approval of the County's Planning's Commissioner and Public Works Commissioner.

ARTICLE II
PAYMENT

Section 2.0. In consideration for the park improvements and the availability of the Park to all Westchester County residents, the County shall pay to the Municipality an amount not to exceed FIFTEEN MILLION DOLLARS ($15,000,000.00), payable in the manner set forth below, for the Park Improvements described in Section 1, not to exceed the total aggregate amount of $15,000,000.00. In the event the Municipality incurs costs in excess of $15,000,000 to construct the Park, such costs shall be the responsibility of the Municipality. The County shall have no further financial obligation whatsoever for the Property, including operation, maintenance and future capital improvements.

Payment under this Agreement shall be made after submission by the Municipality of an invoice together with supporting documentation, as specified below, and paid only after approval of the invoice and supporting documentation by the Planning Commissioner and Public Works Commissioner. The City shall invoice the County monthly, and such invoices shall be uniquely numbered, and signed by the Municipality, evidencing work completed up to the invoice date. Each invoice shall be submitted with supporting documentation, consisting of contractor invoices as well as an AIA G702 form(s) signed by the Architect or Engineer of Record and the Inspecting Engineer certifying that the work claimed in the requisition has been performed as per the approved plans & specifications. Any changes to the work shall be submitted on an AIA G701 form with

the same requirements and signatures; however, the County will not be responsible for payment of any change orders without advance written approval of the County.

Except as otherwise expressly stated in this Agreement, no payment shall be made by the County to the Municipality for out of pocket expenses or disbursements made in connection with the services rendered or the work to be performed hereunder.

Prior to the making of any payments hereunder, the County may, at its option, audit such books and records of the Municipality as are reasonably pertinent to this Agreement or inspect the work to substantiate the basis for payment. The County will not withhold payment pursuant to this paragraph for more than sixty (60) days after payment would otherwise be due pursuant to the provisions of this Section 2.0, but the County shall not be restricted from withholding payment for cause found in the course of such audit or because of failure of the Municipality to cooperate with such audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one year following termination of this Agreement.

ARTICLE III
LEASE OF PROPERTY

Section 3.0. In order to facilitate the County's issuance of bonds to finance the park improvements to the Property, the Municipality grants to the County the right to use and occupy the upland portion of the Park, as more particularly detailed in Schedule "B," for the term and subject to the conditions set forth in this Agreement. The County shall use the Property for the purposes contemplated by this Agreement and for no other purpose.

Section 3.1. The consideration for this lease shall be the County's faithful performance of all of its obligations under this Agreement.

Section 3.2. Upon the termination of this Agreement, the County shall peaceably surrender up the Property to the Municipality. Upon such termination, the Municipality may re-enter and repossess the Property together with all improvements and additions thereto. The Municipality

shall use the Property in perpetuity for the purposes contemplated by this Agreement and for no other purpose.

Section 3.3. (a) Except as set forth in that certain Phase I and II environmental site assessment and field testing reports. for the Property, dated February 28, 2022 and April 21, 2022, respectively, a copies of which have been delivered to the County, and the representations of sewer discharges set forth in Section 5.1, the Municipality represents and warrants and guarantees to the County as follows:

(i) the Municipality has no knowledge of, and has not received any notice of any condition at, on, under or related to the Property or ground or surface waters associated therewith or migrating or threatening to migrate to or from the Property which may have a material effect on the value of the Property or subject the owner thereof to potential liabilities in accordance with the Environmental Requirements (as defined below); and

(ii) the Municipality has no knowledge of, has and has not received any notice of any condition at, on, under, or related to the Property (or ground or surface waters associated therewith) or migrating or threatening to migrate to or from the Property presently or potentially posing a significant hazard to human health or the environment; such conditions being defined as "Hazardous Materials" below; and

(b) Definitions. For the purposes of this Agreement and this Section 3.3, the following definitions will apply:

(i) "Hazardous Materials" will mean any substance:

(a) the presence of which requires investigation or remediation under any federal, state, or local statute, regulation, ordinance, order, action, policy or common law; or

(b) which is or becomes defined as a hazardous waste, hazardous substance, pollutant or contaminant under any federal, state or local statute, regulation, rule, or ordinance or amendments thereto including, without limitation, the United States Comprehensive Environmental Response, Compensation and Liability Act, as amended, 42 USC §9601 (14) 42 USC §9602, and any "hazardous waste" as defined

in or listed under the United States Solid Waste Disposal Act, as amended, 42 USC §6901(5), 42 USC §6921; or

(c) which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous, and is or becomes regulated by any governmental authority, agency, department, commission, board or instrumentality of the United States, the State of New York or any political subdivision thereof; or

(d) the presence of which, on the Property, causes or threatens to cause a nuisance on the Property or to nearby properties, or poses or threatens to pose a hazard to the health and safety of persons on, about or nearby the Property; or

(e) the presence of which on nearby properties would constitute a trespass by the owner of the Property; or

(f) which contains, without limitation, gasoline, diesel fuel, or other petroleum hydrocarbons; or

(g) which contains, without limitation, polychlorinated bipheynols (PCBs), asbestos, or urea formaldehyde foam insulation.

(ii) "Environmental Requirements" will mean all applicable present and future statutes, regulations, rules, ordinances, codes, licenses, permits, orders, approvals, plans, authorizations, concessions, franchises, and similar items, of all government agencies, departments, commissions, boards, bureaus, or instrumentalities of the United States, the State of New York and the political subdivisions thereof; and all applicable judicial, administrative, and regulatory decrees, judgments, and orders relating to the protection of human health or the environment.

(c) The Municipality shall, perform any cleanup, response, removal or remediation of any environmental conditions currently existing on the Property, required by a governmental entity (hereinafter collectively referred to as "Response Action"), and the Municipality shall not be entitled to any damages, actual or consequential, by reason of any work required by the Response Action or the Response Action's interference with Municipality's use of the Property. The Municipality shall permit the County and its contractors full, unrestricted and unconditional access to the Property for the purpose of inspecting, completing or engaging in a Response Action for which the Municipality is responsible should the Municipality fail to diligently pursue and

complete such Response Action to the satisfaction of the governmental agency requiring the Response Action. The County's completion of any of Municipality's obligations hereunder shall not be deemed a waiver of the Municipality's obligations under this Agreement. The County shall have the right, but not the obligation, to conduct reasonable inspections of the Municipality's Response Action and the Municipality shall provide the County with a copy of the Response Action, all information requested by the County regarding the Municipality's Response Action or any environmental condition for which the Municipality is responsible.

(d) Without limiting any other provisions of this Agreement, the Municipality, at its expense, will at all times maintain and keep the Property and all improvements and property now or hereafter erected or placed thereon, including but not limited to, the structures, equipment, and operations, in compliance with all federal, state, and local laws, rules and regulations designed to prevent or control the discharge of substances in the land, water, or air, and the Municipality agrees to indemnify, hold harmless and defend County from and against any and all suits, actions, proceedings, fines, claims, or the cleanup, response, removal or remediation of any environmental condition arising from or alleged to arise from a violation of any such environmental law, rule, or regulation, unless and except where such violation shall have been caused solely by the fault of County.

Without limiting any other provision of this Agreement, the County shall have the right to enter and inspect the Property in order to determine whether the Municipality is complying with such laws, rules and regulations, but no such inspection or absence of inspection by the County shall be construed to relieve the Municipality of its obligations to comply with all such laws, rules, and regulations.

(e) The Municipality hereby acknowledges and agrees that it will defend and indemnify the County for any Environmental Damages (as defined below), arising out of or in any way connected with the Municipality's work at the Property or the use of the Property. Environmental Damages will mean all claims, damages, losses, penalties, fines, liabilities (including strict liability), encumbrances, liens, costs and expenses of investigation and defense of any kind or nature, whether or not such claim is ultimately defeated, and any good faith settlement or judgment, of whatever kind or nature, contingent or otherwise, matured or unmatured, foreseeable or

unforeseeable, including without limitation, reasonable attorneys' fees and disbursements and consultants' fees, any of which are incurred as the result of the existence of "Hazardous Materials" at, on, under or related to the Property (or ground or surface water associated therewith) or migrating or threatening to migrate to or from the Property, or the existence of a violation of Environmental Requirements pertaining to the Property, regardless of when the existence of such Hazardous Materials or the violation of Environmental Requirements arose, including, without limitation:

(i) damages for personal injury, death or injury to property or natural resources occurring on or off the Property, foreseeable or unforeseeable, including without limitation, lost profits, consequential damages, the cost of demolition or rebuilding of any improvements of real property, interest and penalties;

(ii) fees incurred for the service of attorneys, consultants, contractors, experts, laboratories and all other costs incurred in connection with the investigation or remediation of such Hazardous Materials violation of Environmental Requirements including, but not limited to, the preparation of any feasibility studies or reports or the performance of any cleanup, remediation, removal, response, abatement, containment, closure, restoration or monitoring work required by any federal, state or local governmental agency or political subdivision, or reasonably necessary to make the full use of the Property or any other related property or otherwise expended in connection with such conditions;

(iii) liability to any third person or governmental agency to indemnify such person or agency for the costs expended in connection with the items referenced in subsection (ii) herein; and

(iv) diminution in the value of the Property and damages for loss of business from restriction on the use of the Property or any part thereof.

All of the provisions of this Section 3 shall survive the expiration or other termination of this Agreement.

ARTICLE IV

RIGHTS AND RESPONSIBILITIES OF THE MUNICIPALITY

REGARDING THE PARK

Section 4.0. The Municipality shall have sole authority and control over the development, operation, management, scheduling and maintenance of the Property as a riverfront park. The Property shall be operated as a city park, but shall be available to all Westchester County residents.

Section 4.1. The Municipality shall, at its sole cost and expense, assume full responsibility for the operation of the Property for park purposes in accordance with this Agreement and for repair, maintenance and security of the Property in accordance with this Agreement and applicable laws and regulations, all to the satisfaction of the County.

Section 4.2. The Municipality shall operate the Property for the accommodation of the public for park purposes. The Property shall be open and available to the general public and under no circumstance shall access be limited solely to residents of the Municipality or other designated local government. The Municipality agrees that it will not delegate its authority to operate and maintain the Park to a third party or park/recreation commission and will not charge any parking, entry or use fees to be charged on Westchester County residents, except that the Municipality may charge use fees to park patrons for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties herein, provided such fees are reasonable. To the extent any fees are charged for the renting of park facilities, equipment or activities, the fees charged to non-residents of the Municipality who are County residents will not exceed the fees charged to the Municipality's residents.

Section 4.3. The Municipality shall, at its sole cost and expense, continuously throughout the term of this Agreement, provide reasonable and adequate security and safety at the Property through the Municipality's police department or other agency designated to provide such police services.

Section 4.4. The Municipality shall, at its sole cost and expense, repair, maintain and properly supervise the Park, it being understood and agreed that such repair, maintenance and supervision shall be performed by the Municipality when necessary and to correct hazardous conditions, in compliance with all applicable federal, state and local laws and regulations. The

Municipality shall, at its own cost and expense, keep any and all refuse in containers and remove and dispose of same as required by applicable laws and regulations. It is hereby acknowledged by the Municipality that any existing storm, sanitary or combined sewer systems or outfalls which exist within the limits of the Property will continue to be the responsibility of the Municipality. This agreement does not relieve the Municipality of maintaining these structures, associated infrastructure or performing future upgrades to the Property as required by County, State or Federal applicable laws and regulations.

Section 4.5. Following construction of park improvements on the Property, the Park shall be available to the public at all times as required by this Agreement except that the Municipality (i) may occasionally schedule certain specific uses in certain areas of the Park, as deemed appropriate; and (ii) may reserve for official municipal uses only certain areas of the Park including municipal offices, garages, storage space, certain parts of the pier, provided such area of the Park reserved for municipal use is *de minimis* compared to the overall size of the Park.

Section 4.6. The Municipality shall, at its own cost and expense, promptly comply with all statutes, ordinances, rules, orders, regulations, codes and requirements of the Federal, State, County and local governments and all insurance requirements applicable to the Property or any part thereof or applicable to this Agreement. The County's Commissioner of Parks, Recreation and Conservation or his designee (the " County Parks Commissioner") shall be entitled to enter the Property, or any part thereof, at any and all times for any and all purposes, without the need to obtain the consent or permission of the Municipality.

Section 4.7. All signage to be utilized by the Municipality in connection with the operation of the Property as a riverfront park shall be subject to the prior written approval of the County Parks Commissioner and shall be provided to the County in advance for review. The Municipality shall acknowledge the County's contribution toward improvement of the Property as a park on signs erected at the Property, and shall also obtain the County's approval for standard language to be used in all formal media advertisement mentioning the Property relating to the County's contribution and the availability of the Property to all County residents. In addition, the

Municipality shall install sign(s) on the Property: (i) indicating that the Park is open to all County residents and (ii) providing warning indications of possible sewer discharge at the existing outfall.

ARTICLE V

RIGHTS AND RESPONSIBILITIES OF THE MUNICIPALITY REGARDING THE COUNTY PROPERTY

Section 5.0. The parties hereby acknowledge, represent and covenant, that, as further consideration for the City's investment and obligations in the construction of upland park improvements at the Property, the County will convey the County Parcel, an unimproved County-owned land located at 1 Fernbrook Street, Yonkers, New York 10705, as more particularly described on Schedule "A-1," to be used in perpetuity as part of the Property for park purposes, for $1.00. It is hereby understood by the parties that title to the County Parcel shall revert to the County (i) if the Park is not completed by the Municipality within five (5) years from the date the Municipality obtains all necessary permits and approvals, or (ii) in the event the County Parcel is no longer used for park purposes, or (ii) any parking, entry or use fees (other than those expressly allowed herein) are charged to Westchester County residents.

Section 5.1. The Municipality acknowledges, represents and covenants that it has examined the County Parcel and has determined it to be suitable for its intended use. The Municipality accepts the County Parcel in its present, "as is" condition, without any representations or warranties from the County as to its suitability for any purpose, state of repair or quality of any other matter whatsoever. The Municipality further acknowledges and understands that the waters adjacent to the County Parcel are often subject to frequent sewer discharges at the existing outfall. The Municipality bears all risk of loss in connection with the use of the County Parcel, and expressly releases the County from any and all liability to it.

In furtherance of this Agreement, the Municipality agrees to do the following prior to completion of all Park improvements:

i) To replace the existing native trees that will be removed by the Municipality on the County Property with the same number of native trees to be located on the Park as determined to be appropriate by the Municipality;

ii) To conduct and provide the County with a mark out depicting all existing utilities on the County Parcel;

iii) To install, operate and maintain at all times a number of Electric Vehicle ("EV") Charging Stations, to be located on the County Parcel, equivalent to twenty percent (20%) of the total number of parking spaces available at the County Parcel at any giving time, and to install the necessary power supply, charging cable, connectors and other appurtenant equipment necessary to facilitate the installation of additional EV Charging Stations, as required by applicable law in order to properly accommodate the demands and needs of all County residents for additional EV Charging Stations;

iv) To inspect, upgrade any existing storm, sewer or combined sewer system equipment under, on or above the Park area.

Section 5.2. In furtherance of this Agreement, the Municipality shall act in strict accordance with all applicable federal, state and local laws and regulations. The County shall have no financial or other obligation or liability with respect to the County Parcel, except for the County Bulkhead (as defined below) or other infrastructure or systems installed, maintained and operated by the County comprising or related to the Facility (as defined in Section 6.0) or the County Bulkhead.

Without limiting any other provisions of this Agreement, the Municipality, at its expense, will at all times maintain and keep the County Parcel and all improvements thereon, including the existing railroad tie bulkheads ("Railroad Bulkheads") and other infrastructure or systems at the County Parcel not related to the Facility or the County Bulkhead (as defined below), in compliance with all federal, state, and local laws, rules and regulations designed to prevent or control the discharge of substances in the land, water, or air, and the Municipality agrees to indemnify, hold harmless and defend County from and against any and all suits, actions, proceedings, fines, claims, or the cleanup, response, removal or remediation of any environmental condition arising from or alleged to arise from a violation of any such environmental law, rule, or regulation unless caused solely by the County. The steel bulkhead ("County Bulkhead") shall remain the property and responsibility of the County.

Upon the effective date of the conveyance of the County Parcel to the Municipality, the Municipality shall assume full responsibility for the County Parcel in all respects, including, but not limited, the responsibility for the maintenance, repair and replacement of the Railroad Bulkheads, other existing infrastructure or systems, to the County's reasonable satisfaction. The Municipality hereby acknowledges, represents and covenants that in event it is necessary to replace the Railroad Bulkheads, the new bulkheads shall be designed at the discretion of the City Engineer and shall meet current design and use standards.

The Municipality shall permit the County and its contractors full, unrestricted and unconditional access to the Property for the purpose of inspecting the Railroad Bulkheads and other existing infrastructure or systems for which the Municipality is responsible to maintain to the satisfaction of the County. The County shall have the right, but not the obligation, to conduct any required maintenance to the Railroad Bulkhead or other infrastructure or systems and the Municipality shall provide the County all information requested by the County regarding same for which the Municipality is responsible. Prior to undertaking any work the County shall notify the City in writing. In the event the City has not responded to the County within forty-five (45) days from receipt of written notice, the County may proceed with the maintenance. The County shall be reimbursed by the Municipality for any costs incurred in connection with any Municipality's obligations regarding the County Parcel and/or the Railroad Bulkhead, within ninety (90) days of receipt of an invoice, with supporting documentation from the County. In the event the Municipality fails to reimburse the County within said ninety (90) day period, in addition to any other remedies it may have, the County shall have the right to deduct from future contract payments under any contracts the County may have with the Municipality any funds the County may determine are owed to the County under this Agreement. It is hereby understood and acknowledged by the Municipality that the County's completion of any of Municipality's obligations hereunder shall not be deemed a waiver of the Municipality's obligations under this Agreement.

All of the provisions of this Section 5 shall survive the expiration or other termination of this Agreement.

ARTICLE VI

EASEMENTS OVER COUNTY PROPERTY IN FAVOR OF THE COUNTY

Section 6.0. In consideration for the granting by the County to the Municipality of the County Parcel, the Municipality hereby grants and conveys to the County, its successors and assigns, a permanent easement over the County Property for any purpose whatsoever related to the operation of the County's Wastewater Treatment Plant, also known as the "Yonkers Joint Resource Recovery Facility" ("Facility"), including, but not limited to, inspecting, installing and operating the County Bulkhead, new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all of the rights herein granted.

Section 6.01. It is hereby understood and acknowledged by the Municipality that Municipality shall assume full responsibility for the maintenance, repair and replacement of the Railroad Bulkheads and other existing infrastructure or systems on the County Parcel, other than any infrastructure or systems comprising or related to the Facility and the County Bulkhead, to the County's reasonable satisfaction, and to replace the Railroad Bulkheads and other infrastructure as provided above in section 5.2. The County shall have the right, but not the obligation, to conduct any required maintenance to the Railroad Bulkheads or other infrastructure or systems, pursuant to the terms set forth in Section 5.2 hereof.

Section 6.02. The parties hereby represent, warrant and covenant to execute and record an easement agreement setting forth the rights and obligations of each party hereunder.

ARTICLE VII

INSURANCE AND INDEMNITY

Section 7.0. The Municipality agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "C," entitled "Standard Insurance Provisions", which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "C," In lieu of procuring and

maintaining the aforementioned insurance, the Municipality may elect to obtain such coverage through a program of self-insurance, which coverage and program shall be in accordance with generally accepted standards for similarly situated entities and provide evidence of same to the County. Further, if the Municipality changes from a self-insurance program to a traditional insurance program, then the Municipality shall forward certificates of General Liability coverage naming the County as an additional insured. Moreover, the Municipality shall contractually ensure that all of its contractors, subcontractors and/or independent contractors engaged to construct the Park shall provide such insurance coverage at minimums shown in Schedule "C" naming the County, its officials, officers, employees and agents, as additional insured. In addition, and not in limitation of the foregoing, the Municipality agrees:

(a) that except for the amount, if any, of damage contributed to, caused by, or resulting from the sole negligence of the County, the Municipality shall indemnify and hold harmless the County, its officers, employees, agents, and elected officials from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorney's fees or loss arising directly or indirectly out of the maintenance, clean up, operation, security and/or repair of the County Parcel, the Park, this Agreement or out of the performance or failure to perform hereunder by the Municipality or third parties under the direction or control of the Contractor; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto; and

(c) in the event the Municipality does not provide the above defense and indemnification to the County, and such refusal or denial to provide the above defense and indemnification is found to be in breach of this provision, then the Municipality shall reimburse the County's reasonable attorney's fees incurred in connection with the defense of any action, and in connection with enforcing this provision of the Agreement.

All of the provisions of this Section 7 shall survive the expiration or other termination of this Agreement.

ARTICLE VIII

RESPONSIBILITIES OF THE COUNTY

Section 8.0. The County shall have no responsibility for the Property, including the County Parcel, except for the County Bulkhead or other infrastructure or systems installed, maintained and operated by the County comprising or related to the Facility or the County Bulkhead, other than to provide the payment set forth in Section 2.0 hereof.

ARTICLE IX
TERM OF AGREEMENT

Section 9.0. The term of this agreement shall commence upon the commencement of the construction of the upland site work improvements on the Property and shall continue for the life of the bonds which is anticipated to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement. The parties acknowledge to execute a letter acknowledging the Commencement Date.

ARTICLE X
TERMINATION OR EXTINGUISHMENT OF LEASE

Section 10.0. If for any reason the lease granted herein is terminated or extinguished prior to the defeasance of all Bonds issued by the County for the Park project, the Municipality shall have the obligation to reimburse the County, which reimbursement (hereinafter referred to as the "Reimbursable Amount") shall be an amount equal to the unamortized value of the construction costs from the date of the termination or extinguishment of this lease as depreciated on a straight-line basis over a period of fifteen (15) years beginning on the date on which the first of any bonds issued to construct the Park are sold (the "Bond Sale Date"). The Reimbursable Amount shall be forwarded by the Municipality to the County by wire transfer (in same day funds) two business days prior to the bond call date. The County shall give the Municipality notice of the Bond Sale Date within thirty (30) calendar days after the Bond Sale Date.

The Municipality shall keep all such records as may be necessary to document such cost of the Park project. The Municipality will provide the County with documentation, upon the County's request, in order to verify same.

ARTICLE XI

NOTICES

Section 11.0. All notices of any nature referred to in this Agreement shall be in writing and either sent by registered or certified mail postage pre-paid, or sent by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by overnight courier), to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing. Notice shall be effective on the date of receipt.

To the County:	Commissioner of Planning 148 Martine Avenue, Room 432 White Plains, NY 10601-4704	
with copies to:	County Attorney 148 Martine Avenue, Room 600 White Plains, New York 10601	Commissioner of Public Works 148 Martine Avenue, Room 528 White Plains, New York 10601
To the Municipality:	City of Yonkers 40 South Broadway Yonkers, NY 10701	
with copies to:	**Corporation Counsel** City of Yonkers 40 South Broadway, Law Dep't Yonkers, NY 10701	

ARTICLE XII

MISCELLANEOUS

Section 12.0. Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void.

Section 12.1. The failure of the County to insist upon strict performance of any term, condition or covenant herein shall not be deemed a waiver of any rights or remedies that the County may have and shall not be deemed a waiver of any subsequent breach or default in the terms, conditions or covenants herein.

Section 12.2. In the event that the Municipality materially defaults in the performance of any term, condition or covenant herein contained, the County, at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or any other lawful remedy, may terminate this Agreement, provided, however, upon any alleged material default under this Agreement the County must provide the Municipality 90 days' written notice prior to seeking to terminate the Agreement, and the Municipality may cure the default complained of within such notice period, or, if any such default is not curable within such notice period, such period may be extended by another 90 day period, provided the Municipality promptly commences to cure the default and diligently pursues all necessary and appropriate action to effect such cure. In the event this Agreement is terminated, the Municipality shall have one hundred eighty (180) days from the effective termination date to pay the County, as liquidated damages, the full amount paid by the County pursuant to this Agreement.

Section 12.3. It is mutually understood and agreed that the terms, covenants, conditions and agreements herein contained shall be binding upon the parties hereto and upon their respective successors, legal representatives and assigns.

Section 12.4. This Agreement and its attachments constitute the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, commitments and writings. This Agreement shall not be released, discharged, changed or modified except by an instrument in writing signed by a duly authorized representative of each of the parties, and approved by the Office of the County Attorney.

Section 12.5 It is recognized and understood that the Municipality is not an agent of the County and in accordance with such status, the Municipality, its consultant(s), its subcontractor(s), and their respective officers, agents, employees, representatives and servants shall at all times during the term of this Agreement neither hold themselves out as, nor claim to be acting in the capacity of officers, employees, agents, representatives or servants of the County, nor make any claim, demand or application for any right or privilege applicable to the County, including without limitation, rights or privileges derived from workers compensation coverage, unemployment insurance benefits, social security coverage and retirement membership or credit.

Section 12.6. This Agreement shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

Section 12.7. In the event that any one or more provisions, sections, subsections, clauses or words of this Agreement are for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Agreement, but this Agreement shall be construed and enforced as if such illegal or invalid section, subsection, clause or word has not been contained herein.

Section 12.8. The Municipality agrees to observe and obey any and all Federal, State and local laws, rules and regulations, and to require its officers, agents, employees, contractors, and suppliers to observe and obey the same.

Section 12.9. This Agreement shall be deemed executory only to the extent of funds appropriated and made available for the purpose of this Agreement and no liability on account thereof shall be incurred by the County beyond the amount of such appropriated funds.

Section 12.10. All covenants, stipulations, promises, agreements and obligations of the Municipality and the County contained herein shall be deemed to be stipulations, promises, agreements and obligations of the Municipality and the County and not of any member, officer or employee of the Municipality or the County in his individual capacity and no recourse shall be had for any obligation or liability herein or any claim based thereon against any member, officer or employee of the Municipality or the County or any natural person executing this Agreement.

Section 12.11. The parties each agree to execute and deliver such further instruments and to obtain such additional authority as may be required to carry out the intent and purpose of this Agreement.

Section 12.12. This Agreement may be executed in two or more counterparts and all counterparts so executed shall for all purposes constitute one agreement binding upon all the

parties hereto. This Agreement shall be construed and enforced in accordance with the laws of the State of New York. In addition, the parties hereby agree that for any cause of action arising out of this Agreement shall be brought in the County of Westchester.

If any term or provision of this Agreement is held by a court of competent jurisdiction to be invalid or void or unenforceable, the remainder of the terms and provisions of this Agreement shall in no way be affected, impaired, or invalidated, and to the extent permitted by applicable law, any such term, or provision shall be restricted in applicability or reformed to the minimum extent required for such to be enforceable. This provision shall be interpreted and enforced to give effect to the original written intent of the parties prior to the determination of such invalidity or unenforceability.

Section 12.13. Failure of any party to insist upon strict performance of any term, condition or covenant of this Agreement shall not be deemed to constitute a waiver or relinquishment of such term, condition or covenant for the future right to insist upon and to enforce by injunction or by other legal or appropriate remedy strict compliance by any other party with such term, condition or covenant.

[NO FURTHER TEXT/SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

COUNTY OF WESTCHESTER

By: _____
Blanca P. Lopez
Commissioner, Department of Planning

CITY OF YONKERS

By: _____
(Name & title)

Approved by the Municipality's governing board on the ____ day of _____, 20___.

Approved by the Board of Legislators of the County of Westchester by Local Law No. __-2025.

Authorized by the Board of Acquisition and Contract of the County of Westchester on the ____ day of _____, 20___.

Approved:

_____
Sr. Assistant County Attorney
The County of Westchester

Approved as to form:

_____
Corporation Counsel
City of Yonkers

IMA Yonkers Waterfront Park.cmc.02.05.2025

MUNICIPALITY'S ACKNOWLEDGMENT

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

On this _____ day of _____, 20___, before me personally came

_____, to me known, and known to me to be the

_____ of _____,

the municipal corporation described in and which executed the within instrument, who being by me duly sworn did depose and say that he, the said _____ resides at

_____

and that he is _____ of said municipal corporation.

_____
Notary Public County

CERTIFICATE OF AUTHORITY
(Municipality)

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

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

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

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

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

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

_____
(Signature)

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

On this _____ day of _____, 20__, before me personally came _____
_____ whose signature appears above, to me known, and know to be the
_____ of _____,
(title)
the municipal corporation described in and which executed the above certificate, who being by me duly sworn did depose and say that he, the said _____
resides at _____, and that he is
the _____ of said municipal corporation.
(title)

_____
Notary Public County

SCHEDULE "A"

MAP/LEGAL DESCRIPTION OF THE CITY PROPERTY

[to be attached/inserted]

DRAFT

SCHEDULE "A-1"

MAP/LEGAL DESCRIPTION OF THE COUNTY PROPERTY

[to be attached/inserted]

SCHEDULE "B"

PLANNED IMPROVEMENTS TO THE PROPERTY

[Construction Drawings and Specifications to be attached]

DRAFT

SCHEDULE "C"

STANDARD INSURANCE PROVISIONS
(MUNICIPALITY)

1. . Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2 The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: http://www.wcb.ny.gov.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

b) Commercial General Liability Insurance with a combined single limit of $1,000,000 (c.s.1) per occurrence and a $2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

i. Premises - Operations.
ii. Broad Form Contractual.
iii. Independent Contractor and Sub-Contractor.
iv. Products and Completed Operations.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

All Contracts involving the use of explosives, demolition and/or underground work shall provide proof that XCU is covered.

c) Commercial Umbrella/Excess Insurance: $2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

d) Automobile Liability Insurance with a minimum limit of liability per occurrence of $1,000,000 for bodily injury and a minimum limit of $100,000 per occurrence for property damage or a combined single limit of $1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

(i) Owned automobiles.
(ii) Hired automobiles.
(iii) Non-owned automobiles.

e) Pollution Liability, either by separate policy of insurance or through endorsement to the General Liability Policy. Minimum Limit: $3,000,000. This insurance shall indicate the following coverages:

(i) Transit
(ii) Sudden and Accidental
(iii) Clean-up

f) Professional Liability Insurance with limits of $1,000,000 per occurrence/$3,000,000 aggregate.

g) Builder's Risk –Contractor at their own cost and expense shall provide and maintain a Builder's Risk Form, All Risk Insurance Contract. The coverage shall be written for 100% of the completed value of the construction work, with the County of Westchester named as loss payee as its interest may appear

h) Owners Protective Liability Policy naming the County as insured, with a minimum limit of liability per occurrence of $3,000,000 (**All work requiring the use of scaffolding** where applicable, or as determined by the Director, Risk Management)

i) Crane, Rigging, & Crane Operator (Rigger Liability) Insurance with a minimum limit of liability per occurrence of $5,000,000 for bodily injury and a minimum limit of $500,000 per occurrence for property damage or a combined single limit of $5,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured.

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

ACT No. _____ 2025

An Act amending the 2025 County Capital Budget Appropriations for Capital Project BLA1A Parkland and Historical Preservation Program

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

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

	Previous 2025 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation	$37,777,000	$5,000,000	$42,777,000

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	$36,477,000	$5,000,000	$41,477,000
Non County Shares	$0		$0
Cash	$1,300,000		$1,300,000
Total	$37,777,000	$5,000,000	$42,777,000

Section 3. The ACT shall take effect immediately.

REFERENCE BLA1A

ACT NO. -20___

BOND ACT AUTHORIZING THE ISSUANCE OF $15,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF UPLAND SITE WORK IMPROVEMENTS TO CREATE A RIVERFRONT PARK IN THE CITY OF YONKERS UNDER THE WESTCHESTER LEGACY PROGRAM; STATING THE ESTIMATED MAXIMUM COST THEREOF IS $15,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $15,000,000 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, $15,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction of improvements of upland site work improvements to create a riverfront park in the city of Yonkers, including but not limited to remediation, all as set forth in the County's Current Year Capital Budget, as amended, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The

estimated maximum cost of said specific object of purpose, including preliminary costs and costs incidental thereto and the financing thereof is $15,000,000. The plan of financing includes the issuance of $15,000,000 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 of said specific object or purpose, 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 $15,000,000. 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 $15,000,000 as the estimated total cost of the aforesaid specific object or purpose is hereby approved.

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

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

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

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

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20___ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on , 20___ and approved by the County Executive on , 20___.

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

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

(SEAL)

3957111.1 048034 LEG

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 $15,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF UPLAND SITE WORK IMPROVEMENTS TO CREATE A RIVERFRONT PARK IN THE CITY OF YONKERS UNDER THE WESTCHESTER LEGACY PROGRAM; STATING THE ESTIMATED MAXIMUM COST THEREOF IS $15,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF $15,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20___)

object or purpose: to finance the cost of the construction of improvements of upland site work improvements to create a riverfront park in the city of Yonkers, including but not limited to remediation, 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: $15,000,000; 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

3957111.1 048034 LEG

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLA1A

[ ] **NO FISCAL IMPACT PROJECTED**

SECTION A - CAPITAL BUDGET IMPACT
To Be Completed by Budget

[X] GENERAL FUND [ ] AIRPORT FUND [ ] SPECIAL DISTRICTS FUND

Source of County Funds (check one): [ ] Current Appropriations

[X] Capital Budget Amendment

Fernbrook (City of Yonkers)

SECTION B - BONDING AUTHORIZATIONS
To Be Completed by Finance

Total Principal $ 15,000,000 **PPU** 15 **Anticipated Interest Rate** 3.13%

Anticipated Annual Cost (Principal and Interest): $ 1,266,972

Total Debt Service (Annual Cost x Term): $ 19,004,580

Finance Department: Interest rates from February 3, 2024 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)
To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): $ -

Potential Related Revenues (Annual): $ -

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

SECTION D - EMPLOYMENT
As per federal guidelines, each $92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 163

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 2/5/25

DV 2/7/25

Reviewed By: [signature]

Budget Director

Date: 2/7/25

CAPITAL PROJECT FACT SHEET

Project ID:*	☒ **CBA**	**Fact Sheet Date:***
BLA1A		01-02-2025
Fact Sheet Year:*	**Project Title:***	**Legislative District ID:**
2025	PARKLAND AND HISTORICAL PRESERVATION PROGRAM	17
Category*	**Department:***	**CP Unique ID:**
BUILDINGS, LAND & MISCELLANEOUS	PLANNING	2800

Overall Project Description

The Legacy Program is designed to aggressively pursue land acquisition for three major objectives. One major objective is to purchase parkland for active recreation such as baseball and soccer fields, trail ways and bike paths. A key component of the ball field initiative is to partner with municipalities on the acquisition and/or development of ball fields to maximize available funding. The development of RiverWalk, the proposed promenade along the Hudson River, is a key component of the Legacy Program. A second major objective is to protect our County's natural habitats and protect rivers, streams and lakes. The third objective is to preserve land for historic preservation and protection of our cultural heritage. This project continues Capital Project BLA01 Parkland Acquisition/ Westchester Legacy Program. This is a general fund, specific projects are subject to a Capital Budget Amendment.

☒ Best Management Practices ☐ Energy Efficiencies ☒ Infrastructure

☒ Life Safety ☐ Project Labor Agreement ☐ Revenue

☐ Security ☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	42,777	27,227	10,550	0	0	0	0	5,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	42,777	27,227	10,550	0	0	0	0	5,000

Expended/Obligated Amount (in thousands) as of : 2,323

Current Bond Description: The current bond request will authorize $15,000,000 to provide funding for construction of upland site work improvements to create a riverfront park including associated site work including but not limited to remediation. Together with the bond authorization is an Act to approve an IMA between the County and the City of Yonkers ("City"), pursuant to which the County will lease certain City-owned property; and a 2025 Capital Budget amendment adding $5,000,000.00 to the project.

Financing Plan for Current Request:

Non-County Shares:	$ 0
Bonds/Notes:	15,000,000
Cash:	0
Total:	**$ 15,000,000**

SEQR Classification:

UNLISTED

Amount Requested:

15,000,000

Expected Design Work Provider:

☐ County Staff ☒ Consultant ☐ Not Applicable

Comments:

The 2025 Capital Budget amendment amount of $5,000,000 is shown in Under Review in the 5 year Capital Program grid above.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	1,000,000	FUNDS THIS PROJECT
2021	17,000,000	LUDLOW PARK (WATER ACCESS PARK), YONKERS, $10,000,000; 4TH STREET PLAYGROUND, MT. VERNON, $2,000,000 AND RIVERWALKIMPROVEMENTS, YONKERS, $5,000,000
2022	-700,000	DESIGN OF RIVERWALK IMPROVEMENTS IN TARRYTOWN $1,300,000; 4TH STREET PLAYGROUND MT. VERNON APPROPRIATION REDUCTION ($2,000,000)
2023	6,000,000	A TURF FIELD AT FLINT PARK IN LARCHMONT $1,000,000; A LINEAR PARK EXTENDING NORTH FROM THE YONKERS JOINT WATER RESOURCE RECOVERY FACILTY IN THE LUDLOW SECTION OF YONKERS $5,000,000.
2024	3,927,000	FUNDS THE REHABILITATION OF THE EXISTING RIVERWALK IN TARRYTOWN ($1M) AND PROVIDES ADDITIONAL FUNDS TO THE PROJECT ($500,000), AS WELL AS FUNDING FOR SILLIMAN PARK UPGRADES IN ARDSLEY ($2M) AND RYE TOWN PARK BATHHOUSE UPGRADES ($427,000)
2025	10,550,000	$2M FOR THE CONSTRUCTION AND CM OF THE HABIRSHAW COUNTY PARK; $3M FOR RIVERWALK IMPROVEMENTS TARRYTOWN; $3M FOR MOUNT VERNON 4TH STREET PARK; $2,550,000 FOR WARD HOUSE PURCHASE AND RESTORATION, TUCKAHOE

Total Appropriation History:

37,777,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
23	227	200,000	0	PARKLAND AND HISTORICAL PRESERVATION PROGRAM
24	149	270,000	0	RIVERWALK
24	233	100,000	0	311 WELCHER AVE
24	73	1,000,000	0	PARKLAND AND HISTORICAL PRESERVATION PROGRAM - ID # 2434

Cash History (in thousands):

Year	Amount	Description
2022	1,300,000	RIVERWALK TARRYTOWN, DESIGN

Total Financing History:

2,870,000

Recommended By:

Department of Planning	**Date**
MLLL	12-13-2024
Department of Public Works	**Date**
RJB4	12-13-2024
Budget Department	**Date**
DEV9	12-13-2024
Requesting Department	**Date**
MLLL	12-16-2024

PARKLAND AND HISTORICAL PRESERVATION PROGRAM
(BLA1A)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	37,227	27,227	2,321	5,000					5,000
Non County Share									
Total	37,227	27,227	2,321	5,000					5,000

Project Description

The Legacy Program is designed to aggressively pursue land acquisition for three major objectives. One major objective is to purchase parkland for active recreation such as baseball and soccer fields, trail ways and bike paths. A key component of the ball field initiative is to partner with municipalities on the acquisition and/or development of ball fields to maximize available funding. The development of RiverWalk, the proposed promenade along the Hudson River, is a key component of the Legacy Program. A second major objective is to protect our County's natural habitats and protect rivers, streams and lakes. The third objective is to preserve land for historic preservation and protection of our cultural heritage. This project continues Capital Project BLA01 Parkland Acquisition/ Westchester Legacy Program. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds the construction of Habirshaw Park improvments located in the City of Yonkers ($2m), and the construction of Riverwalk improvements located in the Village of Tarrytown ($3m).

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	5,000,000			5,000,000

Impact on Operating Budget

The impact on the Operating Budget is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

PARKLAND AND HISTORICAL PRESERVATION PROGRAM
(BLA1A)

Appropriation History

Year	Amount	Description	Status
2020	1,000,000	Funds this project	$270,000 DESIGN; $800,000 AWAITING BOND AUTHORIZATION
2021	17,000,000	Ludlow Park (Water Access Park), Yonkers, $10,000,000; 4th Street Playground, Mt. Vernon, $2,000,000 and Riverwalk Improvements, Yonkers, $5,000,000	AWAITING BOND AUTHORIZATION
2022	(700,000)	Design of Riverwalk improvements in Tarrytown $1,300,000; 4th Street Playground Mt. Vernon appropriation reduction ($2,000,000)	$1,300,000 DESIGN; ($2,000,000) APPROPRIATION REDUCTION
2023	6,000,000	A turf field at Flint Park in Larchmont $1,000,000; a linear park extending north from the Yonkers Joint Water Resource Recovery Facilty in the Ludlow section of Yonkers $5,000,000.	$1,000,000 IN PROGRESS; $5,000,000 AWAITING BOND AUTHORIZATION
2024	3,927,000	Funds the rehabilitation of the existing Riverwalk in Tarrytown ($1M) and provides additional funds to the project ($500,000), as well as funding for Silliman Park upgrades in Ardsley ($2M) and Rye Town Park Bathhouse upgrades ($427,000)	$270,000 DESIGN; $3,657,000 AWAITING BOND AUTHORIZATION
Total	27,227,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	25,927,000		25,927,000
Funds Revenue	1,300,000	1,300,000	
Total	27,227,000	1,300,000	25,927,000

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
227	23	200,000			200,000
73	24	1,000,000			1,000,000
149	24	270,000			270,000
Total		1,470,000			1,470,000

ACT NO. – 2024

AN ACT authorizing the County of Westchester to convey to the City of Yonkers County property located at 1 Fernbrook Street, Yonkers, New York, to be used for park and recreational purposes.

BE IT RESOLVED by the County Board of the County of Westchester as follows:

Section 1. The County of Westchester ("County") is hereby authorized to sell to the City of Yonkers ("City") for $1.00 property located at 1 Fernbrook Street, Yonkers, New York, consisting of approximately 0.4 acres of vacant unused land, as more particularly identified as Section 1, Block 600, portion of Lot 1 in the tax maps of the City of Yonkers (the "County Property"), which is adjacent to (more particularly located on the north side of) the County's Wastewater Treatment Plant, also known as the Yonkers Joint Resource Recovery Facility ("Facility") for park and recreational purposes. Those improvements shall include, but are not limited to, the installation of a parking lot and three (3) electric vehicle ("EV") charging stations, capable of charging six (6) cars at the same time, to be used by all County residents desirous of enjoying the Park for park and recreational purposes.

§2. The County shall retain a permanent easement over the County Property for any purpose whatsoever related to the operation of the Facility and the steel bulkhead along the Hudson River ("County Bulkhead"), including, but not limited to, inspecting, installing and operating the County Bulkhead, new bulkheads, underground utilities, underground storm drainage and other sewer lines and improvements such as, but not limited to, protective barriers and fences and fire

hydrants related to the Facility or the County Bulkhead, together with the right of ingress and egress to exercise all such rights.

§3. The City shall assume full responsibility for the maintenance, repair and replacement of the existing railroad tie bulkheads, other existing infrastructure or systems, to the County's reasonable satisfaction. The City will also agree to, in the event necessary, replace the existing railroad tie bulkheads with new bulkheads to be designed at the discretion of the City engineer and shall meet current design and use standards.

§4. The County and the City agree to execute and record an easement agreement setting forth the rights and responsibilities of each party thereunder.

§5. The County Executive or his authorized designee is hereby empowered to execute all instruments and take such action as may be reasonably necessary to effectuate the purposes hereof.

§6. This Act shall take effect immediately.

WESTCHESTER COUNTY CLERK

Timothy C. Idoni
County Clerk

January 30, 2025

Honorable Kenneth Jenkins
County Executive
148 Martine Avenue
White Plains, New York 10601

Honorable Members of the
Westchester County Legislature
148 Martine Avenue
White Plains, New York 10601

Honorable Colleagues:

In compliance with County Law §406, I hereby submit the Annual Report of the Westchester County Clerk for the fiscal year 2024. The duties of the County Clerk are mandated by the New York State Constitution and by federal, state and local law. These duties are carried out by dedicated staff who work diligently to serve the public.

Each service provided by the County Clerk's office impacts the lives of residents and businesses throughout the county and the nation. Deeds, mortgages, court records, judgments, business certification or incorporation records, and pistol licenses are filed and/or recorded in the Office of the Westchester County Clerk.

The Office of the Westchester County Clerk collected $179,405,867.79 in 2024, of which $21,577,887.12 was disbursed to the County. The expenditures for the County Clerk's office in 2024, totaling $6,470,405.28 are offset by the $6,897,265.66 in revenue collected.

Our office collects fees on behalf of numerous federal and state agencies, and paid out the following 2024 revenue:

- $78,964,343.45 to the New York State Department of Taxation and Finance for transfer tax
- $31,551,724.37 to the Metropolitan Transit Authority for mortgage tax
- $5,853,403.00 to the Unified Court System for court filing fees
- $2,771,418.46 to the State of New York Mortgage Agency for mortgage tax
- $1,728,969.00 to the New York State Office of Real Property Tax Services
- $951,615.00 to the New York State Cultural Education Fund
- $335,459.25 to the New York State Records Management Improvement Fund

In 2024, approximately 71% of land records such as deeds and mortgages were being submitted to the office electronically as part of a voluntary e-Recording initiative and over 92% of civil cases were commenced electronically pursuant to state mandate or voluntarily. As we enter 2025, my goals for the Office of the Westchester County Clerk continue to include service through technology, increase productivity through professional management and a customer friendly environment, and facilitate commerce throughout the County through cooperation and efficiency. We remain committed to improving our services while reducing costs to our residents.

This is my last annual report as County Clerk as I have decided not to seek re-election. My successor in office will submit the Annual Report for the 2025 Fiscal Year. Accordingly, I want to take this opportunity to express my appreciation for the dedication of my staff and the continuous support of the County Executive and the County Legislature. Your efforts are reflected in the advancements and achievements of this Office in meeting the needs of those we serve. Thank you.

Respectfully submitted,

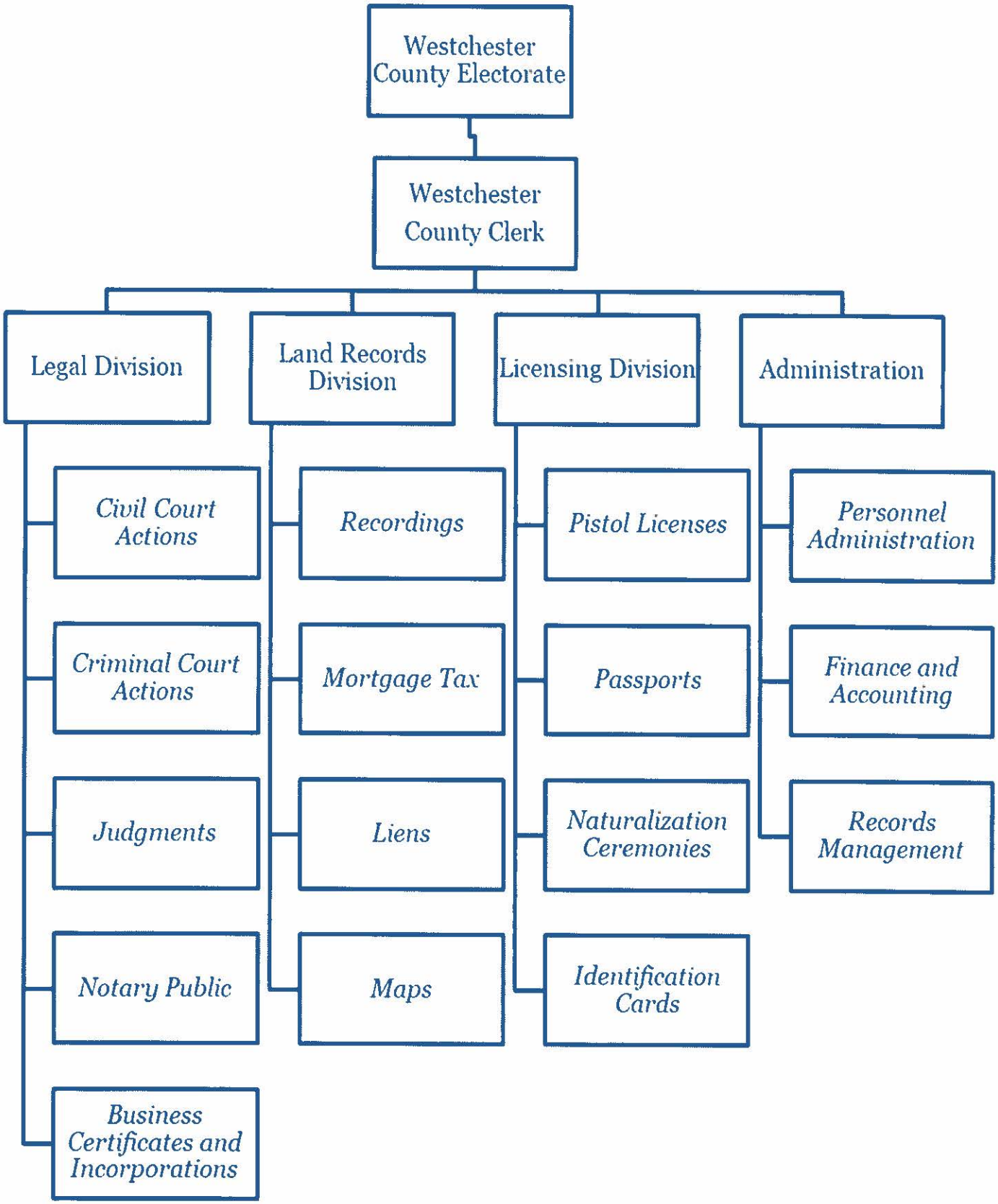
Timothy C. Idoni
Westchester County Clerk

2024 Annual Report

WESTCHESTER COUNTY CLERK

Timothy C. Idoni
Westchester County Clerk

Office of the Westchester County Clerk Organizational Chart



Services Provided by the Office of the County Clerk

Land Records Division

- Recording land records, including deeds, mortgages, assignments, and satisfactions
- Collection and processing of New York State mortgage and transfer taxes
- Filing of maps, UCC statements, Federal tax liens, Notices of Common Charges, and other federal liens

Legal Division

- Fee collection and filing of court records for Supreme and Westchester County courts
- Administration of Notary Public and Commissioner of Deeds licenses
- Administration of the Domestic Partnership Registry
- Filing of Business Certificates and Incorporation records from New York State
- Filing of Small Claims Assessment Review petitions
- Filing of Veterans Military Discharge papers

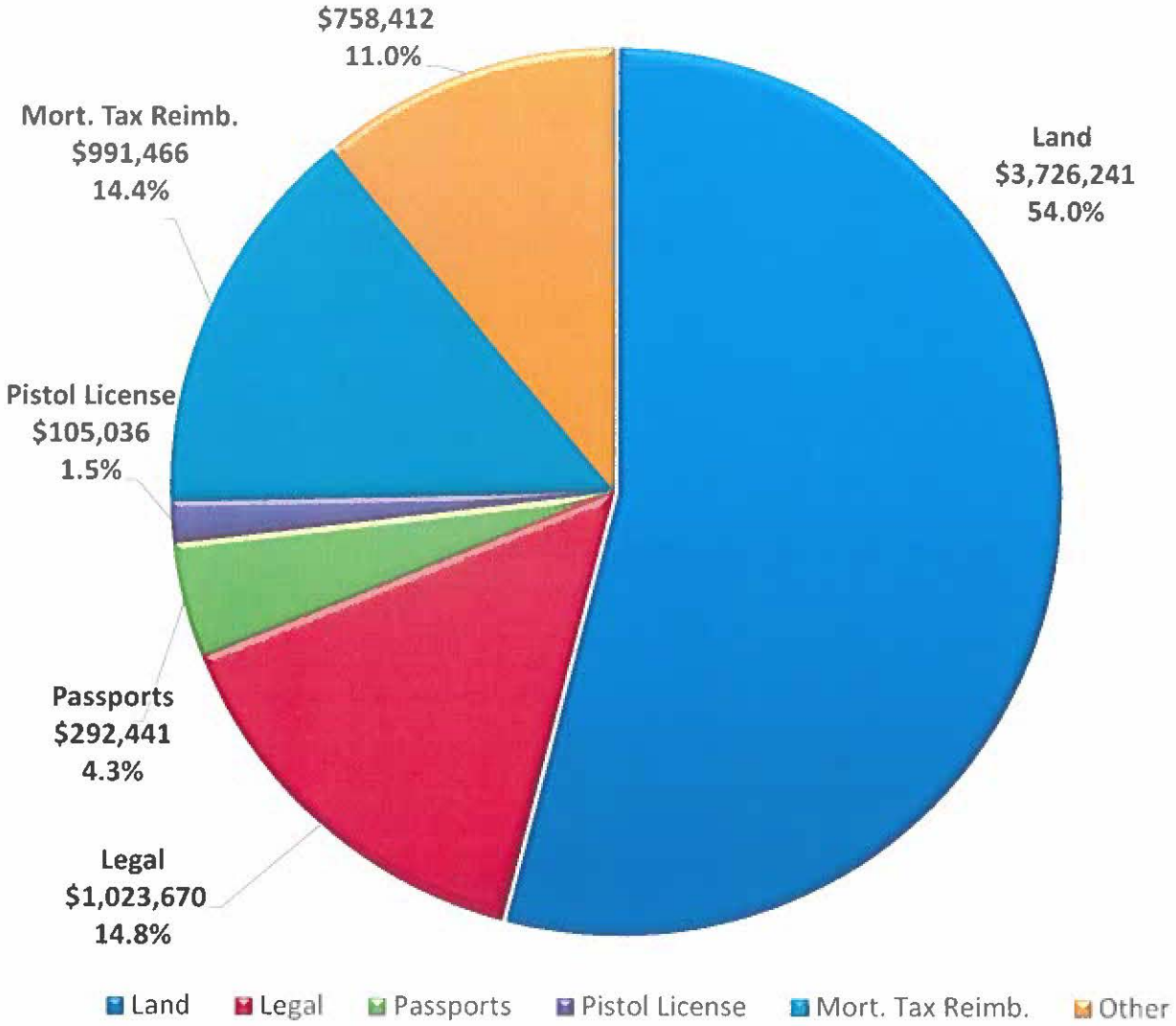
Licensing Division

- Processing of United States Passport applications
- Administration of Pistol Licenses
- Issuance of Westchester County Identification Cards
- Host and Administration of Oath of Allegiance to newly naturalized United States citizens
- Operation of Mobile Passport Office to bring services to municipalities and events throughout the County

Administration

- Subscription Service for online access to land and legal records, foreclosure lists, judgments, and other records ("WRO")
- Financial Reporting to partners in federal, state and county government
- Administering and Filing of Oaths of Office
- Provision of certified copies of all recordings and filings

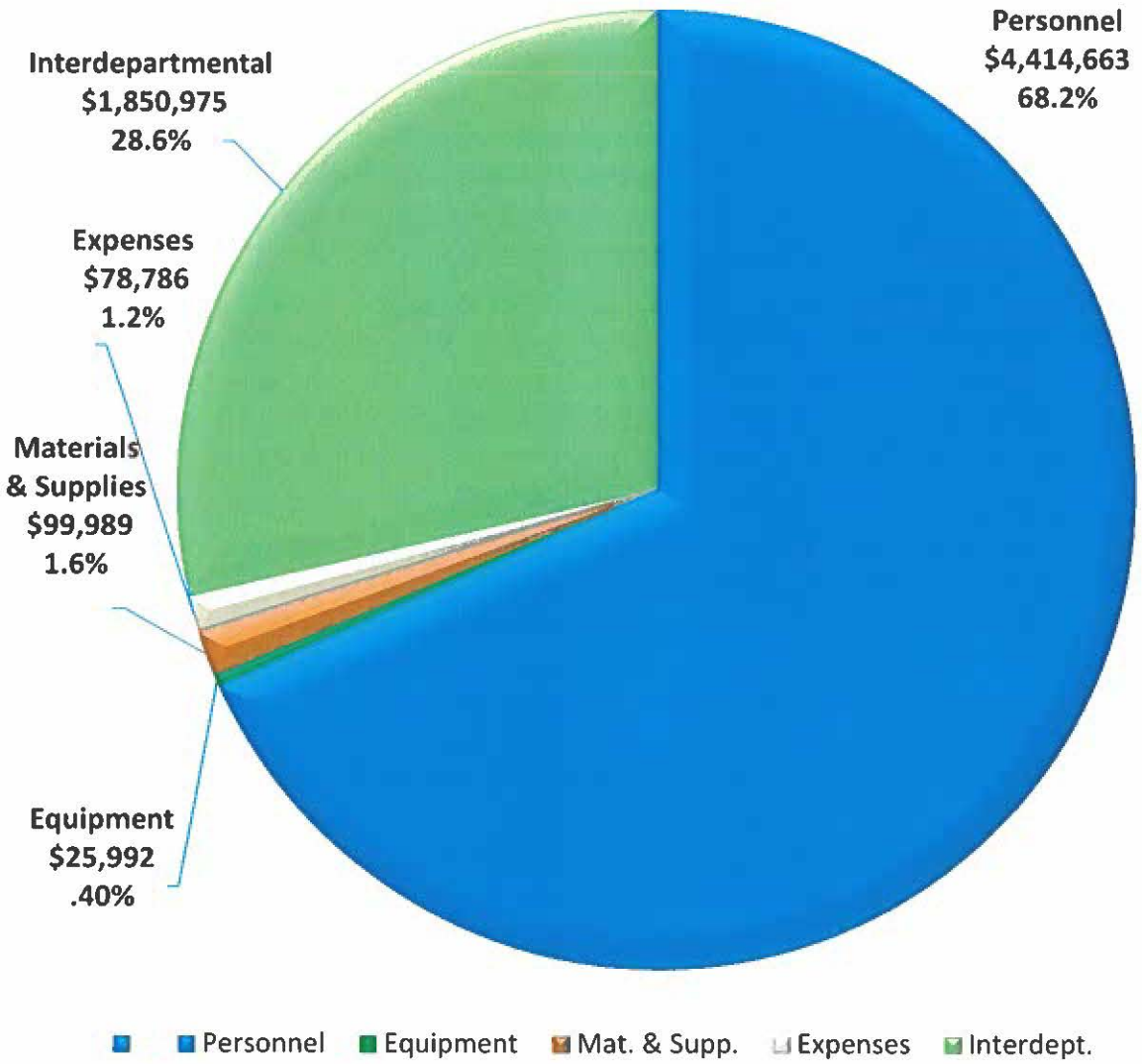
2024 REVENUE AT $6,897,266



2024 Revenue

Fees paid in connection with the recording of land records such as deeds and mortgages make up the majority (54.0%) of our revenue. Court and legal fees provide an additional 14.8% of the revenue collected by our office. New York State reimburses us for expenses in connection with the processing of mortgage tax and this accounts for 14.4% of our revenue. Passports and pistol licenses make up 5.8%. The remaining 11% is comprised of equalization and assessment fees, interest income, online access to records, transfer tax revenue, public copier and overpayment of fees.

2024 EXPENSES AT $6,470,405



2024 Expenses

Our largest expenses are personnel costs which include salaries and overtime, representing approximately 68% of our expenses for 2024. Interdepartmental charges represent the next largest portion of our expense budget, at approximately 28% of our budget funding items such as our DoIT support team, the Archives, Department of Public Works and Transportation, and the Law Department. Our general expenses, which make up approximately 1% of our expense budget, include items such as scanning and equipment rental. Our materials and supplies expenses continue to remain modest at less than 2% as our e-initiatives expand and additional and replacement equipment making up less than 1% of the budgeted expenses.

Office of the Westchester County Clerk				
Total Funds Collected and Distributed for Fiscal Year Ending 12/31/2024				
County Clerk Fees Collected				
	Land Records Division			
		Recording Fees	$3,723,749.60	
		Real Property Transfer Report Fee	$124,281.00	
		Administrative Fee, Refund Processing	$2,491.25	
		Interest	$3,534.69	
	Legal Division			
		Filing Fees	$906,585.06	
		DWI Surcharges	$60,797.09	
		Criminal Fines	$56,288.00	
		Interest	$1,125.56	
	Licensing Division			
		Filing Fees	$397,477.15	
		Interest	$1,594.78	
	Other (Online Access, Copiers)		$535,600.00	
		Public Copiers	$480.60	
		Unclaimed funds	$14.50	
				$5,814,019.28
Mortgage Tax Collected				
	Paid to Westchester County			
		Westchester County Mortgage Tax	$15,672,087.16	
		Local Mortgage Tax	$31,272,217.50	
		Yonkers Mortgage Tax	$3,407,364.94	
		Reimbursement for Processing Costs	$991,465.70	
		Interest, County Portion	$28,541.99	
	Paid to Metropolitan Transit Authority		$31,551,724.37	
	Paid to State of New York Mortgage Agency		$2,771,418.46	$85,694,820.12
New York State Real Estate Transfer Tax				
	Paid to Westchester County			
		Recording Officer's Fee	$12,022.25	
		Interest, County Portion	$51,216.44	
	Paid to the Department of Taxation and Finance		$78,964,343.45	$79,027,582.14
Court Revenue				
	Paid to the Unified Court System			$5,853,403.00
Notary Revenue				
	Paid to the New York State Department of State			$0.00
Records Management Improvement Fund				
	Collected from Court Filings		$103,977.50	
	Collected from Land Records Filings		$231,481.75	
Cultural Education Fund				
	Collected from Court Filings		$311,918.25	
	Collected from Land Records Filings		$639,696.75	$1,287,074.25
Equalization and Assessment				
	Paid to NYS Office of Real Property Tax Services			$1,728,969.00
Total Collected and Disbursed:				***$179,405,867.79***

State of New York
County of Westchester

Timothy C. Idoni, being duly sworn, says he is the County Clerk of the County of Westchester; that the foregoing statement is in all respects a full and true statement of moneys received by him as such clerk to the best of his knowledge and belief.

Sworn to before me this 29th day of January, 2025

Timothy C. Idoni

CAROL FUMANTI ARCURI
Notary Public, State of New York
No. 01AR4665201
Qualified in Westchester County
Commission Expires 09/30/2026

Legal Division - Total Funds Collected and Distributed for Fiscal Year ending 12/31/2024					
	Cost	*Fee*	*No Fee*	*State Share*	*County Share*
Business Certificates	$25.00	1,067	104	$0.00	$26,675.00
Incorporations from NYS	varies	6,030	22	$0.00	$52,635.00
Religious Corporations	$25.00	29	0	$0.00	$725.00
Certified Copies	varies	10,104	0	$0.00	$80,246.64
Commissions	varies	327	0	$0.00	$1,706.25
Executions	$5.00	248	0	$0.00	$1,240.00
Exemplifications	$10.00	440	0	$0.00	$4,400.00
Matrimonial Dissolutions	$5.00	3,097	1	$0.00	$15,485.00
Transcripts Issued	$5.00	183	0	$0.00	$915.00
Veteran's Permits	$0.00	0	1	$0.00	$0.00
Commencements (Index Numbers)	$210.00	20,705	466	$3,809,720.00	$538,330.00
Foreclosure Surcharge	$190.00	761	0	$144,590.00	$0.00
Judgment Transcripts Filed	$10.00	1,556	7,410	$0.00	$15,560.00
Judgments Entered	$45.00	3,280	150	$147,600.00	$0.00
Jury Demand	$65.00	1,061	0	$68,965.00	$0.00
Liens/Small Liens	varies	2,124	342	$22,496.00	$35,136.00
Motion	$45.00	6,381	11	$287,145.00	$0.00
Note of Issue	$30.00	5,181	17	$155,430.00	$0.00
Notice of Appeal	$65.00	938	0	$60,970.00	$0.00
Order to Show Cause	$45.00	2,129	46	$95,805.00	$0.00
Request for Judicial Intervention	$95.00	9,706	117	$922,070.00	$0.00
Separation Agreement	$5.00	19	0	$0.00	$95.00
Small Claims Assessment Review	$30.00	4,551	0	$113,775.00	$22,755.00
Stipulation	$35.00	9,371	19	$327,985.00	$0.00
Subpoenas	$20.00	37	0	$0.00	$740.00
Trial De Novo	$75.00	0	0	$0.00	$0.00
Criminal Fines	varies	69	0	$0.00	$56,288.00
Felony Surcharge	varies	168	0	$45,026.00	$0.00
Misdemeanor Surcharge	varies	98	0	$15,716.00	$0.00
Violation Surcharge	varies	55	0	$10,701.00	$0.00
Sex Offender Registration	$50.00	10	0	$500.00	$0.00
DNA Data Bank Registration	$50.00	188	0	$9,400.00	$0.00
Crime Victims Assistance Fee	varies	268	0	$7,760.00	$0.00
Supplemental Sex Offender	$0.00	9	0	$9,000.00	$0.00
Criminal Penalty for DWI	varies	75	0	$14,475.00	$0.00
Criminal Fine for DWI	varies	106	0	$0.00	$60,797.09
Domestic Partnership New filings	$25.00	228	0	$0.00	$5,700.00
Domestic Partnership Amendments	$25.00	0	0	$0.00	$0.00
Domestic Partnership Terminations	$25.00	32	0	$0.00	$800.00
Authentication of Notaries Public	$3.00	13,688	0	$0.00	$41,064.00
Character Cards Filed	$10.00	68	0	$0.00	$680.00
Character Cards Issued	$5.00	49	0	$0.00	$245.00
Notary Public Renewals	$20.00	2,409	0	$0.00	$48,180.00
Business Filing Report	$20.00	0	0	$0.00	$0.00
Foreclosure Filing Report	$20.00	24	0	$0.00	$480.00
Judgment/Lien Report	$30.00	0	0	$0.00	$0.00
Other Filings & Services	varies	1,971	0	$19.75	$13,263.17
Adjustments					-$471.00
2024 Total Legal Division:				***$6,269,148.75***	***$1,023,670.15***

Land Records Division - Total Funds Collected and Distributed for Fiscal Year ending 12/31/2024				
	Fee	No Fee	State Share	County Share
Conveyances:				
Assignment of Lease and Rents	582	0	$11,058.00	$45,735.00
Contract	12	0	$228.00	$1,092.00
Declaration	186	24	$3,534.00	$15,002.00
Dedication	9	3	$171.00	$744.00
Deed	13,739	8	$261,041.00	$584,706.00
Deed Agreement	181	1	$3,439.00	$13,186.00
Deed, Correction	67	0	$1,254.00	$2,982.50
Easement	299	3	$5,681.00	$25,574.00
Lease Agreement	936	2	$17,784.00	$43,088.50
Letters of Patent	0	0	$0.00	$0.00
Release of Lien of Estate Tax	45	0	$855.00	$1,895.50
Release of Mortgage	105	0	$1,995.00	$5,595.00
Real Property Law 291 Notices	12,537	0	$0.00	$125,370.00
Mortgages:				
Assignment of Mortgage	4,899	4	$93,081.00	$199,004.50
Mortgage	10,794	37	$205,086.00	$1,207,507.00
Mortgage Agreement	246	7	$4,674.00	$19,648.00
Mortgage, Correction	89	0	$1,691.00	$11,525.00
Registered Agreement	1,225	0	$23,275.00	$189,744.00
Satisfactions of Mortgage	11,986	14	$227,734.00	$601,036.00
Miscellaneous:				
Affidavit	0	8	$0.00	$0.00
Agreement	7	0	$133.00	$432.00
Certificate	0	0	$0.00	$0.00
Commitment	0	0	$0.00	$0.00
Judgment	7	0	$133.00	$327.00
Negative Pledge Agreement	1	0	$19.00	$51.00
Notice of Appropriation	0	16	$0.00	$0.00
Order	52	1	$988.00	$2,947.00
Power of Attorney	3,249	0	$61,731.00	$178,799.00
Power of Attorney, Revocation	2	0	$38.00	$67.00
Statement Identifying Property	14	0	$266.00	$579.00
Waiver	1	0	$19.00	$41.00
Cross-References Entered	48,080	0	$0.00	$24,040.00
Transfer Tax Return Filing Fee	14,340	0	$0.00	$71,700.00
Mortgage Tax Affidavit Filing Fee	3,689	0	$0.00	$18,445.00
Certified Copies, Copies, Searches	2,248	0	$0.00	$23,102.60
Map Copies	111	0	$0.00	$1,161.00
Administrative Fee, Refund Processing	0	0	$0.00	$2,491.25
Adjustments	0	0	$0.00	$667.50
Ucc Filed	6,863	0	$0.00	$251,130.00
Federal tax liens filed	1,374	0	$0.00	$54,360.00
Other Federal Liens	36	0	$0.00	$252.00
Notices of Common Charges	311	0	$0.00	$1,535.00
Certified Copies, Copies, Searches	42	0	$0.00	$678.50
2024 Land Records Division Total:			***$925,908.00***	***$3,726,240.85***

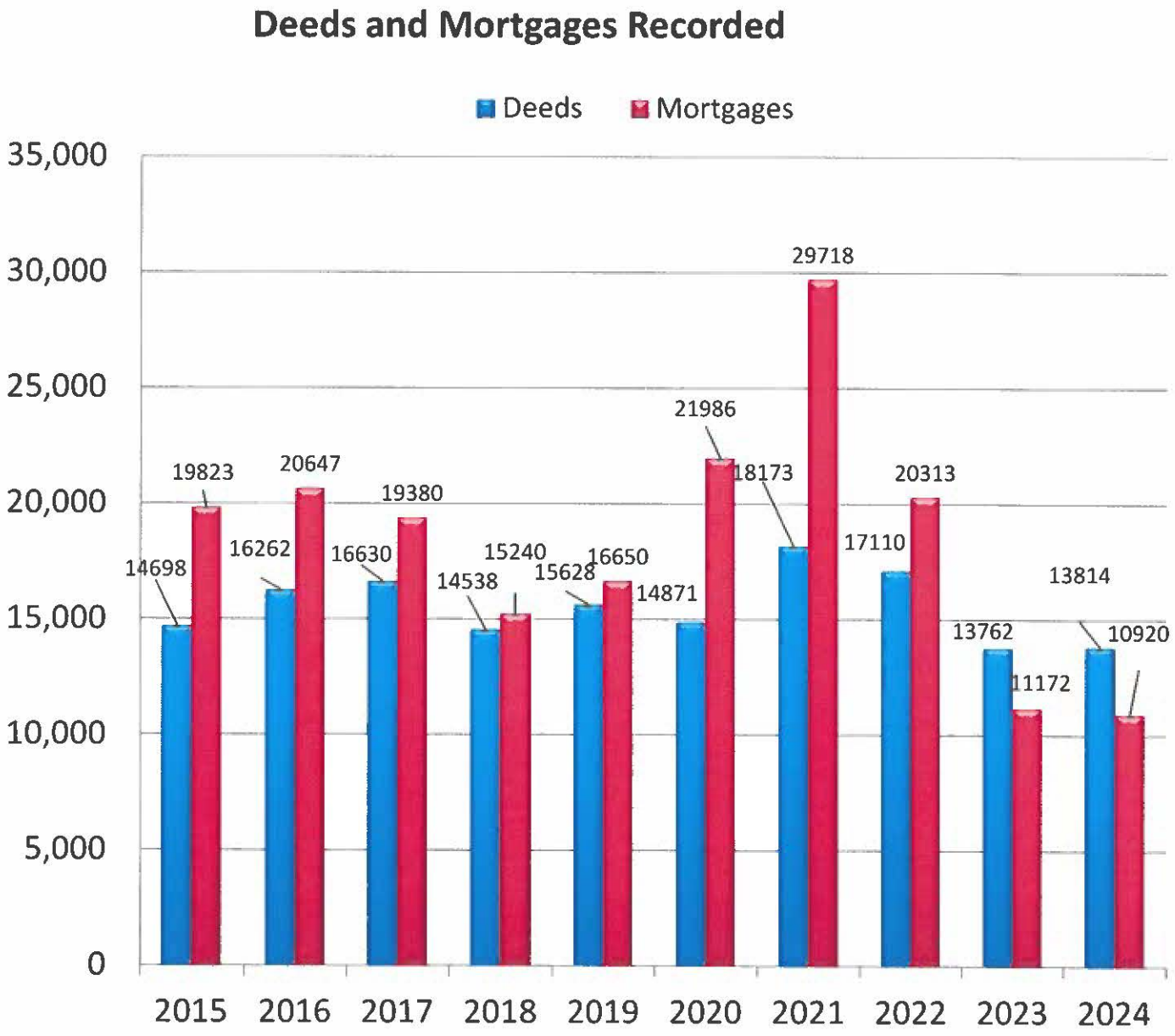
Licensing Division - Total Funds Collected and Distributed for Fiscal Year ending 12/31/2024						
		Fee Count	*No Fee*	*Cost*	*Total*	
Passport Fees Collected:						
	Processing Fees	5,879	0	$35.00	$205,765.00	
	Photo Fees	4,484	0	$10.00	$44,840.00	
	Photo Fees (Senior)	455	0	$7.00	$3,185.00	
	Miscellaneous	2	0		$12.00	$253,802.00
Pistol License Administration:						
	New Applications	1,609	83	$10.00*	$24,660.00	
	Amendments	4,338	0	$3.00*	$23,379.00	
	Recertifications	1,386	0	$10.00*	$36,135.00	
	Dealer/Gunsmith	17	0	varies	$2,175.00	
	Transfers	169	0	$5.00	$845.00	
	Photo Fees	1,752	0	$10.00	$17,520.00	
	Replacement	31	0	$5.00	$155.00	
	Photo Fees (Senior)	3	0	$7.00	$21.00	
	Miscellaneous	37			$145.99	$105,035.99
	*By County Law, effective December 4, 2024, the fees were changed to $175 for new applications and recertifications; $125 for amendments with restriction change; $25 for amendments without restriction change.					
Naturalization Ceremony Administration:						
	Ceremony Administration Fees				$17,076.16	
	Certified Petitions	15	0	$5.00	$75.00	
	Certified Letters	290	0	$5.00	$1,450.00	$18,601.16
Westchester County Identification Cards:						
	Cards Issued	1,130	0	$8.00	$9,040.00	
	Photo Fees (Senior)	39	0	$7.00	$273.00	
	Photo Fees	1,101	0	$10.00	$11,010.00	$20,323.00
	Adjustments					-$285.00
2024 Licensing Division Total:						***$397,477.15***

Initiatives & Highlights

- **Facilitating E-filing in New York State:** As a member of the New York State Association of County Clerks' Court Committee and its Legislative Committee, and first ever Chair of the Supreme Court Steering Committee for Supreme Court E-filing, the County Clerk remains committed to advance automation throughout the State. The committees coordinate responses from the county clerks and legal community leaders and make recommendations to the State Chief Administrative Judge on the creation or expansion of mandatory electronic filing programs. The committees' initiatives have resulted in 61 of the 62 counties in the State now providing e-filing. Working with dedicated and diverse legal community leaders has enhanced the ability of the Clerk's Office to serve pro se litigants and attorneys.
- **E-Filing and E-recording:** Over 92% of civil actions are commenced electronically through the NYS electronic filing system and approximately 71% of the land record documents are currently e-recorded. Electronic recording has significantly increased the efficiency of the filing and recording and reducing manual labor. Further reduction in paper filings is anticipated with the recent authorization of e-filing of election law cases, special proceedings under the Mental Hygiene Law, and name change applications.
- **Recording enactments:** In 2024, NYS enacted the Transfer on Death law permitting the recording of a revocable deed used to hold property that automatically transfers ownership of real property to the named beneficiary upon the death of the transferor; and the Judicial Security Act restricting public access to certain personal information of judges and certain family members from recorded and filed documents. The Office, in conjunction with the IT staff, is prepared to comply with both enactments.
- **Renovation in Office Space:** The renovation of the 32,000 square feet of space occupied by the Clerk's office is near completion. With the automation of department functions and the resultant reduction in staffing needs, space has been opened up for adaptive reuse by the County Public Safety department and the District Attorney. The renovation enhances the efficiency and the environment for an improved staff and visitor experience.
- **Westchester County Personal Identification Card:** Over the years, the number of cards issued rose from 31 when first permitted in 2010 to 1,130 in 2024. Obtaining "a certified copy of a birth certificate" as required by Laws of Westchester County §265.181(2) had been a major obstacle in qualifying for the ID card. This Office proposed an amendment to permit other proofs of birth and identity in lieu of or in addition to the birth certificate. In March 2022, the amendment was adopted by the Board of Legislators and approved by the County Executive. To assist in providing this service, the County ID application and guidelines are available in to Spanish, Haitian Creole, Portuguese, Italian, Chinese, French, Arabic, Tagalog, Japanese, and Albanian.
- **Naturalization:** The County Clerk requested and received approval from the Court and USCIS to increase the number of naturalization candidates to 100 at its monthly session in 2025. The County Clerk administered the oath of allegiance to 1067 naturalized citizens in 2024.
- **Foreclosure Data Captured and Shared:** The Clerk's Office continues to capture information from foreclosure cases to provide County residents with the data needed to secure funds to assist municipalities and individuals impacted by the foreclosure crisis. In 2024, 722 foreclosure actions were filed and 298 foreclosure judgments were entered.
- **Mobile Community Outreach Vehicle:** The County Clerk's Community Outreach truck stops in every County town and city from April through November. The mobile office staff is authorized to accept passport applications and answer questions about passport applications and renewals, and take passport photos. Notary, veterans, and business licensing services are also available.
- **Pistol Licensing:** In June 2022, the US Supreme Court struck down that portion of the NYS firearm licensing law requiring the showing of "proper cause" or a special need to carry a concealed handgun outside of the home. Thereafter, NYS enacted revisions to the firearm licensing laws, effective 9/1/2022. As a result of the ruling, there has been a significant increase in initial applications for full carry concealed licenses and applications to amend and delete restrictions on current licenses. The number of amendment applications doubled in 2022 to 6,181. As full carry concealed licenses have a 3-year term, the Office anticipates a significant increase in recertifications in 2025.
- **Digitized Records Designation.** The Office has been proactive in converting hard-copy documents to digital format. The County Clerk proposed legislation that would designate all digitally created or digitally converted records filed in the Office as the official copies of the records. The legislation was adopted by the Legislators and approved by the County Executive, resulting in a reduction in storage costs and increased efficiency in accessibility and sharing of documents.

STATISTICS OF INTEREST

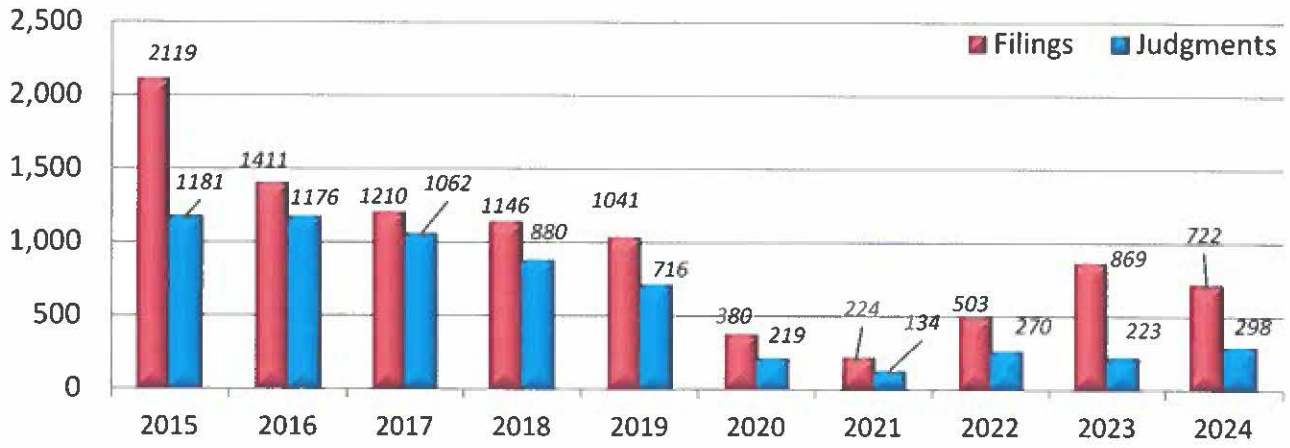
Indicators from our Land Records Division



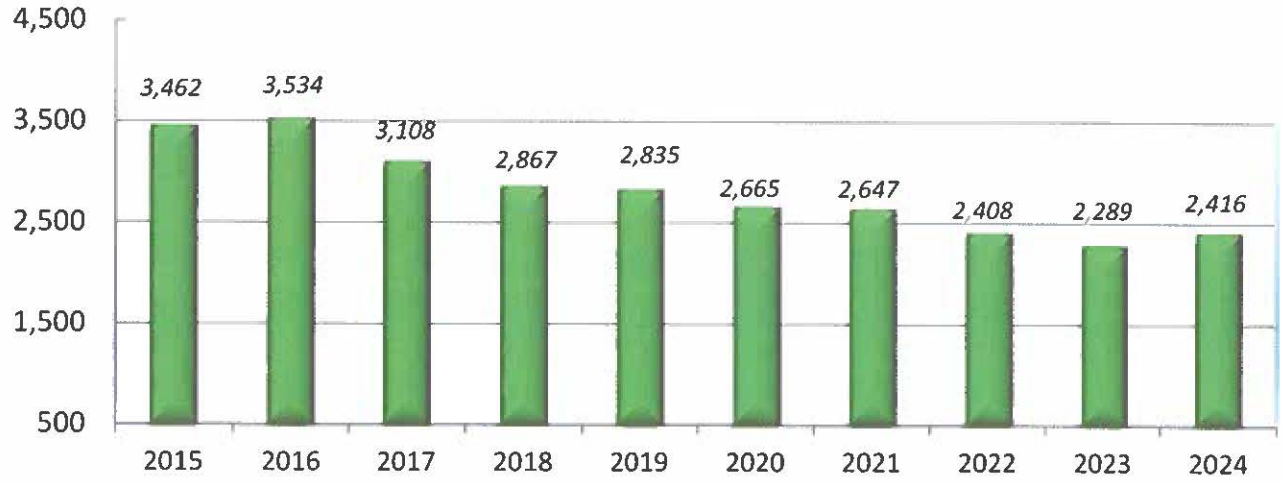
Statistics of Interest

Indicators from our Legal Division

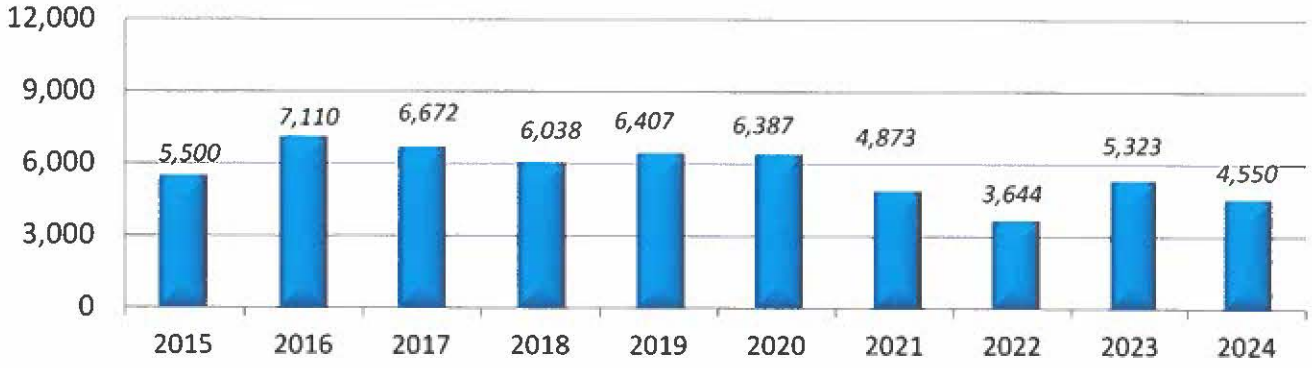
Foreclosure Filings and Judgments



Tax Certiorari Proceedings Commenced

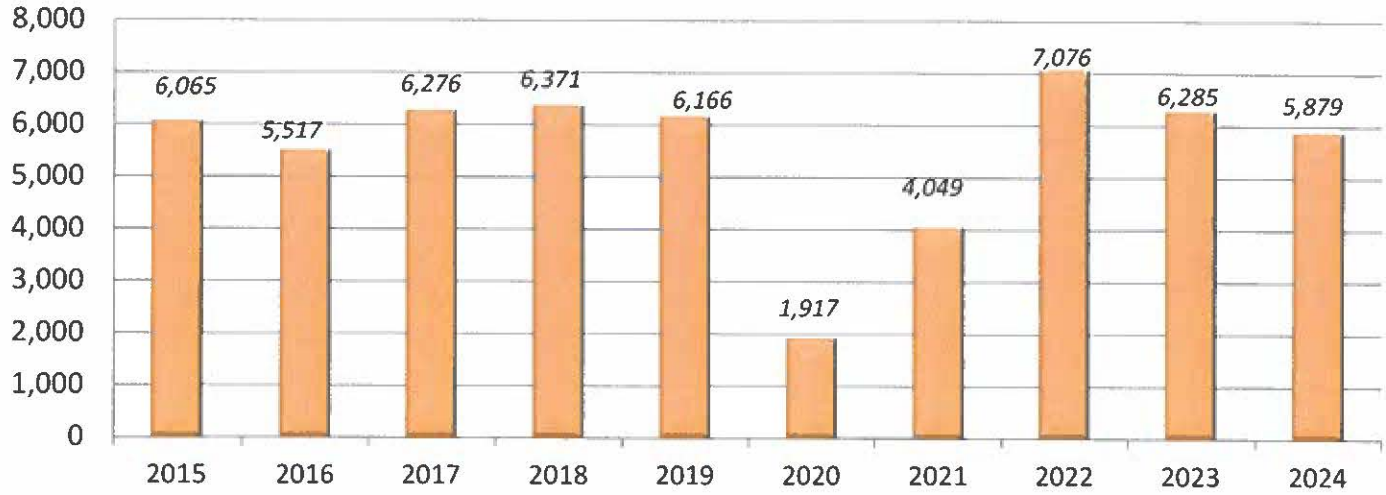


Small Claims Assessment Review Petitions Filed

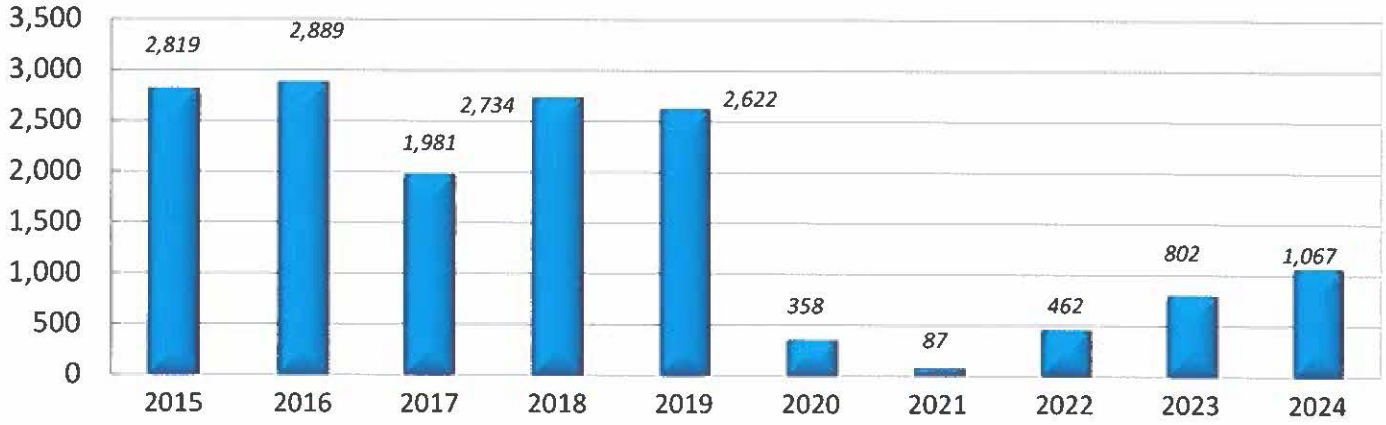


Statistics of Interest *Indicators from our Licensing Division*

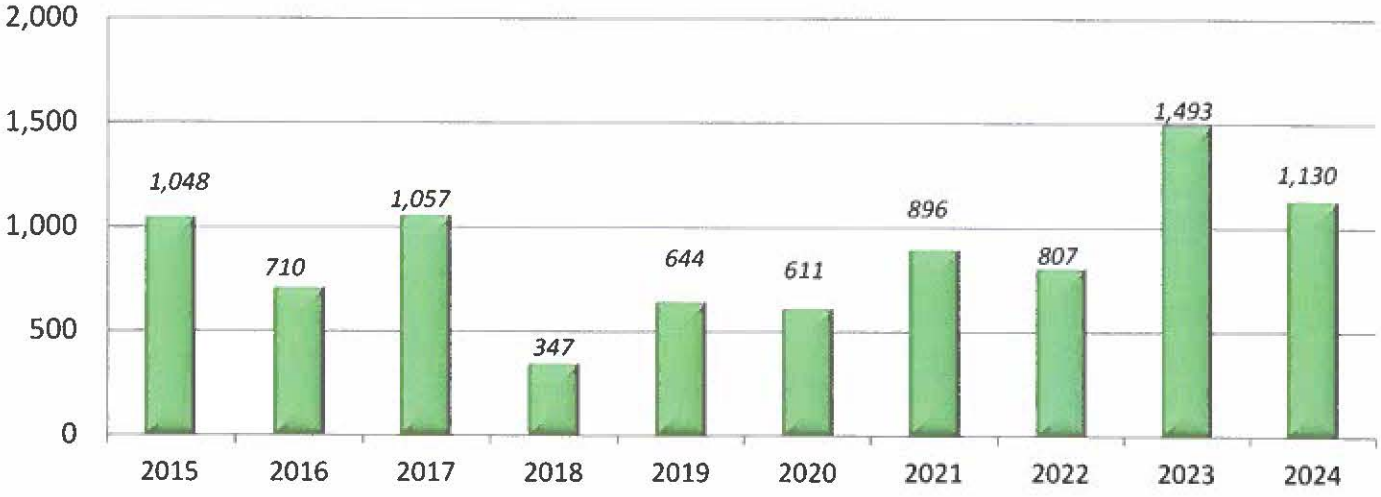
Passport Applications



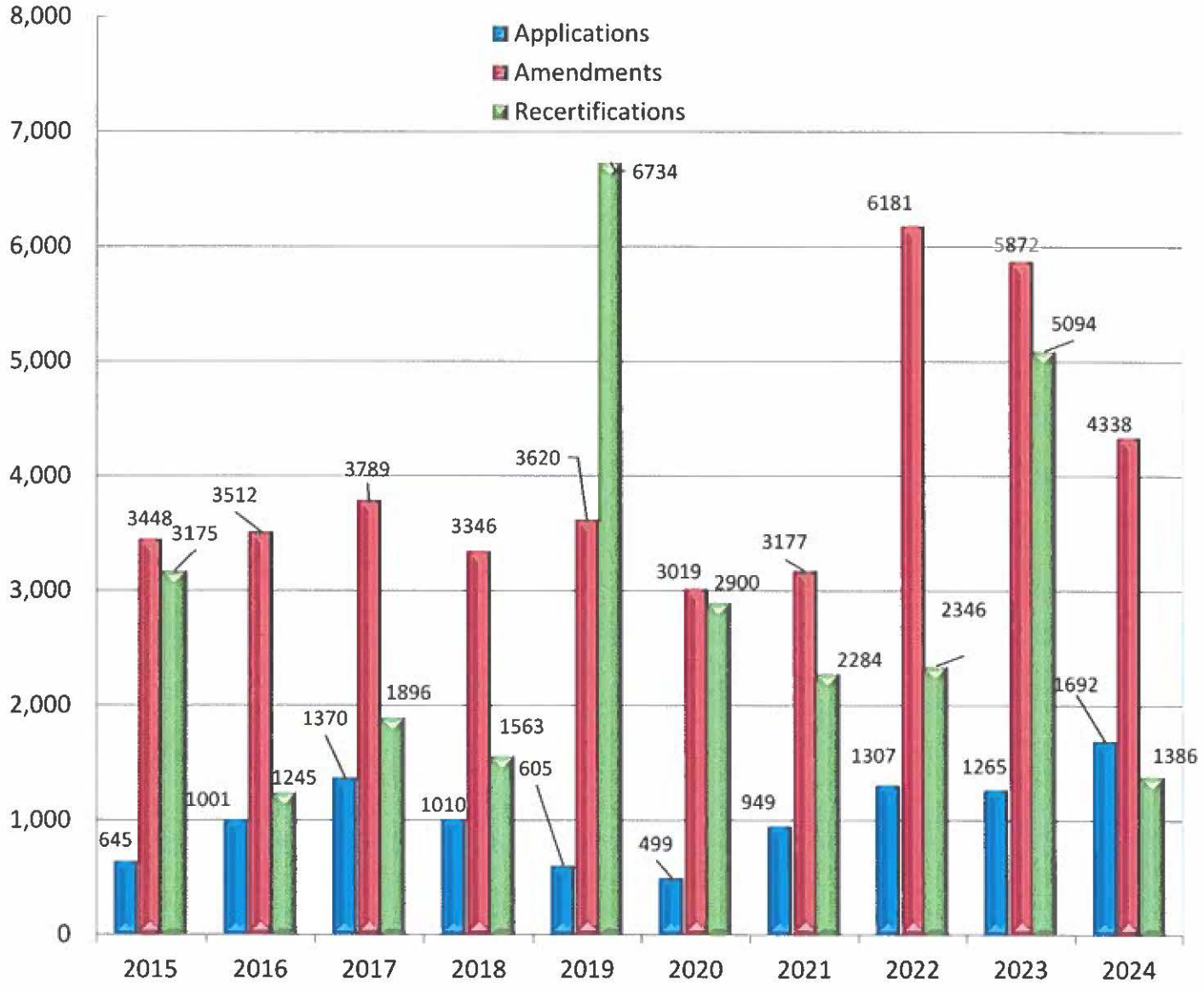
Naturalizations



County Residence Personal IDs



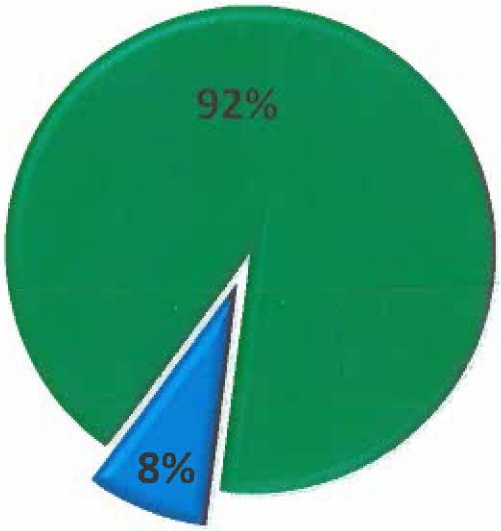
PISTOL LICENSE APPLICATIONS, AMENDMENTS AND RECERTIFICATIONS



Electronic Filing and Recording

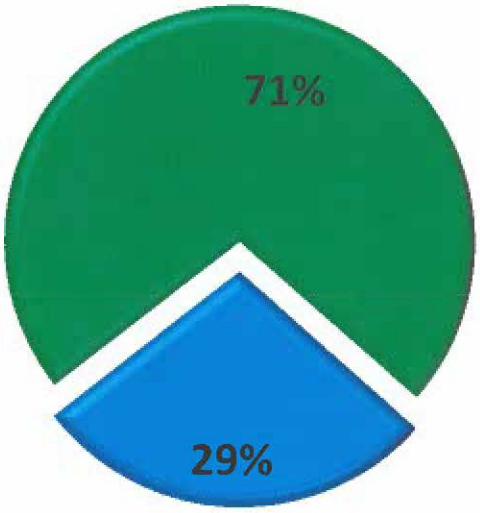
Civil Actions

Over **92%** of our civil actions are commenced electronically through the NYS Courts electronic filing system.



Land Records

Approximately **71%** of the documents submitted to the Land Records Division are submitted electronically as part of a **voluntary** eRecording program.



County Clerk's Westchester Records Online Program ("WRO").
In 2024, **3,246,619** searches were conducted in WRO. Local municipalities and federal and state agencies are granted free remote access to WRO through "no cost" agreements. Free access to local municipalities has been expanded to include access to WRO reports of foreclosure filings and judgments as a "shared service" to assist in preventing zombie homes.