

# Board of Legislators Meeting Agenda



800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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Monday, April 12, 2021

7:00 PM

Legislative Chambers

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## CALENDAR 7 (CONSENT)

## CALL TO ORDER

## MINUTES APPROVAL

*March 22, 2021 at 7PM*

## PUBLIC COMMENT

Speakers \_\_\_\_\_

## PUBLIC HEARING

## UNFINISHED BUSINESS

### I. COMMUNICATIONS

#### A. COUNTY EXECUTIVE

1. [2021-235](#) APPT - EMS Advisory Board - O'Connor

A RESOLUTION appointing James O'Connor as a member of the Westchester County Emergency Medical Services Advisory Board for the term February 18, 2021 to December 31, 2022.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

2. [2021-236](#) APPT-Emergency Medical Services Advisory Board-Peifer

A RESOLUTION appointing Guy Peifer as a member of the Westchester County Emergency Medical Services Advisory Board for the term February 19, 2021 to December 31, 2023.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

3. [2021-237](#) APPT-Emergency Medical Services Advisory Board-Sutton

A RESOLUTION appointing Anthony Sutton as a member of the Westchester County Emergency Medical Services Advisory Board for the term February 19, 2021 to December 31, 2023.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

4. [2021-238](#) **APPT-Emergency Medical Services Advisory Board-Costable**

A RESOLUTION appointing Justin Constable as a member of the Westchester County Emergency Medical Services Advisory Board for the term February 17, 2021 to December 31, 2021.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

5. [2021-239](#) **APPT-Emergency Medical Services Advisory Board-Meade**

A RESOLUTION appointing Jeffrey Meade as a member of the Westchester County Emergency Medical Services Advisory Board for the term March 5, 2021 to December 31, 2023.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

6. [2021-240](#) **APPT-Emergency Medical Services Advisory Board-Hlushko**

A RESOLUTION appointing Maria Hlushko as a member of the Westchester County Emergency Medical Services Advisory Board for the term February 17, 2021 to December 31, 2021.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

7. [2021-241](#) **APPT-Storm Water Advisory Board-Coyne**

A RESOLUTION appointing Ryan Coyne as a member of the Westchester County Storm Water Advisory Board for the term March 2, 2021 to December 31, 2022.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

8. [2021-242](#) **APPT-LGBTQ Advisory Board-Goldberg**

A RESOLUTION appointing Rabbi Ben Goldberg as a member of the Westchester County LGBTQ Advisory Board for the term March 19, 2021 to December 31, 2022.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

9. [2021-243](#) **REAPPT-Professional Prequalification Board-Rudolph**

A RESOLUTION reappointing Thomas Rudolph as member of the Westchester County Professional Prequalification Board for the term March 12, 2021 to December 31, 2024.

**COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**

10. [2021-244](#) **IMA (Amended)-Prisoner Transportation-White Plains**

AN ACT authorizing the County to amend an Intermunicipal Agreement with the City of White Plains to provide reimbursement for prisoner transportation to the Westchester County Jail in order to extend the term of the IMA through December 31, 2021 and to reduce the monthly payments to the City of White Plains for the months of April, May, June and July 2020 and to reimburse on a per trip basis beginning August 1, 2020.



**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY****11. [2021-247](#) COMM-Gift Acceptance-Sunshine Homecare Services Corporation**

Forwarding a copy of the County Executive's written consent to accept a gift in the amount of \$2,500 from Sunshine Homecare Services Corporation that will be used by the County in connection with the Human Rights Commission's Essay Contest.

**COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS**

**12. [2021-256](#) CBA-BCR59-Security Systems Upgrade**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project BCR59 - Security Systems Upgrade.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**13. [2021-257](#) BOND ACT-BCR59-Security Systems Upgrade**

A BOND ACT authorizing the issuance of ONE MILLION, FOUR HUNDRED THOUSAND (\$1,400,000) DOLLARS in bonds of Westchester County to finance Capital Project BCR59 - Security Systems Upgrade.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**14. [2021-258](#) ENV RES-BPL40-Stormwater Management-Various Co. Facilities II**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project BPL40 - Stormwater Management - Various County Facilities II.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**15. [2021-259](#) BOND ACT-BPL40-Stormwater Management-Various Co. Facilities II**

A BOND ACT authorizing the issuance of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL40 - Stormwater Management - Various County Facilities II.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**16. [2021-261](#) PH-Sewer District Mod-Add-Yorktown**

A RESOLUTION to set a Public Hearing on "AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) Parcel of Property located in the Town of Yorktown and to authorize a permit agreement with the Town to provide sewer service to the subject Parcel and to accept any easements or other real property interests from the Town." [Public Hearing set for \_\_\_\_\_, 2021 at \_\_\_\_\_ .m.] LOCAL INTRO: 2021-264.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH****17. [2021-262](#) ENV RES-Sewer District Mod-Add-Yorktown**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Project SW011 - Rehabilitation of the Yorktown Maintenance Facility.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH****18. [2021-263](#) BOND ACT-SW011-Rehabilitation of the Yorktown Maintenance Facility**

A BOND ACT authorizing the issuance of TWO MILLION (\$2,000,000) DOLLARS in bonds of Westchester County to finance Phase II of Capital Project SW011 - Rehabilitation of the Yorktown Maintenance Facility.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH****19. [2021-264](#) ACT-Sewer District Mod-Add-Yorktown, & To Authorize Permit Agrmnt.**

AN ACT to modify the Peekskill Sanitary Sewer District by the addition of one (1) Parcel of Property located in the Town of Yorktown and to authorize a permit agreement with the Town to provide sewer service to the subject Parcel and to accept any easements or other real property interests from the Town.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT & HEALTH****SI 20. [2021-268](#) BOND ACT-BPL40-1619-Stormwater Management-Various Co. Fac. II**

A BOND ACT authorizing the issuance of FOUR HUNDRED THOUSAND (\$400,000) DOLLARS in bonds of Westchester County to finance a component of Capital Project BPL 40 - Stormwater Management - Various County Facilities II.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION****SI 21. [2021-269](#) CBA-A0133-Rehabilitation of Taxiway L**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project A0133 - Rehabilitation of Taxiway L.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION****SI 22. [2021-270](#) BOND ACT-A0133-Rehabilitation of Taxiway L**

A BOND ACT authorizing the issuance of TWO HUNDRED THOUSAND (\$200,000) DOLLARS in bonds of Westchester County to finance Capital Project A0133 - Rehabilitation of Taxiway L.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**SI 23. 2021-271      ACT-Enter into Grant Agreement with FAA-A0133-Rehabilitation of Taxiway L**

AN ACT to authorize the County to apply for and enter into a grant agreement with the United States of America, acting through the Federal Aviation Administration ("FAA") , for Capital Project A0133 - Rehabilitation of Taxiway L.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

**B. COUNTY ATTORNEY**

**SI 1. 2021-265      ACT - Retention of law firm Napoli Shkolnik PLLC**

AN ACT authorizing the retention of the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS**

**SI 2. 2021-266      ACT - CA to join County of Westchester as Plaintiff (Generic Pharm Companies)**

AN ACT authorizing the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS**

**C. LEGISLATORS**

**1.      2021-248      HON. BENJAMIN BOYKIN - Suspension of Rules**

Forwarding a letter from the Chairman of the Board, dated March 31, 2021, serving the Clerk of the Board written notice of his intent to suspend County Board Rule 4.1 for the April 12, 2021 Regular Board Meeting.

**FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY**

**2.      2021-250      IMA - Inter-municipal Agreement to provide the Ossining Basics**

**Program**

AN ACT authorizing the County of Westchester to enter into an inter-municipal agreement with Ossining Union Free School District ("Ossining") pursuant to which Ossining will provide its Ossining Basics Program for the period from January 1, 2021 through December 31, 2021 for a total amount not to exceed \$2,175.00.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS, YOUTH & INTERGENERATIONAL SERVICES**

**D. OTHERS****II. NOTICES & PETITIONS**

1. [2021-251](#) **CLERK OF THE BOARD - COVID-19 Local State of Emergency Declaration Extension**

Forwarded from the County Executive, his COVID-19 Local State of Emergency extension.

**FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY**

**III. STANDING COMMITTEES**

1. [2021-86](#) **APPT-Arab American Advisory Board-Salim**

A RESOLUTION appointing Ghada Salim as a member of the Westchester County Arab American Advisory Board for the term September 15, 2020 to December 31, 2021. (Formerly MT#13051)

**Submitted by COMMITTEE ON APPOINTMENTS**

RESOLUTION \_\_\_\_\_ - 2021 VOTE \_\_\_\_\_

2. [2021-129](#) **APPT-LGBTQ Advisory Board-Simon**

A RESOLUTION to appoint Rachel Simon as a member of the Westchester County LGBTQ Advisory Board for the term December 22, 2020 to December 31, 2024.

**Submitted by COMMITTEE ON APPOINTMENTS**

RESOLUTION \_\_\_\_\_ - 2021 VOTE \_\_\_\_\_

3. [2021-156](#) **APPT-Asian American Advisory Board-Pahwa**

A RESOLUTION appointing Dr. Bhavana A. Pahwa as a member of the Westchester County Asian American Advisory Board for the term January 8, 2021 to December 31, 2022.

**Submitted by COMMITTEE ON APPOINTMENTS**

RESOLUTION \_\_\_\_\_ - 2021 VOTE \_\_\_\_\_

**4. [2021-157](#) APPT-Asian American Advisory Board-Wu**

A RESOLUTION appointing Lillian Wu as a member of the Westchester County Asian American Advisory Board for the term January 12, 2021 to December 31, 2022.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021                      VOTE \_\_\_\_\_

**5. [2021-159](#) APPT-Domestic Violence Council-Sandberg**

A RESOLUTION appointing Alicia K. Sandberg, Esq., as a medical community representative member of the Westchester County Domestic Violence Council for the term January 21, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021                      VOTE \_\_\_\_\_

**6. [2021-160](#) APPT-Domestic Violence Council-Sullivan**

A RESOLUTION appointing Marisa Moran Sullivan as an at-large member of the Westchester County Domestic Violence Council for the term January 21, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021                      VOTE \_\_\_\_\_

**7. [2021-161](#) APPT-Arab American Advisory Board-Chettih**

A RESOLUTION appointing Ali Chettih as a member of the Westchester County Arab American Advisory Board for the term January 12, 2021 to December 31, 2022.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021                      VOTE \_\_\_\_\_

**8. [2021-162](#) APPT-LGBTQ Advisory Board-Sabatino**

A RESOLUTION appointing Michael Sabatino as a member of the Westchester County LGBTQ Advisory Board for the term November 13, 2020 to December 31, 2024.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**9. [2021-171](#) APPT-Asian American Advisory Board-Kaung**

A RESOLUTION appointing William Kaung as a member of the Westchester County Asian American Advisory Board for the term January 13, 2021 to December 31, 2022.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**10. [2021-173](#) APPT-Asian American Advisory Board-Imamura**

A RESOLUTION appointing David Imamura as a member of the Westchester County Asian American Advisory Board for the term January 8, 2021 to December 31, 2022.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**11. [2021-174](#) APPT-African American Advisory Board-Nicholas**

A RESOLUTION appointing Michelle A. Nicholas as a member of the Westchester County African American Advisory Board for the term January 13, 2021 to December 31, 2022.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**12. [2021-178](#) APPT-Fair Housing Board-Early**

A RESOLUTION appointing Andre Early as a member of the Westchester County Fair Housing Board for the term January 1, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**13. [2021-180](#) REAPPT-Human Rights Commission-Early**

A RESOLUTION reappointing Andre Early as a member of the Westchester County Human Rights Commission for the term January 1, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**14. [2021-181](#) REAPPT-Parks, Recreation and Conservation Bd-Cruz**

A RESOLUTION reappointing Sobeida Cruz as a member of the Westchester County Parks, Recreation and Conservation Board for the term January 1, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**15. [2021-182](#) REAPPT-Parks, Recreation and Conservation Bd-Neale, Jr.**

A RESOLUTION reappointing J. Henry Neale, Jr., as a member of the Westchester County Parks, Recreation and Conservation Board for the term January 1, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**16. [2021-189](#) APPT-Advisory Council on People with Disabilities-Rabin-Marron**

A RESOLUTION appointing Marni Rabin-Marron as a deaf or hard of hearing advocate member of the Westchester County Advisory Council on People with Disabilities for the term December 31, 2020 to December 31, 2021.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**17. [2021-190](#) REAPPT-Airport Advisory Board-Fleisher**

A RESOLUTION reappointing Robert Fleisher as a member of the Westchester County Airport Advisory Board for the term February 17, 2021 to December 31, 2023.

***Submitted by COMMITTEE ON APPOINTMENTS***

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**18. [2021-221](#) CBA-BSS13-Infrast Improvements to Shelter Facilities-Vernon Plaza, Mount Vernon**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - BSS13 - Infrastructure Improvements to Shelter Facilities - Vernon Plaza, Mt. Vernon.



**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND SOCIAL SERVICES**

ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

19. [2021-222](#) **BOND ACT-BSS13-Infrast Improvements to Shelter Facilities-Vernon Plaza, Mount Vernon**

A BOND ACT authorizing the issuance of ONE MILLION, SEVEN HUNDRED THOUSAND (\$1,700,000) DOLLARS in bonds of Westchester County to finance Capital Project BSS13 - Infrastructure Improvements to Shelter Facilities - Vernon Plaza Mt. Vernon.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND SOCIAL SERVICES**

BOND ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

20. [2021-228](#) **BOND ACT-B077D-Infrast. Rehab.-Valhalla Campus '14-'18**

A BOND ACT authorizing the issuance of TWO MILLION, EIGHT HUNDRED THOUSAND (\$2,800,000) DOLLARS in bonds of Westchester County to finance Capital Project B077D - Infrastructure Rehabilitation, Valhalla Campus (2014-2018).

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

BOND ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

21. [2021-229](#) **PH-WD309-Water Storage Facilities & Maintenance Program**

A RESOLUTION to set a Public Hearing on "An ACT to increase and improve Westchester County Water District No. 3 facilities to carry out capital project WD309 at a maximum estimated cost of NINE MILLION, EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS in accordance with the recommendation of the District Report of the Department of Environmental Facilities subject to the permission of the Comptroller of the State of New York". [Public Hearing set for \_\_\_\_\_, 2021 at \_\_\_\_\_.m.]. Intro Act 2021-231.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

22. [2021-245](#) **ACT-Land Acquisition-60 & 76 Point St. and 81 Ravine Ave., Yonkers**

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 146 affordable rental units, that will affirmatively further fair housing and remain affordable for a period of not less than 50 years.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LABOR & HOUSING**

**Please note: This County Executive Communication was placed directly into committee for immediate consideration.**

ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**23. [2021-246](#) BOND ACT-BPL30-60 & 76 Point St. and 81 Ravine Ave., Yonkers**

A BOND ACT authorizing the issuance of FIVE MILLION (\$5,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL30 - New Homes Land Acquisition II.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LABOR & HOUSING**

**Please note: This County Executive Communication was placed directly into committee for immediate consideration.**

BOND ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 24. [2021-216](#) 2021 Priorities for Federal Legislation and FY 22 Appropriations**

Forwarded from the County Executive, his 2021 Priorities for Federal Legislation and FY22 Appropriations.

**Submitted by COMMITTEES ON LEGISLATION AND INTERGOVERNMENTAL SERVICES**

RESOLUTION \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 25. [2021-217](#) CBA-B0082-Low Rise Building Renovation, White Plains**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - B0082 - Low Rise Building Renovation, White Plains.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 26. [2021-218](#) BOND ACT(Amended)-B0082-Low Rise Building Renovation, White Plains**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of SIXTEEN MILLION, SIX HUNDRED FORTY FIVE THOUSAND (\$16,645,000) DOLLARS to finance Capital Project B0082 - Low Rise Building Renovation, White Plains.

***Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION***

BOND ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 27. 2021-219      CBA-B0104-Low Rise Building Improvements, White Plains '15-'19**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - B0104 - Low Rise Building Improvements, White Plains (2015-2019).

***Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION***

ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 28. 2021-220      BOND ACT(Amended)-B0104-Low Rise Building Improvements, White Plains '15-'19**

A BOND ACT (Amended) authorizing the issuance of an additional TEN MILLION , ONE HUNDRED ELEVEN THOUSAND (\$10,111,000) DOLLARS in bonds of Westchester County to finance Capital Project B0104 - Low Rise Building Improvements, White Plains (2015-2019).

***Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION***

BOND ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 29. 2021-223      CBA-B015D-Interior Infrast Repairs, White Plains Complex '16-'20**

AN ACT amending the 2021 County Capital Budget Appropriations for Capital Project - B015D - Interior Infrastructure Repairs, White Plains Complex (2016-2020).

***Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION***

ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 30. 2021-224      BOND ACT-B015D-Interior Infrast Repairs, White Plains Complex '16-'20**

A BOND ACT authorizing the issuance of THREE MILLION, EIGHT HUNDRED SEVENTY THOUSAND (\$3,870,000) DOLLARS in bonds of Westchester County to finance Capital Project B015D - Interior Infrastructure Repairs, White Plains Complex (2016-2020).

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

BOND ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

**SI 31. [2021-227](#) BOND ACT-T0048-Central Maintenance Fac. Roof Alterations**

A BOND ACT authorizing the issuance of EIGHT HUNDRED SIXTY THOUSAND (\$860,000) DOLLARS in bonds of Westchester County to finance Capital Project T0048 - Central Maintenance Facility Roof Alterations.

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

#### IV. SPECIAL ORDERS

**SI 1. [2021-153](#) ACT - Second Restated and Amended Playland Management Agreement with Standard Amusement, LLC**

AN ACT authorizing the County of Westchester to enter into a Second Restated and Amended Playland Management Agreement with Standard Amusements, LLC in order to fully resolve the allegations set forth in the Chapter 11 case entitled: *In re Standard Amusements LLC, Debtor, Case No. 19-23061 (RDD) and the Adversary Proceeding No. 19-08264 (RDD), Standard Amusements LLC, Plaintiff v. The County of Westchester, by and through George Latimer, in his official capacity as County Executive of Westchester, Kathleen O'Connor in her official capacity as the Commissioner of the Department of Parks, Recreation and Conservation, and Hugh J. Greechan, in his official capacity as the Commissioner of the Department of Public Works and Transportation, Defendant.*

**Submitted by COMMITTEES ON BUDGET & APPROPRIATIONS, LAW & MAJOR CONTRACTS AND PARKS & RECREATION**

ACT \_\_\_\_\_ - 2021

VOTE \_\_\_\_\_

#### MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

**1. [2021-260](#) Memorial Resolutions - 7-2021**

HON. MARGARET A. CUNZIO: John T. Gribb, Jared Lloyd, Maria Theresia Engemann, Mario DiFelice, Norma P. Cody, Gloria T. Angelo

HON. CHRISTOPHER JOHNSON: Earl Simmons

HON. DAMON MAHER: Louis William Bauman, Denzil Francis

HON. MARYJANE SHIMSKY: Eve S. Cohen

HON. DAVID J. TUBIOLO: Angela M. Gonzalez, Christian P. Sheridan

LEGISLATORS WALTER AND JOHNSON: Marla Hurban

LEGISLATOR ALFREDA A. WILLIAMS: Dennis M. Fitzgerald


## **ADJOURNMENT**

George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Emergency Medical Services Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint James O'Connor, 101 Old Mamaroneck Road, White Plains, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term February 18, 2021 to December 31, 2022.

Given under my hand  
and seal this 18<sup>th</sup> day  
of February, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)



George Latimer  
County Executive

February 18, 2021

James O'Connor  
101 Old Mamaroneck Road  
White Plains, NY 10605

Dear Mr. O'Connor,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Advisory Board, effective today, Thursday, February 18, 2021, pursuant to the Laws of Westchester County §193.04. This appointment is for a term to expire on December 31, 2022

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Emergency Services at (914) 231-1927 for the date, place, and time of the Emergency Medical Services Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/tts

cc: Honorable Board of Legislators  
Richard Wishnie – Acting Commissioner, Department of Emergency Services  
Joan McDonald, Director of Operations

Office of the County Executive

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

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[westchestergov.com](http://westchestergov.com)



# JAMES “JIM” O’CONNOR

## Vice President, Corporate Development – Empress EMS

Jim O’Connor has been involved in EMS for more than four decades. His career began in 1976 as one of the first paramedics in Westchester County, New York, where he worked for a private ambulance service providing 911 and inter-facility transportation.

In 1997, Jim joined a regional ambulance company and held executive positions including a promotion to president in 2012. He worked with his team to expand services in New York City; Westchester County, New York; the Hudson Valley of New York State; Philadelphia and its suburbs; Wilmington, Delaware; Baltimore, Maryland; and Pittsburg, Pennsylvania.

In 2015, he joined the senior leadership team of Empress as vice president of business development and government affairs. In the time Jim has been working alongside Michael, Dan and Matt Minerva, the company has seen significant growth and strategic development of new business opportunities.

Jim has been active with many EMS organizations and has held board positions locally, regionally and nationally. He has always worked tirelessly for all EMTs and paramedics and those healthcare facilities and municipalities that contract for emergency medical services. He understands the importance of quality patient care and solid partnerships with healthcare and municipal leaders.

## For Appointees to County Boards and Commissions

COUNTY OF WESTCHESTER


SS.:

I, JAMES O'CONNOR do solemnly swear (or affirm) that I will support  
(Print or Type Name)

the constitution of the United States, and the constitution of the State of New York, and that I will faithfully discharge the duties of the office of Emergency Medical Services Advisory Board in and for the County of Westchester, according to the best of my ability.

Date: 2/25/21

best of my ability.

  
\_\_\_\_\_  
(Signature)

Sworn to and subscribed before me this 25 day of February, 2021.

(Signature)

Timothy C. Dowd  
(Print or Type Name)

Carney Bank

(Title of Official Administering Oath)

Mail original Oath of Office to Office to Andrew Ferris, Office of the County Executive, 148 Martine Ave., Room 916D, White Plains, NY 10601 for filing within thirty (30) days of the commencement of the term of office or the notice of appointment.

Receipt 2/25/21  
Jill  
County Clerk



George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Emergency Medical Services Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Guy Peifer, 305 Baxtertown Road, Fishkill, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term February 19, 2021 to December 31, 2023.

Given under my hand  
and seal this 19<sup>th</sup> day  
of February, 2021.



George Latimer  
County Executive

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)



George Latimer  
County Executive

February 19, 2021

Mr. Guy Pfeifer  
305 Baxtertown Road  
Fishkill, NY 12524

Dear Mr. Pfeifer,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Advisory Board, effective today, Friday, February 19, 2021, pursuant to the Laws of Westchester County §193.04. This appointment is for a term to expire on December 31, 2023

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Emergency Services at (914) 231-1927 for the date, place, and time of the Emergency Medical Services Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/tts

cc: Honorable Board of Legislators  
Richard Wishnie – Acting Commissioner, Department of Emergency Services  
Joan McDonald, Director of Operations

Office of the County Executive

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

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Telephone: (914)995-2900

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## Summary of Qualifications:

- Accomplished firefighter-paramedic with 30 years of experience providing emergency services.
- Progressive EMS educator with 30+ years of experience providing emergency services instruction.
- Skilled motivator of people; provide strong leadership and organization within the workplace.
- Demonstrated experience working within culturally diverse environments.
- Effectively act as a liaison between peers and management for the resolution of problems.
- Possess strong administrative, operational, and field skills.
- Result oriented and decisive.

## Recent Work Experience:

### Yonkers Fire Department:

04/2002 – 07/2013     *Firefighter – Paramedic*  
07/2013 – present     *Lieutenant – Paramedic, EMS Coordinator*

### Phelps Memorial Hospital: *Educator – Prehospital Care Institute*

1998 – present

### Westchester County Department of Emergency Services: *Instructor – EMS & Fire Programs*

2013 - present

### Allentown Paramedics: *Paramedic (Part-time)*

10/2010 – 10/2012

### Lehigh Valley Hospital Emergency Medicine Institute: *Pediatric Education Coordinator*

2009 - 2012

### City University of New York: *Director of Paramedic Education, Borough of Manhattan Community College*

1998 – 2012

### Greenburgh Police Department – *Police Paramedic*

02/97 – 04/02

### New York City Emergency Medical Service: *Paramedic, EMSS II*

1988 – 1995

### Richards Ambulance Service – *Manager*

1985 - 1987

## Education/Certifications:

### Commonwealth of Pennsylvania Department of Health:

- EMT-Paramedic
- EMT-Paramedic Instructor

### New York State Department of Health Emergency Medical Services:

- Emergency Medical Technician – Paramedic, original certification 1985
- Certified Instructor Coordinator # 4336
- Regional Faculty
- Certified Instructor Course Coordinator

### American Heart Association:

- Basic Life Support – Instructor, Training Center Coordinator
- Advanced Cardiac Life Support – Instructor, Training Center Coordinator
- Pediatric Advanced Life Support - Instructor, Training Center Coordinator
- Neo-Natal Advanced Life Support

### National Association of Emergency Medical Technicians:

- Advanced Medical Life Support - Instructor
- Geriatric Emergencies - Instructor
- Pre-hospital Trauma Life Support – Advanced Instructor, National Affiliate Faculty Member
- Pediatric Pre-Hospital Care – Instructor Trainer, Past Region 1 Coordinator
- Principles of Ethics and Personal Leadership – Instructor
- Tactical Combat Emergency Casualty Care - Instructor
- Tactical Emergency Casualty Care - Instructor

### Advanced HazMat Life Support - Instructor

### National Safety Council:

- Coaching the Emergency Vehicle Operator – Instructor Trainer

### Department of Defense, United States Army Medical Research Institute:

- Chemical Biological Awareness
- Biological Warfare and Terrorism; The Military and Public Health Response

### Emergency Management Institute, Federal Emergency Management Agency:

- Emergency Program Manager
- Emergency Response to Terrorism
- Incident Command System, National Curriculum
- Orientation to Community Disaster Exercises
- Emergency Preparedness
- Radiological Emergency Management
- Hazardous Materials – A Citizen's Orientation
- Basic Radiological Emergencies

## Education/Certifications (continued):

### New York State Fire Training Academy:

- Basic, Intermediate & Advanced Firefighter Training
- Introduction to Fire Officer
- Preparing for Command
- Fire Officer I
- Principles of Instruction
- Fire Instructor
- Principles of Building Construction
- Accident Victim Extrication Training
- Radiation Safety For Firefighters
- Decontamination Procedures
- Rescue Operations
- Incident Command
- Responding to Hazardous Material Incidents I & II
- Hazardous Materials: Operations, Technician, Advanced Technician
- Hazardous Materials Emergency Planning
- Cargo Truck Hazardous Materials Specialist
- Rescue Technician
- Confined Space Awareness & Safety
- Initial Fire Attack
- Pump Operator
- Firefighter Survival
- Emergency Response to Terrorism
- Recognizing Clandestine Drug Labs
- Rope Rescue Technician
- Heavy Rigging
- Trench Rescue Operations
- Elevator Rescue
- Basic Structural Collapse Operations

### New York State Emergency Management Office:

- Incident Command System (NIMS) : ICS100, ICS200, ICS300, ICS400, ICS700
  - Operations Section Chief
  - Planning Section Chief
  - Resource Unit Leader
  - Situation Unit Leader
  - NIMS Instructor

### National Fire Academy Courses

- Chemistry for Emergency Response
- Advanced Life Support for Hazardous Materials Incidents
- Leadership for Fire and EMS

### Other Courses:

- Weapons of Mass Destruction: Responder Operations
- Basic Concepts for Weapons of Mass Destruction Incidents
- Incident Command For Multiple Casualty Operations
- Weapons of Mass Destruction Terrorism Awareness for Emergency Responders
- Domestic Preparedness Weapons of Mass Destruction Operations Level
- NYC-EMS Emergency Vehicle Operators Course
- CTOS WMD Radiological/Nuclear Course for Hazardous Material Technicians



## Recent Accomplishments:

- September 2017 Westchester Regional EMS Educator of Excellence Award
- January 2016 Received Fire Commissioners Award
- July 2012 Received Fire Commissioners Award
- April 2008 Assigned to Pope Benedict XVI
- August 2007 Received EMS Award
- September 2007 Westchester Regional EMS Educator of Excellence Award



George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Emergency Medical Services Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Anthony Sutton, 10 Olive Drive, Mahopac, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term February 19, 2021 to December 31, 2023.

Given under my hand  
and seal this 19<sup>th</sup> day  
of February, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)



George Latimer  
County Executive

February 19, 2021

Mr. Anthony Sutton  
10 Olive Drive  
Mahopac, NY 10541

Dear Mr. Sutton,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Advisory Board, effective today, Friday, February 19, 2021, pursuant to the Laws of Westchester County §193.04. This appointment is for a term to expire on December 31, 2023

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Emergency Services at (914) 231-1927 for the date, place, and time of the Emergency Medical Services Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/tts

cc: Honorable Board of Legislators  
Richard Wishnie – Acting Commissioner, Department of Emergency Services  
Joan McDonald, Director of Operations

Office of the County Executive

Michaelian Office Building  
148 Martine Avenue  
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## SUMMARY

I am a skilled manager with extensive experience in Fire, Emergency Medical Services, emergency planning, response and recovery. I currently serve as a Paramedic Supervisor and Capital Projects Coordinator at Port Chester-Rye-Rye Brook EMS. I previously served as Commissioner of Emergency Services in Putnam County. In that position, I was responsible for administering the County's 911 Center, Countywide Fire and EMS Operations and Training, as well as the County Emergency Operations Facility and Special Operations Teams. I served as Deputy Director for Operations at the New York State Division of Homeland Security and Emergency Services. In that role I was responsible for Emergency Management Field Operations and supervision of the NYS Incident Management Team. I managed the State Emergency Operations Center in Albany during the extended activation for Super-Storm Sandy. Prior to becoming State Deputy Director, I served as Commissioner of The Westchester County Department of Emergency Services. In that role, I was responsible for Emergency Management, Emergency Communications, Fire and EMS training and Special Operations. I have served as a senior advisor to the County Executive and Board of legislators on issues related to Homeland Security, Emergency Preparedness and disaster response

## EMPLOYMENT EXPERIENCE

### 5/2015-9/2017 Commissioner, Putnam County Bureau of Emergency Services

- Responsible for oversight of Fire & EMS Training & Response, 911-Emergency Communications Center, Emergency Management and Emergency Operations Center.

### 2011- 2017 President- GMC Consulting LLC.

- Providing emergency management consulting support to corporate and government clients on large projects, planning, training and exercises.

### 1994-Present Member-Board of Directors, Paramedic Supervisor & Capital Projects Coordinator-

Port Chester-

Rye-Rye Brook EMS

- Supervision of field providers in high volume 911 EMS system. Development & Management of capital projects and vehicle acquisition.

### 2012-2014 Deputy Director for Operations- NYS Div. of Homeland Security & Emergency Svs.-OEM

Responsible for oversight of Field & Headquarters Operations, State Incident Management Team (IMT), State Regional Field Staff and Radiological Emergency Preparedness Program (REPP).

### 2003-2011 Commissioner- Westchester County Department of Emergency Services

- Responsible for directing, planning, coordinating, monitoring and evaluating the operations of the Department of Emergency Services which included the Divisions of Communications, Emergency Management, Fire Response, Fire & EMS Training and the Regional EMS Program Divisions.
- Top Advisor to County Executive and County Board of Legislators on issues related to homeland security, emergency preparedness & response.
- Represented County Executive with local municipal and school officials on homeland security and emergency preparedness topics, including response and recovery operations resulting from presidential disaster declarations.

### 2000-2003 Deputy Commissioner-Westchester County Department of Emergency Services

- Assisted Commissioner with management of Emergency Services Department.
- Specifically responsible for reorganization of the Division of Emergency Management.
- Planned, coordinated and oversaw construction of a state of the art emergency operations center.(EOC)

### 1994-2000 Administrator-COO Port Chester-Rye-Rye Brook Emergency Medical Services

- Hired for position after a national recruitment to transform a combination career/volunteer ambulance corps through the issues and conflicts associated with becoming a municipal career agency to meet service demands posed by skyrocketing call volume.

## EDUCATION

Bachelor of Science-Industrial Engineering-Clarkson College  
Paramedic Certificate-Westchester Community College  
Radiological Emergency Management- Harvard

References furnished on request







George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Emergency Medical Services Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Justin Costable, 6 Nutmeg Court, New Milford, CT, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term February 17, 2021 to December 31, 2021.

Given under my hand  
and seal this 17<sup>th</sup> day  
of February, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)



George Latimer  
County Executive

February 17, 2021

Justin Costable  
6 Nutmeg Court  
New Milford, CT 06776

Dear Mr. Costable,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Advisory Board, effective today, Wednesday, February 17, 2021, pursuant to the Laws of Westchester County §193.04. This appointment is for a term to expire on December 31, 2021.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Emergency Services at (914) 231-1927 for the date, place, and time of the Emergency Medical Services Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/tts

cc: Honorable Board of Legislators  
Richard Wishnie – Acting Commissioner, Department of Emergency Services  
Joan McDonald, Director of Operation

Office of the County Executive

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

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Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

## Justin M. Costable

6 Nutmeg Dr. New Milford, Ct. 06776

845-721-8427 (c) [jmcostable@outlook.com](mailto:jmcostable@outlook.com) (p) [jmc9041@nyp.org](mailto:jmc9041@nyp.org) (w)

### Objective

To utilize and apply my knowledge to an advisory board where decisions will be made to enhance and better emergency medical services in Westchester county.

### Education

- Dutchess Community College
- AAS - Paramedic | 2001
- EMT Certification 1997
- 3.8 GPA, Dean's List
- University of New Haven
- BA – Emergency management
- 2018-Present, Expected graduation 2022
- 4.0 GPA
- New York State Certified Paramedic
- AHA- ACLS/ PALS/ CPR
- AHA- ACLS/ CPR Instructor
- ABLIS
- FEMA Courses available on request

2011-Present

#### **Manager of Emergency services | NY Presbyterian -HV | Cortlandt Manor NY**

Develops training content and activities, discussion and operations-based exercise materials, and complete program evaluations (AAR-HSEEP)

Provides administrative and logistical support to workshops, meetings, exercises, and trainings

Contributes to emergency management plans and annexes, policies, doctrine, procedures, and other supporting documentation

Serves as a primary point of contact for external partners (Local, County, State Govt.)

Knowledge of the National Incident Management System, National Response Framework, Incident Command System, and Homeland Security Exercise and Evaluation Program

Experience developing training, writing exercises, and/or contributing to plans and procedures for emergency management agencies

HSEEP certified

Co-Chair Emergency Management Subcommittee

**Director of Operations | Cortlandt Regional Paramedics | Cortlandt Manor NY**

Provide leadership for 30-40 NYS paramedics operating in an ALS flycar system.

Manage Town of Cortlandt ALS tax district ensuring compliance with state regulations.

Accountable for day-to-day operations including objectives brought by the Town supervisor and board members.

Work in collaboration with the Medical Director to ensure quality care is being provided.

2001-2011

**Field Paramedic | Cortlandt Regional Paramedics | Cortlandt Manor NY**

Administer first aid treatment or life support care to sick or injured persons in pre-hospital settings.

Assess nature and extent of illness or injury to establish and prioritize medical procedures.

Coordinate work with other emergency medical team members or police or fire department personnel.

Attend training classes to maintain certification licensure; keep abreast of new developments in the field.

Assists in conducting tests on equipment to ensure that it is in good working and safe condition.

Assist in the reporting of EMS incidents to various federal, state, and other agencies as required.

2004-Present

**Field Paramedic | Town of Mamaroneck Ambulance District | Mamaroneck NY**

New York State Certified paramedic.

2004-2011

**Field Paramedic | Port Chester-Rye-Rye Brook EMS | Port Chester NY**

New York State Certified paramedic.

2001-2005

**FTO Paramedic | Empress EMS | Yonkers NY**

Instructed, orientated, and educated new paramedics.

Weekly meetings with FTO Supervisor regarding new paramedic employee's performance.

Ensure all training requirements were met to allow promotion of new paramedic.

## Awards & Acknowledgements

- Meritorious service award SOD 2003
- Distinguished Service award SOD 2003
- Life saving awards
- Awarded the 2012 Westchester REMAC Agency of the year under my leadership.
- Town Supervisor/ Board Certificate of Award 2013.
- Healthcare Heroes top 100 healthcare providers Westchester County 2017.
- Volunteer USA Swim official 5yr award 2019.



George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Emergency Medical Services Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Jeffrey Meade, 28 Rebecca Lane, Carmel, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term March 5, 2021 to December 31, 2023.

Given under my hand  
and seal this 5<sup>th</sup> day  
of March, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

westchestergov.com





George Latimer  
County Executive

March 5, 2021

Mr. Jeffrey Meade  
28 Rebecca Lane  
Carmel, NY 10512

Dear Mr. Meade,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Advisory Board, effective today, Friday, March 5, 2021, pursuant to the Laws of Westchester County §193.04. This appointment is for a term to expire on December 31, 2023.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Emergency Services at (914) 231-1927 for the date, place, and time of the Emergency Medical Services Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/wm

cc: Honorable Board of Legislators  
Richard Wishnie – Acting Commissioner, Department of Emergency Services  
Joan McDonald, Director of Operations

Office of the County Executive

Michaelian Office Building  
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White Plains, New York 10601

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Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

# Jeffrey C. Meade

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## Experience

**2002 – Present    Phelps Hospital/Northwell Health    Sleepy Hollow, NY**

### **Asst. Vice President - Operations**

- Administrative and Operational Director, Hoch Center for Emergency Education
  - Oversee provision of emergency medical, disaster response and incident command education for Police, Fire & EMS community first responders, Pre-Hospital Medical Professionals, and In-Hospital Providers
- Serves as the Designated administrator for Emergency Management & Safety
  - Management of Unit Operations
    - Emergency Management
    - Environmental Safety and Life Safety
- Develop Unit Goals and Objectives, monitor performance and conduct evaluations
- With Unit Managers, perform all personnel supervision functions, including but not limited to, conflict resolution, staff scheduling and disciplinary activities.
- Serve as NYS designated Hospital Bio-terrorism Preparedness Coordinator
- Administrative Oversight – Support Services Departments
  - With Department Directors, develop department goals and objectives, prepare staffing plans, operating and capitals, monitor performance and performs evaluations
    - Facilities and Engineering
    - Security
    - Bio-Medical engineering
    - Materials Operations
    - Environmental Services

**2018 - Present    University of New Haven    West Haven, CT**

### **Adjunct Professor, Emergency Management MS Program**

- Develop course material
- Instruct courses in Emergency Management MS Program
- Participate in group programs including exercise conduct

**2002 - Present    Westchester County    Valhalla, NY**

Department of Emergency Services Training Center

### **Instructor, Emergency Services; Per-Diem**

- Develop continuing medical education programs as assigned..
- Present continuing medical education programs to regional emergency medical service providers and others as assigned.
- Participate in Regional Exercises as Controller / Evaluator

**2002 - Present    Westchester County                      Valhalla, NY**  
Department of Emergency Services – HazMat Response Team

**Team Leader - HazMat Technician - Specialist**

- Perform duties as Team Leader during Hazardous Materials incident responses and other duties as assigned by Chief of Special Operations
- Participate in planning, training and exercise activities, representing the team when requested/assigned to do so.

**2010 - Present    Westchester County                      Valhalla, NY**  
Department of Public Safety – Police Academy

**Visiting Faculty**

Prepare and present recruit and in-service training / Mass Casualty – Disaster Management.

**Prior                      Westchester County                      Valhalla, NY**  
Department of Emergency Services

**Program Specialist – Emergency Medical Services Systems**

- In a newly formed department within County government, develop the role of the department's ability to provide educational and response support to the 44 EMS agencies within the jurisdiction
- As representative of the department's Office of Emergency Management, perform duties at the NYC Emergency Operations Center following the events of 9/11/2001.
- Coordinate the fully successful public assistance application to FEMA for the county and all the co-applicant municipalities for the disaster declaration related to the vents of 9/11

**Prior                      Alert Fire Dept.                      Great Neck, NY**  
**Dept. Foreman**

- Supervise all career personnel in a combination department.
- Manage all fleet, equipment and facility maintenance
- Prepare operating and capital budgets

**Prior                      U.S. Marshals Service                      Brooklyn, NY**  
**Deputy U.S. Marshal**

- Maintain the integrity and security of the United States Courts
- Provide personal protection to US Judges and US Attorneys identified as being under significant threat
- Conduct fugitive investigations and make apprehensions
- Enforce the orders of the U.S. Courts

**Consulting**

**2002 - 2009                      Brain Trauma Foundation                      New York, NY**  
**Consultant/National Faculty**

- Perform activities associated with development of curriculum for programs to implement the Guidelines for Pre-Hospital Management of the Traumatic Brain Injured Patient.

- ## Military

1990 Individually recognized for meritorious service at the scene of an aircraft accident in Cove Neck, Long Island by the County Executive of Nassau County and the Nassau County Fire Commission.

2007 Westchester EMS Council / Educator of Excellence

2008 Westchester EMS Council / EMS Leadership Award.

**Community  
Service**

1995 – 2001; Member Nassau Regional EMS Council

1998 – 2001; Nassau Regional representative to the NYS EMS Council

2002 – Present; Member Westchester Regional EMS Council

**Publications**

2003 – Pediatric Preparedness for Disasters and Terrorism, Mailman School of Public Health, Columbia University; *Expert Consultant*

**National  
Presentations**

2003 – National Association of EMS Educators, Nashville, TN  
*"Pre-Hospital Management of Traumatic Brain Injury – Instructor"*

2004 – US Dept. of Labor/OSHA & The Joint Commission, Wash. DC  
*"Best Practice – A Hospital Decontamination Program"*

2006 – International Assoc. of Fire Chiefs, Hunt Valley MD,  
*"An Introduction to Hazardous Materials Medicine"*

2007 - International Assoc. of Fire Chiefs, Hunt Valley MD,  
*"Cyanide; Not Just For The CIA Anymore".*

References and contact information available on request

# COUNTY OF WESTCHESTER OATH OF OFFICE

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

I, Jeffrey M. Rade do solemnly swear (or affirm) that I will support  
(Print or Type Name)

the constitution of the United States, and the constitution of the State of New York, and that I will faithfully discharge the duties of the office of Member, WCEMSAB in and for the County of Westchester, according to the best of my ability.

Date: 3/10/21

  
(Signature)

Sworn to and subscribed before me this 10 day of MARCH  
2021.

Alice Layne

**(Signature)**

ALICE LAYNE

**(Print or Type Name)**

NOTARY PUBLIC

**(Title of Official Administering Oath)**

ALICE LAYNE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 011A4733294

Qualified in Westchester County  
My Commission Expires 6/30/2023

Mail **original** Oath of Office to Office to Andrew Ferris, Office of the County Executive, 148 Martine Ave., Room 916D, White Plains, NY 10601 for filing **within thirty (30) days** of the commencement of the term of office or the notice of appointment.

George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Emergency Medical Services Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Maria Hlushko, P.O. Box 572, North Salem, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term February 17, 2021 to December 31, 2021.

Given under my hand  
and seal this 17<sup>th</sup> day  
of February, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)

George Latimer  
County Executive

February 17, 2021

Maria Hlusko  
PO Box 572  
North Salem, NY 10560

Dear Ms. Hlusko,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Advisory Board, effective today, Wednesday, February 17, 2021, pursuant to the Laws of Westchester County §193.04. This appointment is for a term to expire on December 31, 2021.

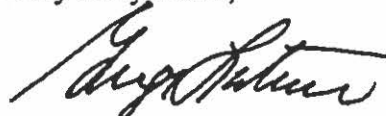
Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Emergency Services at (914) 231-1927 for the date, place, and time of the Emergency Medical Services Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,



George Latimer  
Westchester County Executive

GL/tts

cc: Honorable Board of Legislators  
Richard Wishnie – Acting Commissioner, Department of Emergency Services  
Joan McDonald, Director of Operations

Office of the County Executive

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

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Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)



# Maria C. Hlushko

---

PO Box 572, North Salem, NY 10560  
(914) 953-9266 | [mhlushko@gmail.com](mailto:mhlushko@gmail.com)

## Professional Experience

### TOWN OF NORTH SALEM | JUNE 2004 - MAY 2006 | JULY 2013 - PRESENT

- Currently serving as the Town Clerk
- Previously served as the Confidential Secretary to the Town Supervisor

## Emergency Medical Systems (EMS) Experience

### NORTH SALEM VOLUNTEER AMBULANCE CORPS | FEBRUARY 2008 - PRESENT

- Served as Captain for ten years. Responsible for welcoming and training new members, scheduling personnel, ordering supplies and other managerial duties required by the position.
- Served on the Recruitment and Retention Committee with neighboring departments in Northern Westchester.
- Worked with the department's board to bring in paid staff to fill coverage gaps.
- Coordinated with Westchester County Department of Emergency Services to provide continuing education classes to Northern Westchester departments.
- Assist the Office of Emergency Management when headquarters is used as a shelter for town residents.
- Maintain one of the four Westchester County Multiple Casualty Incident (MCI) Trailers.

### BREWSTER ICE ARENA | SEPTEMBER 2010 - PRESENT

- Respond to medical emergencies at high school and junior level hockey games.

### WESTCHESTER EMS | AUGUST 2010 - SEPTEMBER 2015

- Respond to 911-dispatched calls to provide pre-hospital urgent care, life support and patient transport.
- Provide patient transports in and out of medical facilities throughout Westchester County.

### PLAYLAND PARK | JUNE 2010 - SEPTEMBER 2016

- Respond to medical emergencies throughout the park.
- Stand by at County events to provide medical assistance.

## Education

### BACHELOR OF SCIENCE IN PUBLIC ACCOUNTING | MERCY COLLEGE, DOBBS FERRY, NY

#### EMS TRAINING

- EMT-B, Westchester County Community College
- FEMA Incident Command System - ICS-100, 200, 300, 400, 700 & 800

## Special Honors

- 2013 Woman of Distinction Award presented by Senator Greg Ball
- 2019 Leadership Award presented by Senator Pete Harckham




George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Storm Water Advisory Board, due to the expiration of term of Margaret Slavin:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Ryan Coyne, P.E., 47 Tyler Circle, Rye, New York as a member of the Westchester County Storm Water Advisory Board, for the term March 2, 2021 to December 31, 2022.

Given under my hand  
and seal this 2<sup>nd</sup> day  
of March, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

westchestergov.com



George Latimer  
County Executive

March 2, 2021

Mr. Ryan Coyne, P.E.  
47 Tyler Circle  
Rye, NY 10580

Dear Mr. Coyne,

It is my pleasure to appoint you to serve as a member of the Westchester County Storm Water Advisory Board, effective today, Tuesday, March 2, 2021, pursuant to the Laws of Westchester County §241.259. This appointment is for a term to expire on December 31, 2022.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk prior to the next Storm Water Advisory Board meeting, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Planning at (914) 995-2427 for the date, place, and time of the Storm Water Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form will be mailed to you under separate cover.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators  
Norma Drummond, Commissioner – Department of Planning  
Joan McDonald, Director of Operations

Office of the County Executive

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

Email: [ce@westchestergov.com](mailto:ce@westchestergov.com)  
Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

**Ryan Coyne, P.E.**  
Public Service Professional

47 Tyler Circle  
Rye, New York 10580  
(914) 374-9887  
[covne.rx@gmail.com](mailto:covne.rx@gmail.com)

Professional Engineer dedicated to public service with 20 years of experience in Westchester County. Have held positions of municipal employee, department manager, engineering consultant, and applicant's professional helping develop varying perspectives of the needs of community stakeholders.

### **Employment**

**City of Rye, NY City Engineer/ Director of Public Works** **2012-Present**

**Manage Department of Public Works – 50 Employees, \$15M Budget:**

- Services include sanitation and recycling collection, highway, sewer and drainage utilities, sign and road markings, parks and community beauty, trees, and central maintenance garage
- Set priorities for work based upon community needs
- Manage personnel matters on an individual basis and with the employee union

**City Engineer:**

- Manage all capital projects including stormwater and sanitary sewer utilities, buildings improvements, traffic and pedestrian safety, and marina dredging
- Review plans for Building and Planning Departments as they relate to stormwater and utility matters
- Responsible for NYSDEC MS4 compliance
- Assist other City Departments with special projects

**Kellard Sessions Consulting, P.C. Project Manager** **2006 – 2011**

- Town Consulting Engineer – Towns of North Castle and Lewisboro  
Served the Town of North Castle and Town of Lewisboro with consultation to the Planning Board, Building Department, Highway Department, Conservation Board, Town Supervisor and Town Board members. Reviewed and inspected all site plans for compliance with applicable regulations with heavy emphasis on NYSDEC and NYCDEP stormwater regulations.
- Manage and design commercial and residential developments. Design work includes roadways, gravity and forced sewage conveyance systems, on-site wastewater treatment systems, water treatment and distribution systems, stormwater conveyance, treatment, and storage facilities, etc. Work area consisting of Westchester, Putnam, Dutchess, Rockland, Ulster, and Sullivan Counties.

**Dolph Rotfeld Engineering, P.C. Project Engineer** **2004 – 2006**

- Design and manage public and private site development including stormwater, sanitary sewer and potable water infrastructure.
- Served as consulting engineer for the Village of Larchmont, NY.

**City of Rye, New York Assistant City Engineer** **2001 - 2004**

- Assisted City Engineer in daily operation of Engineering Department.
- Assisted in the design and management of public infrastructure improvement projects.

### **Licensure/ Associations**

- NYS Licensed Professional Engineer - 2006
- Certified Floodplain Manager – 2009-2011
- Westchester/ Putnam Chapter of the NYSSPE – Board of Directors 2010-Present, currently President

### **Education**

Pace University **expected 2021**  
Master's Degree in Public Administration

University of Rhode Island  
Bachelor of Science – Civil Engineering **2001**

References available upon request



George Latimer  
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County LGBTQ Advisory Board, due to the newly created Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Rabbi Ben Goldberg, 573 King Street, Port Chester, New York as a member of the Westchester County LGBTQ Advisory Board, for the term March 19, 2021 to December 31, 2022.

Given under my hand  
and seal this 19<sup>th</sup> day  
of March, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

westchestergov.com





George Latimer  
County Executive

March 19, 2021

Rabbi Ben Goldberg  
573 King Street  
Port Chester, NY 10573

Dear Rabbi Goldberg,

It is my pleasure to appoint you to serve as a member of the Westchester County LGBTQ Advisory Board, effective today, Friday, March 19, 2021, pursuant to the Laws of Westchester County §277.1001. This appointment is for a term to expire on December 31, 2022.

Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk prior to the next LGBTQ Advisory Board meeting, and provide this office with a copy within 30 days. Please contact Steve Bass of my office at (914) 995-2914 for the date, place, and time of the LGBTQ Advisory Board's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics. A financial disclosure form is attached.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/tts

cc: Honorable Board of Legislators  
Steve Bass, Director of Intergovernmental Relations  
Joan McDonald, Director of Operations

Office of the County Executive

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

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Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)



## Rabbi Ben Goldberg

Rabbi Ben Goldberg became a rabbi in order to share the transformational power of Jewish living and learning with contemporary Jews. He is passionate about making the depths of Jewish tradition speak to contemporary realities, and building purpose-driven spiritual community.

Rabbi Goldberg was ordained in 2018 by the Jewish Theological Seminary, where he also received an MA in Midrash (Jewish scriptural interpretation). He received the Bernard and Sydel Citron Scholastic Prize (for an outstanding graduate of JTS), the Rabbi Joel Roth Prize in Rabbinics, and the Cyrus Adler Prize (for the outstanding student entering the graduating class) from JTS.

During rabbinical school, Rabbi Goldberg served as the Student Rabbi at Beth El Synagogue in Woodbury, CT and as Rabbinic Intern at Congregation Beth Israel in Scotch Plains, NJ. He interned at Rutgers Hillel, T'ruah (a rabbinic human rights organization), and Hillel International. He completed a unit of Clinical Pastoral Education at Lankenau Medical Center near Philadelphia and spent two amazing summers directing Hebrew-language musicals at Camp Ramah in the Poconos. So whether your interest is in scripture, spiritual support, or singing, Rabbi Goldberg aims to connect with everyone in our community and beyond.

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Born and raised near Philadelphia, Rabbi Goldberg is a graduate of Northwestern University, where he earned a degree in history and Jewish studies. Before enrolling at JTS, he studied for a year at the Conservative Yeshiva in Jerusalem. He lives in Port Chester with his husband Daniel Olson, a Jewish educator.




George Latimer  
County Executive

WHEREAS, the term of Thomas Rudolph, P.E., as a member of the Westchester County Professional Prequalification Board, has expired:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, reappoint Thomas Rudolph, P.E., 5 Arthur Place, Yonkers, New York as a member of the Westchester County Professional Prequalification Board, for the term March 12, 2021 to December 31, 2024.

Given under my hand  
and seal this 12<sup>th</sup> day  
of March, 2021.

  
George Latimer  
County Executive

Office of the County Executive

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

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

westchestergov.com



George Latimer  
County Executive

March 12, 2021

Mr. Thomas Rudolph, P.E.  
5 Arthur Place  
Yonkers, NY 10701

Dear Mr. Rudolph,

It is my pleasure to reappoint you to serve as a member of the Westchester County Professional Prequalification Board, effective today, Friday, March 12, 2021, pursuant to the Laws of Westchester County §277.91. This appointment is for a term to expire on December 31, 2024.

Your reappointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk prior to the next Professional Prequalification Board meeting, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Public Works and Transportation at (914) 995-2548 for the date, place, and time of the Professional Prequalification Boards's upcoming meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your reappointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer  
Westchester County Executive

GL/wm

cc: Honorable Board of Legislators  
Hugh Greechan, Commissioner – Department of Public Works and Transportation  
Joan McDonald, Director of Operations

Office of the County Executive

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

Email: [ce@westchestergov.com](mailto:ce@westchestergov.com)  
Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

## PROFESSIONAL PRE-QUALIFICATION BOARD

### 2019 ATTENDANCE RECORD:

<u>NAME</u>	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>
Thomas J. Lauro, P.E. (Chairman)		P										
Rex B. Gedney, A.I.A., Member		P										
Cesare J. Manfredi, P.E., Member		P										
Thomas Rudolph, P.E., Member		P										

#### Legend

P = present  
A = absent  
E = excused  
C = meeting cancelled  
R = resigned

# PROFESSIONAL PRE-QUALIFICATION BOARD

## 2020 ATTENDANCE RECORD:

<u>NAME</u>	<u>JAN</u>	<u>FEB</u>	<u>MAR</u>	<u>APR</u>	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u> <u>14th</u>	<u>DEC</u> <u>22nd</u>
Cesare J. Manfredi, P.E. (Chairman)									P			P	P
Paul Fraioli, P.E., Member									P			P	A
Rex B. Gedney, A.I.A., Member									P			P	P
Thomas Rudolph, P.E., Member									P			P	P

### Legend

P = present

A = absent

E = excused

C = meeting cancelled

R = resigned

3/26/2021



George Latimer  
County Executive

March 18, 2021

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

Dear Honorable Members of the Board:

Transmitted herewith for your review and approval is legislation which would authorize the County of Westchester to amend an intermunicipal Agreement with the City of White Plains ("White Plains") dated August 6, 2019 to provide prisoner transportation between the Westchester County Jail and White Plains for the term January 1, 2019 through December 31, 2020, with reimbursement to White Plains at the flat rate of \$247,872 in 2019 and \$255,312 in 2020, for a total aggregate amount of \$503,184 (the "IMA"), in order to extend the IMA through 2021 and effective as of April 1, 2020 to reduce the monthly payments to White Plains from \$21,276 per month to \$10,638 per month for the months of April, May, June and July 2020 and to eliminate the flat rate payment system from August 1, 2020 through December 31, 2021 and make payments per round trip at the following rates:

<u>Number of Police Officers Required</u>	<u>Rate per Round Trip</u>
Two	\$210
Three	\$315
Four	\$420

The new total amount of the IMA for the term January 1, 2019 through December 31, 2020 will be reduced to \$380,872 and the amount of the IMA for 2021 shall be \$105,720 for a total aggregate amount not to exceed \$486,592 for the extended term of the IMA.

As your Honorable Board is aware, one of the results of the Covid-19 pandemic has been extremely low prisoner transportation numbers, as a result of the closure of local courthouses for in-person proceedings and a reduction in the number of arrests. Because White Plains has a flat rate IMA which reimburses them at a flat rate regardless of the number of prisoners transported, the Department of

Office of the County Executive

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

Telephone: (914)995-2900 E-mail: (914) ceo@westchestergov.com





Correction was able to negotiate a reduction in the IMA as detailed above, which more fairly represents the costs to White Plains to transport prisoners. White Plains has agreed to these terms.

The proposed amendment to the IMA will result in a reduction in the cost of the IMA in the amount \$122,312 for the 2019 through 2020 term.

The Department of Planning has advised that pursuant to 6 NYCRR 617.2(b) of the New York State Environmental Quality Review Act ("SEQRA") Regulations, the proposed prisoner transportation amendment does not meet the definition of an "action" and therefore, no further environmental review is required.

I believe that this amendment to the prisoner transportation agreement with the City of White Plains is in the best interests of the County of Westchester, and I therefore, recommend that your Honorable Board approve the annexed legislation.

Very truly yours,

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

George Latimer

County Executive

GL/DI

Att.

**TO THE COUNTY BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER**

The County Executive has forwarded legislation which would authorize the County of Westchester to amend an intermunicipal Agreement with the City of White Plains ("White Plains") dated August 6, 2019 to provide prisoner transportation between the Westchester County Jail and White Plains for the term January 1, 2019 through December 31, 2020, with reimbursement to White Plains at the flat rate of \$247,872 in 2019 and \$255,312 in 2020, for a total aggregate amount of \$503,184 (the "IMA") in order to extend the IMA through 2021 and effective as of April 1, 2020 to reduce the monthly payments to White Plains from \$21,276 per month to \$10,638 per month for the months of April, May, June and July 2020 and to eliminate the flat rate payment system from August 1, 2020 through December 31, 2021 and make payments per round trip at the following rates:

<u>Number of Police Officers Required</u>	<u>Rate per Round Trip</u>
Two	\$210
Three	\$315
Four	\$420

The new total amount of the IMA for the term January 1, 2019 through December 31, 2020 will be reduced to \$380,872 and the amount of the IMA for 2021 shall be \$105,720 for a total aggregate amount not to exceed \$486,592 for the extended term of the IMA.

Your Committee has been advised that one of the results of the Covid-19 pandemic has been extremely low prisoner transportation numbers, as a result of the closure of local courthouses for in-person proceedings and a reduction in the number of arrests. Because White Plains has a flat rate IMA which reimburses them at a flat rate regardless of the number of prisoners transported, the Department of Correction was able to negotiate a reduction in the IMA as detailed above, which more fairly represents the costs to White Plains to transport prisoners. White Plains has agreed to these terms.

Your Committee has been further advised that the proposed amendment to the IMA will result in a reduction in the cost of the IMA in the amount 122,312 for the 2019 through 2020 term.

The Department of Planning has advised that pursuant to 6 NYCRR 617.2(b) of the New York State Environmental Quality Review Act ("SEQRA") Regulations, the proposed prisoner transportation amendment does not meet the definition of an "action" and therefore, no further environmental review is required. Therefore, your Honorable Board need take no further action on this matter regarding SEQRA. Your Committee concurs with this conclusion.

Your Committee has been advised that a majority of the voting strength of the Board of Legislators is required to adopt the annexed Act.

After review and careful consideration, your Committee recommends  
favorable action upon the proposed legislation.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

*COMMITTEE ON*  
C/DI 2/25/21

# FISCAL IMPACT STATEMENT

SUBJECT: Pris. Trans. White Plains 2019-2021

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 105,720

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: 35-1000-1000-4445

Potential Related Operating Budget Expenses:

Annual Amount \_\_\_\_\_

Describe: 2019-2020 \$380,872 ( reimburse City of White plains for transporting Prisoners)

2021 - \$105,720 ( reimburse City of White plains for transporting Prisoners)

Potential Related Operating Budget Revenues:

Annual Amount \_\_\_\_\_

Describe: N/A

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

Current Year: \$122,312 ( 2019-2020)

Next Four Years: \_\_\_\_\_

Prepared by: William Fallon WF

Title: Director of Administrative Services

Department: Correction


Date: March 15, 2021

Reviewed By: ASB

Budget Director

Date: 3/22/21

TO: Daniela Infield, Senior Assistant County Attorney  
Department of Law

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

DATE: February 2, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR PRISONER  
TRANSPORTATION INTERMUNICIPAL AGREEMENTS**

---

**PROJECT/ACTION:** Intermunicipal agreements between the County and local municipalities, whereby the County will reimburse the local municipality for costs incurred associated with the transport of prisoners to and from the local courthouse and the Westchester County Jail.

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:

- ☒ **DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- ☐ **MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)( ):**

---

**COMMENTS:** None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Norma Drummond, Commissioner  
Claudia Maxwell, Associate Environmental Planner

**ACT NO. - 2021**

**AN ACT** authorizing the County to amend an Intermunicipal Agreement with the City of White Plains to provide reimbursement for prisoner transportation to the Westchester County Jail in order to extend the term of the IMA through December 31, 2021 and to reduce the monthly payments to the City of White Plains for the months of April, May, June and July 2020 and to reimburse on a per trip basis beginning August 1, 2020.

**BE IT ENACTED**, by the County Board of Legislators of the County of Westchester, State of New York as follows:

**Section 1.** The County of Westchester (the “County”) be and hereby is authorized to amend an Intermunicipal Agreement (“IMA”) with the City of White Plains (“White Plains”) dated August 6, 2019 in the aggregate amount of \$503,184 for the term January 1, 2019 through December 31, 2020 to reimburse White Plains for the cost to transport prisoners round trip between White Plains and the Westchester County Jail located in Valhalla, New York, in order to extend the term of the IMA and to reduce the monthly payments to White Plains from \$21,276 per month to \$10,638 per month for the months of April, May, June and July 2020 and to eliminate the flat rate payment system from August 1, 2020 through December 31, 2021 and make payments per round trip at the following rates:

<u>Number of Police Officers Required</u>	<u>Rate per Round Trip</u>
Two	\$210
Three	\$315
Four	\$420

The new total amount of the IMA for the 2019 through 2020 term will be reduced to \$380,872 and the amount of the IMA for 2021 shall be \$105,720 for a total aggregate amount not to exceed \$486,592 for the extended term of the IMA.

**§2.** The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and take all action necessary and appropriate to accomplish the purposes hereof.

**§3.** This Act shall take effect immediately.



**PRISONER TRANSPORTATION—WHITE PLAINS**

**THIS FIRST AMENDMENT AGREEMENT** made this \_\_\_\_\_ day  
of \_\_\_\_\_, 2021 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 WHITE PLAINS**, a municipality of the State of New York having its office and place of business at 255 Main Street, White Plains, New York 10601  
(hereinafter referred to as the "Municipality")

**W I T N E S S E T H:**

**WHEREAS**, pursuant to Sections 500-c and 500-d of the Correction law, prisoners are required to be transported from local municipalities to the Westchester County Jail in Valhalla, New York; and

**WHEREAS**, the County and the Municipality entered into an Agreement to cooperate in providing such prisoner transportation; and

**WHEREAS**, as a result of the COVID 19 pandemic, the parties agree that the Agreement should be amended to reflect the reduced numbers of prisoners transported in 2020 and to extend the term of the Agreement through December 31, 2021.

**NOW, THEREFORE**, in consideration of the terms and conditions herein contained, the County and the Municipality agree as follows:

1. The Intermunicipal Agreement between the County and the Municipality dated August 6, 2019 to provide round trip prisoner transportation using its own police department personnel and vehicles between the Municipality and Westchester County Department of Correction, Valhalla, New York for the term January 1, 2019 through December 31, 2020 (the

“IMA”) is hereby amended to reduce the monthly payments to the Municipality from \$21,276 per month to \$10,638 per month for the months of April through July 2020 and commencing August 1, 2020 to reimburse the Municipality on a per trip basis. Therefore, Paragraph 2 of the IMA is deleted in its entirety and replaced with the following:

**“2. REIMBURSEMENT:** The Municipality shall be reimbursed by the County for prisoner transportation services as follows:

in 2019, the annual amount of TWO HUNDRED FORTY-SEVEN THOUSAND EIGHT HUNDRED SEVENTY TWO (\$247,872) DOLLARS, payable at the rate of \$20,656.00 per month.

From January 1 2020 through March 31, 2020, the sum of \$21,276.00 per month; and  
from April 1, 2020 through July 31, 2020, the sum of \$10,638 per month.

The above flat rate reimbursement amount shall include all expenses related to the transportation of prisoners pursuant to this agreement, which shall include, but is not limited to all costs for personnel, mileage and prisoner meals.

Beginning August 1, 2020 through December 31, 2021 reimbursement will be at the following rates:

<u>Number of Police Officers Required</u>	<u>Rate per Round Trip</u>
Two	\$210
Three	\$315
Four	\$420

In addition to the above round trip rates, the Municipality shall also be reimbursed for vehicle usage at the current Internal Revenue Service mileage rate, between the City Court of White

Plains and the Westchester County Jail which is deemed to be five (5) miles each way. The County shall also reimburse the Municipality for meals provided to post-arraignment prisoners for the actual and reasonable costs incurred and receipts submitted as part of the Municipality's monthly voucher submitted to the Department of Correction.

2. The IMA is further amended to extend the term of the agreement through December 31, 2021. Therefore Paragraph 3 of the IMA is hereby deleted in its entirety and replaced with the following:

**"3. TERM:** This Agreement shall commence on January 1, 2019 and shall terminate on December 31, 2021."

3. The IMA is further amended to reflect the reduction in the amount of the agreement in 2020 by \$122,312 and the addition of \$105,720 for 2021 for a new total amount of \$486,592. Therefore the last sentence in Paragraph 4 of the IMA is deleted in its entirety and replaced with the following:

**"The total aggregate cost to the County under this Agreement shall not exceed \$486,592."**

4. All other terms and conditions of the IMA shall remain in full force and effect.

5. **APPROVALS:** This Agreement is subject to the approval of the Westchester County Board of Legislators and the governing legislative body of the Municipality.

**IN WITNESS WHEREOF**, the County and the Municipality have executed this Agreement as hereinabove set forth.

**THE COUNTY OF WESTCHESTER**

**THE CITY OF WHITE PLAINS**

By: \_\_\_\_\_  
Joseph K. Spano  
Commissioner of Correction

By: \_\_\_\_\_  
Mayor

Approved by the Westchester County Board of Legislators by Act No. 2021- on the  
day of \_\_\_\_\_, 2021.

Approved by the City Council of the City of White Plains on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2021.

Approved as to form and  
manner of execution:

Approved as to form and  
manner of execution:

\_\_\_\_\_  
Sr. Assistant County Attorney  
The County of Westchester  
K:\DCR\White Plains Amend Agmt 2020.doc

\_\_\_\_\_  
Corporation Counsel  
City of White Plains

**MUNICIPALITY'S ACKNOWLEDGEMENT**

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 Village  
Law, Town 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

\_\_\_\_\_  
(Town Board, Village Board, City 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"**

### **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.l) 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.
- 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.

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.

- 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.



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.



George Latimer  
County Executive

March 30, 2021

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

Honorable Members:

Pursuant to Chapter 209.101(11)(ii) of the Laws of Westchester County, enclosed for filing please find a copy of my written consent to accept a gift from Sunshine Homecare Services Corporation of \$2,500.00. This gift will be used by the County in connection with the Human Rights Commission's Essay Contest.

Acceptance of this gift requires no expenditure of County capital or non-recurring funds to house or make it operative.

Respectfully submitted,

George Latimer  
County Executive

GL/TVS/jrc

Office of the County Executive

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

Telephone: (914)995-2900

E-mail: (914) ceo@westchestergov.com





George Latimer  
County Executive

March 30, 2021

Francis Clement, President  
Sunshine Homecare Services Corporation  
10 Schriever Lane  
New City, New York 10956

Dear Mr. Clement:

Pursuant to Chapter 209.101(11) of the Laws of Westchester County, I hereby consent to the County of Westchester's acceptance of a gift from Sunshine Homecare Services Corporation of \$2,500.00. This gift will be used by the County in connection with the Human Rights Commission's Essay Contest.

It is with tremendous gratitude that I accept this gift on behalf of the County of Westchester. The donations of benevolent corporations such as yours reassures me of the generous nature of the County's supporters. On behalf of the citizens of Westchester County, I thank you for your generosity.

Sincerely,

George Latimer  
County Executive

GL/TVS/jrc

Office of the County Executive

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

Telephone: (914)995-2000

E-mail: (914) cco@westchestergov.com



# FISCAL IMPACT STATEMENT

SUBJECT: Sunshine Homecare Donation

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 2,500

Total Current Year Revenue \$ 2,500

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

☐ Additional Appropriations

☒ Other (Revenue)

Identify Accounts: 101-33-1000-1000-9665 ; 101-33-1000-1000-4380

Potential Related Operating Budget Expenses: Annual Amount \$ 2,500

Describe: \$2,500 - Human Rights Commission Essay Contest

Potential Related Operating Budget Revenues: Annual Amount \$ 2,500

Describe: \$2,500 - Donation from Sunshine Homecare Services Corporation to be used for the HRC Essay Contest

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

Current Year: \_\_\_\_\_

Next Four Years: \_\_\_\_\_

Prepared by: Michael Dunn

Title: Assistant Budget Analyst

Department: Budget

Date: March 26, 2021

Reviewed By: 

Budget Director

Date: 3/26/21



## Sunshine Homecare Services

March 1, 2021

Hon. George Latimer  
County Executive  
148 Martine Avenue  
White Plains, NY 10601

Dear County Executive Latimer,

Sunshine Homecare Services Corporation would like to make a donation of \$2,500.00 in 2021 to Westchester County to be used for the Westchester County Human Rights Commission's Essay Contest.

Sunshine family strives to actively contribute to the development of the community, offering our time and resources when commendable opportunities arise. We are proud to support Westchester County's initiative and efforts with this Essay Contest. We appreciate the opportunity to partner with you on this important endeavor.

Sincerely,

Francis Clement  
President

  
3/2/21

cc: Tejash V. Sanchala, Executive Director,  
Westchester County Human Rights Commission

10 Schriever Lane, New City, NY 10956  
[www.sunshinecares.com](http://www.sunshinecares.com) \* [info@sunshinecares.com](mailto:info@sunshinecares.com)

Ph: 845-613-7838  
Fax: 845-613-7839

George Latimer  
County Executive

April 6, 2021

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

Dear Members of the Board of Legislators:

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

BCR59 – Security Systems Upgrade ("BCR59").

The proposed Capital Budget Amendment will amend the County's current year capital budget to add \$1,400,000 in County funds for project BCR59.

This project funds security systems upgrades at the County's correctional facility in Valhalla. The Bond Act, in the amount of \$1,400,000, would finance the purchase and installation of Network Video Recorders ("NVRs") to replace existing, obsolete Digital Video Recorder technology.

Upon approval of bonding authorization, it is estimated that the NVR's will be purchased and installed by December 31, 2021.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Office of the County Executive

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

Telephone: (914) 995-2900 E-mail: [ceo@westchestergov.com](mailto:ceo@westchestergov.com)

Based on the importance of this project to the County, your Honorable Board's favorable action on the proposed Capital Budget Amendment and Bond Act is most respectfully requested.

Sincerely

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer  
County Executive

GL/JS/jpg  
Attachment

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act amending the County of Westchester's (the "County") current-year Capital Budget (the "Capital Budget Amendment"), as well as adoption of a related bond act (the "Bond Act") which, if approved, would authorize the County to issue \$1,400,000 in bonds to finance capital project BCR59 – Security Systems Upgrade ("BCR59").

The proposed Capital Budget Amendment will amend the County's current year capital budget to add \$1,400,000 in County funds for project BCR59.

Your Committee is advised that this project funds security systems upgrades at the County's correctional facility in Valhalla. The Bond Act, in the amount of \$1,400,000, which was prepared by the law firm of Hawkins Delafield and Wood, LLP, would finance the purchase and installation of Network Video Recorders ("NVRs") to replace existing, obsolete Digital Video Recorder technology.

Upon approval of bonding authorization, it is estimated that the DVR's will be purchased and installed by December 31, 2021.

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

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



Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act.

Your Committee has carefully considered the proposed Capital Budget Amendment as well as the related 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.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

**COMMITTEE ON**

c:\jpg\2-18-21

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR59

☐ 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 \$ 1,400,000 PPU 5 Anticipated Interest Rate 0.47%

Anticipated Annual Cost (Principal and Interest): \$ 283,965

Total Debt Service (Annual Cost x Term): \$ 1,419,825

Finance Department: Interest rates from March 22, 2021 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: 15

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☐ Consultant

☒ Not Applicable

Prepared by: William Fallon

Title: Director of Administrative Services

Department: Correction


Date: 3/25/21

Reviewed By: 

Budget Director

Date: 4/2/21

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

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

DATE: March 22, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
BCR59 SECURITY SYSTEMS UPGRADE**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
02/08/2021 (Unique ID: 1621)

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

- **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

**RESOLUTION 21-08**

**WESTCHESTER COUNTY PLANNING BOARD**

**Amendment of Planning Board Report on 2021 Capital Project Requests**

**BCR59 Security System Upgrades**

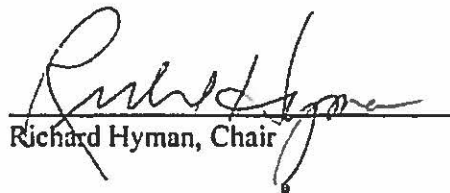
**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would provide funding for **BCR59 Security System Upgrades** by adding an appropriation to the 2021 Capital Budget for the acquisition and installation of security system equipment at the County Correctional Facility at the County-owned Valhalla Campus; and

**WHEREAS**, bonding in the amount of \$1,400,000 is requested for the purchase and installation of equipment to replace existing DVRs, an obsolete technology, and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by maintaining county facilities; now therefore, be it

**RESOLVED**, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report of 2021 Capital Project Requests to include funding for **Capital Project BCR59 Security System Upgrades** and gives the project a rating of “PL1” – “A project without physical planning aspects of concern to the Planning Board.”

Adopted this 2<sup>nd</sup> day of March, 2021

  
Richard Hyman, Chair

An Act amending the 2021 County  
Capital Budget Appropriations for  
Capital Project BCR59 - Security  
Systems Upgrade

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$250,000	\$1,400,000	\$1,650,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF  
FINANCING

Bonds and/or Notes	\$250,000	\$1,400,000	\$1,650,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$250,000	\$1,400,000	\$1,650,000

Section 3. The ACT shall take effect immediately.

ACT NO. - 20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF NETWORK VIDEO RECORDERS (NVRs) FOR THE DEPARTMENT OF CORRECTION; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,400,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted , 20\_\_\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$1,400,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase and installation of network video recorders (NVRs) in the Correction Facility, located at the County owned Valhalla Campus at Grasslands in the Town of Mount Pleasant, 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 class of

objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,400,000. The plan of financing includes the issuance of \$1,400,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$1,400,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.35 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,400,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$1,400,000 as the estimated total cost of the aforesaid objects or purposes is hereby approved.

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

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

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

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

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

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

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

Section 8. This Act shall take effect 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\_\_\_\_.

---

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

(SEAL)

## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF NETWORK VIDEO RECORDERS (NVRs) FOR THE DEPARTMENT OF CORRECTION; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,400,000 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 purchase and installation of network video recorders (NVRs) in the Correction Facility, located at the County owned Valhalla Campus at Grasslands in the Town of Mount Pleasant, 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: \$1,400,000; five (5) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> <b>BCR59</b>	<input checked="" type="checkbox"/> <b>CBA</b>	<b>Fact Sheet Date:*</b> 01-25-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> SECURITY SYSTEMS UPGRADE	<b>Legislative District ID:</b> 3,
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> CORRECTION	<b>CP Unique ID:</b> 1621

**Overall Project Description**

This project will fund security systems upgrades at the correction facility.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	25,250	250	0	0	0	0	0	25,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	25,250	250	0	0	0	0	0	25,000

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

**Current Bond Description:** Bonding is requested for the purchase and installation of NVR's to replace existing, obsolete technology.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	1,400,000
Cash:	0
<b>Total:</b>	<b>\$ 1,400,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,400,000

**Comments:**

A capital budget amendment in the amount of \$1,400,000 (shown under review) is being requested for purchase and installation of replacement DVR's in the Correction Facility.

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2020	250,000	PRELIMINARY STUDY

**Total Appropriation History:**

250,000

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**

**WBB4**

**Date**

**02-08-2021**

**Department of Public Works**

**RJB4**

**Date**

**02-09-2021**

**Budget Department**

**LMY1**

**Date**

**02-18-2021**

**Requesting Department**

**WPF4**

**Date**

**02-18-2021**

## SECURITY SYSTEMS UPGRADE ( BCR59 )

**User Department :** Correction  
**Managing Department(s) :** Correction ; Public Works ;  
**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

### **FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	25,250	250							25,000
Non County Share									
Total	25,250	250							25,000

### **Project Description**

This project will fund security systems upgrades at the correction facility.

### **Current Year Description**

There is no current year request.

### **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.

### **Appropriation History**

Year	Amount	Description	Status
2020	250,000	Preliminary Study	AWAITING BOND AUTHORIZATION
Total	250,000		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Funds Revenue	250,000	250,000	
Total	250,000	250,000	

George Latimer  
County Executive

March 17, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$1,500,000.00 to finance a component of the following capital project:

**BPL40 - Stormwater Management - Various County Facilities II ("BPL40").**

The Bond Act, in the amount of \$1,500,000.00, would fund a stormwater management project at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye.

The Department of Planning (the "Department") has advised that this capital program is a continuation of capital project BPL23 Stormwater Management – Various County Facilities, which funds stormwater management projects for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). The current request will fund the design and installation of a living shoreline/artificial reef within the Long Island Sound shoreline at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye. The project will increase the resiliency of the nearby beach and intertidal areas to coastal storms, provide additional habitat for marine life and function as a demonstration project for others to replicate.

The Department anticipates that following bonding authorization, this project will take approximately eighteen (18) months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior separate components of this capital project as set forth in the attached fact sheet.

In accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR), the Planning Department has conducted an environmental review of the subject action and has prepared the attached documentation for consideration by the Board of Legislators. Pursuant to SEQR, this project has been classified as a Type I action. As such, a Full Environmental Assessment Form has been prepared for the

Office of the County Executive

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

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

westchestergov.com

project. Additionally, since coordinated review is required for Type I actions, the Planning Department sent a notice out on March 11, 2021 informing involved agencies of the County's intent to serve as Lead Agency for the environmental review of this project. Pursuant to SEQR, involved agencies are entitled up to 30 days to consider the project and determine whether they object to the County serving as Lead Agency for the environmental review of the project. As such, your Honorable Board is advised that it may not issue a determination of significance or approve the project until after April 11, 2021.

It should be noted that since BPL40 is a "general fund" project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County's Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2021 Capital Budget to reflect this project component.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a resolution of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board Resolution for BPL40 is annexed.

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

Sincerely,



George Latimer  
County Executive

GL/ND/WB/jpg



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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of bonding legislation (the “Bond Act”) in the amount of \$1,500,000.00 to finance a component of capital project BPL40 - Stormwater Management - Various County Facilities II (“BPL40”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund a stormwater management project at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye.

The Department of Planning (the “Department”) has advised that this capital program is a continuation of capital project BPL23 Stormwater Management – Various County Facilities, which funds stormwater management projects for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). The current request will fund the design and installation of a living shoreline/artificial reef within the Long Island Sound shoreline at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye. The project will increase the resiliency of the nearby beach and intertidal areas to coastal storms, provide additional habitat for marine life and function as a demonstration project for others to replicate.

The Department anticipates that following bonding authorization, this project will take approximately eighteen (18) months to complete.

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

The Planning Department has further advised that, based on its review, this project falls within the definition of a “Type I” action under Article 8 of the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (“SEQRA”), which requires an assessment of environmental impacts. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Full Environmental Assessment Form (“EAF”) and the criteria contained in Section 617.7 of the SEQRA regulations, to identify the relevant areas of environmental concern. For the reasons set forth in the attached EAF, your Committee believes

that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to authorize the clerk to sign the attached EAF signifying that the proposed action will not result in any significant adverse environmental impacts. However, your Committee is advised that since coordinated review is required for Type I actions, the Planning Department sent a notice out on March 11, 2021 informing involved agencies of the County's intent to serve as Lead Agency for the environmental review of this project. Pursuant to SEQRA, involved agencies are entitled up to 30 days to consider the project and determine whether they object to the County serving as Lead Agency for the environmental review of the project. As such, your Honorable Board is advised that it may not issue a determination of significance or approve the project until after April 11, 2021.

Your Committee is further advised that since BPL40 is a "general fund" project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County's Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2021 Capital Budget to reflect this project component.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a resolution of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board Resolution for BPL40 is annexed.

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

Dated: \_\_\_\_\_, 2021

White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL40

☐ 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 \$ 1,500,000 PPU 5 Anticipated Interest Rate 0.47%

Anticipated Annual Cost (Principal and Interest): \$ 304,248

Total Debt Service (Annual Cost x Term): \$ 1,521,240

Finance Department: Interest rates from March 22, 2021 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: N/A

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: William Brady

Title: Chief Planner

Department: Planning


Date: 3/25/21

Reviewed By: 

Budget Director

Date: 4/2/21

TO: Jeffrey Goldman, Senior Assistant County Attorney  
Department of Law

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

DATE: March 16, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR LIVING  
SHORELINE AND ARTIFICIAL REEF AT READ SANCTUARY/  
PLAYLAND PARK (BPL40)**

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In accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR), the Planning Department has conducted an environmental review of the subject action and has prepared the attached documentation for consideration by the Board of Legislators.

Pursuant to SEQR, this project has been classified as a Type I action. As such, a Full Environmental Assessment Form has been prepared for the project. Additionally, since coordinated review is required for Type I actions, the Planning Department sent a notice out on March 11, 2021, informing involved agencies of the County's intent to serve as Lead Agency for the environmental review of this project. Pursuant to SEQR, involved agencies are entitled up to 30 days to consider the project and determine whether it objects to the County serving as Lead Agency for the environmental review of the project. **As such, the Board of Legislators should be advised that it may not issue a determination of significance or approve the project until after April 11, 2021.**

Please contact me if you have any questions or require any additional information.

Att.

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Norma Drummond, Commissioner of Planning  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michelle Greenbaum, Assistant County Attorney  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

## **RESOLUTION**

**WHEREAS**, there is pending before this Honorable Board an Act to authorize the County of Westchester (the "County") to issue bonds in connection with a component of capital project BPL40 – Stormwater Management - Various County Facilities II (the "Capital Project"); and

**WHEREAS**, this Honorable Board has determined that the proposed Capital Project 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 a "Type I action," which requires 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 required for Type I actions pursuant to Section 617.6(b)(3) of the implementing regulations and 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 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 Full Environmental Assessment Form 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 Full Environmental Assessment Form, 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 Full Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Capital Project 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 Full Environmental Assessment Form, 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.



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**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 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

<b>Name of Action or Project:</b> Living Shoreline and Artificial Reef at Read Sanctuary/Playland Park (BPL40)		
<b>Project Location (describe, and attach a general location map):</b> Edith G. Read Natural Park and Wildlife Sanctuary and Playland Park, City of Rye, Westchester County		
<b>Brief Description of Proposed Action (include purpose or need):</b> The project is intended to recreate tidal wetlands along a portion of the Long Island Sound shore and reduce wave action in the immediate area, thereby reducing localized coastal erosion. Approximately 1,000 linear feet of shoreline will be protected following project completion. The project will consist of two components, a living shoreline and an artificial reef. The artificial reef must be installed first to protect the living shoreline from erosive wave action during storms. The artificial reef will consist of concrete reef balls placed on the floor of Long Island Sound, immediately below the intertidal zone. The reef balls will be mostly exposed at low tide and mostly submerged at high tide. Rocky sills will be placed slightly farther out in the water to further diminish the intensity of incoming waves. The sills will be underwater during low and high tides. The living shoreline will consist of restored tidal wetlands established on a created sandy substrate that will be temporarily stabilized with biodegradable products until the wetland vegetation becomes well established. It will also consist of low, vegetated dunes created from sand and other earthen materials. In addition to the herbaceous plants installed in the restored wetland and re-created dunes, other plants, including trees and shrubs and additional herbaceous plants, will be planted within the living shoreline.		
<b>Name of Applicant/Sponsor:</b> County of Westchester		<b>Telephone:</b> 914-995-2000
		<b>E-Mail:</b>
<b>Address:</b> 148 Martine Avenue		
<b>City/PO:</b> White Plains	<b>State:</b> New York	<b>Zip Code:</b> 10601
<b>Project Contact (if not same as sponsor; give name and title/role):</b> David Kvinge, Director of Environmental Planning		<b>Telephone:</b> (914) 995-4400
		<b>E-Mail:</b> dsk2@westchestergov.com
<b>Address:</b> 148 Martine Avenue, 4th Floor		
<b>City/PO:</b> White Plains	<b>State:</b> NY	<b>Zip Code:</b> 10601
<b>Property Owner (if not same as sponsor):</b>		<b>Telephone:</b>
		<b>E-Mail:</b>
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>

## 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, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOS (Coastal Zone Management) NYS DEC (Articles 25, 15, 34, WQC)	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	U.S. Army Corps of Engineers (Clean Water Act and Rivers and Harbors Act)	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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):

City of Rye: Local Waterfront Revitalization Plan; Hudson River Valley Compact Community.

County Critical Environmental Areas: State and County Park Lands; Long Island Sound.

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):

Project site is part of the Westchester County Park System.



### 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?

Conservation 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? Rye City School District

b. What police or other public protection forces serve the project site?

Rye Police Department and Westchester County Department Public Safety

c. Which fire protection and emergency medical services serve the project site?

Rye Fire Department and Port Chester-Rye-Rye Brook EMS

d. What parks serve the project site?

The site is a County Park. The project will serve to enhance and protect park resources.

### 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)? Natural resources restoration and coastal stabilization

b. a. Total acreage of the site of the proposed action? +/-4.0 acres

b. Total acreage to be physically disturbed? +/-4.0 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? +/-459.0 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 months

ii. If Yes:

• Total number of phases anticipated \_\_\_\_\_

• Anticipated commencement date of phase I (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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <span style="float: right;"> <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____       </span>	
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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) 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?	
<ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>	
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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>Long Island Sound</u>	

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:  
Project will place submerged concrete artificial reef structures on the existing floor of the Long Island Sound, approx. 75-100 ft. from the mean high tide line, and rock sills on the floor approx. 25 ft. from the closest concrete structures (area of impact approx. 10,000 sq.ft.). No disturbance to the floor or bottom will occur. Additionally, a sandy substrate will be placed to support the development of a restored tidal wetland in the intertidal zone. Additional landscaping will create a high marsh and coastal buffer (area of impact approx. 7,500 sq.ft.).

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☒ Yes ☐ No  
 If Yes, describe: Concrete artificial reef structures and rocks sills will be placed on top of existing sediments with minimal disturbance.

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

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? If Yes:  <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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? 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? _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> 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? If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
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? 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) _____ ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction: (Typical)</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7AM-5PM</u></li> <li>• Saturday: <u>None</u></li> <li>• Sunday: <u>None</u></li> <li>• Holidays: <u>None</u></li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations: N/A</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction: (Typical)</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>7AM-5PM</u></li> <li>• Saturday: <u>None</u></li> <li>• Sunday: <u>None</u></li> <li>• Holidays: <u>None</u></li> </ul>	<p>ii. During Operations: N/A</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p><small>During construction only. A track vehicle will be required to place the concrete artificial reef structures, rock sills, sand and other earthen materials needed to re-establish dunes and provide a substrate for restored tidal wetlands. Other vehicles will be needed to bring in these materials as well as plants.</small></p> <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____</p> <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p><small>Non-native, invasive upland plants, consisting largely mugwort, within the project area will be treated with a systemic herbicide approved for use next to a water body.</small></p> <p>_____</p> <p>_____</p> <p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>



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 (Public)

ii. If mix of uses, generally describe:

The project site is located at a nature center/wildlife sanctuary and adjacent to a publicly owned amusement park both fronting Long Island Sound.

b. Land uses and covertypes on the project site.

Land use or Covertypes	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)	1.5	1.5	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)	1.0	1.0	0
• Wetlands (freshwater or tidal)		1.0	+1
• Non-vegetated (bare rock, earth or fill)	1.5	0.5	-1
• Other Describe: _____			

<p>c. Is the project site presently used by members of the community for public recreation?  i. If Yes: explain: <u>Westchester County-owned parkland for passive and active recreation</u></p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>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?  If Yes,  i. Identify Facilities:</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>e. Does the project site contain an existing dam?  If Yes:  i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____  iii. Provide date and summarize results of last inspection: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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?  If Yes:  i. Has the facility been formally closed?  • 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: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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?  If Yes:  i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>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?  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:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database </div> <div style="width: 45%;"> Provide DEC ID number(s): _____  Provide DEC ID number(s): _____ </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____  _____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____  _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ >6 feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: <u>Uc-Udorthents, wet substratum</u> <span style="float: right;">100 %</span>	
_____ <span style="float: right;">%</span>	
_____ <span style="float: right;">%</span>	
d. What is the average depth to the water table on the project site? Average: _____ <6 feet	
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: <span style="float: right;">35 % of site</span>	
<input type="checkbox"/> Moderately Well Drained: <span style="float: right;">% of site</span>	
<input checked="" type="checkbox"/> Poorly Drained <span style="float: right;">65 % of site</span>	
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: <span style="float: right;">100 % of site</span>	
<input type="checkbox"/> 10-15%: <span style="float: right;">% of site</span>	
<input type="checkbox"/> 15% or greater: <span style="float: right;">% of site</span>	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
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)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____	Classification _____
• Lakes or Ponds: Name <u>935-56</u>	Classification <u>SB</u>
• Wetlands: Name <u>Tidal Wetlands, Federal Waters, Federal Waters,...</u>	Approximate Size _____
• 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
Name - Pollutants - Uses: <u>Long Island Sound, Westchester Co Waters - Pathogens, Nutrients, D.O./Oxygen Demand - Shellfishing, Aqual...</u>	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site:		
<u>Green Crab</u> <u>Great Black-Backed Gull</u>	<u>Killdeer</u> <u>Ribbed Mussel</u>	<u>Japanese Shore Crab</u> <u>Ring-Billed Gull</u>

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): \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:

- Currently: \_\_\_\_\_ acres
- Following completion of project as proposed: \_\_\_\_\_ acres
- Gain or loss (indicate + or -): \_\_\_\_\_ 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: Long Island Sound, 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: Playland Amusement Park

iii. Brief description of attributes on which listing is based:  
Historic amusement park owned by the County of Westchester.

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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): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

---

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

If Yes:

i. Identify resource: \_\_\_\_\_

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

iii. Distance between project and resource: \_\_\_\_\_ miles.

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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 March 11, 2021

Signature Dan Kusge Title Director of Environmental Planning

**PRINT FORM**



**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]	Yes
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
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]	No
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 - Lake/Pond Name]	935-56
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	SB
E.2.h.iv [Surface Water Features - Wetlands Name]	Tidal Wetlands, Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses: Long Island Sound, Westchester Co Waters - Pathogens; Nutrients; D.O./Oxygen Demand - Shellfishing; Aquatic Life
E.2.i. [Floodway]	No

E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
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]	Long Island Sound, 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]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Playland Amusement Park
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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

	Agency Use Only [If applicable]
Project :	Living Shoreline and Artificial Reef (BPL40)
Date :	March 2021

**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.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	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	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: Although the site is within a Coastal Erosion Hazard Area, the project will result in reduced coastal erosion.		<input checked="" type="checkbox"/>	<input type="checkbox"/>		

<b>2. Impact on Geological Features</b> 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) <span style="float: right;"><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> 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) <span style="float: right;"><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</span> <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>



1. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> 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) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> 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 development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>



g. Other impacts: Although located within the 100- and 500-year floodplains, the project serves to reduce coastal wave action and mitigate coastal flooding hazards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. (See Part I. D.2.f., D.2.h, D.2.g) If "Yes", answer questions a - f. If "No", move on to Section 7.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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 <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part I. E.2. m.-q.) If "Yes", answer questions a - j. If "No", move on to Section 8.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

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	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

### 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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> 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 I. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
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	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part I. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> 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.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> 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.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>13. Impact on Transportation</b> The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>14. Impact on Energy</b> The proposed action may cause an increase in the use of any form of energy. <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

<b>15. Impact on Noise, Odor, and Light</b> The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> 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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 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 I.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 occur	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) If "Yes", answer questions a - h. If "No", go to Section 18.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	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	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**



### **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.

This project involves the construction of a living shoreline and artificial reef along the coastline of the Long Island Sound, proximate to the Edith G. Read Natural Park and Wildlife Sanctuary and Playland Park in the City of Rye. The artificial reef portion of the project will consist of the placement of concrete reef structures on the floor of the Long Island Sound just below the intertidal zone and rock sills placed farther from shore. Both will act together to reduce wave intensity and coastal erosion in the immediate area. The living shoreline portion will consist of the restoration of tidal wetlands using native plants on sandy and rocky surfaces, temporarily stabilized with biodegradable products. Low vegetated dunes will also be constructed, and various trees and shrubs will be planted throughout the living shoreline.

The project is within the Critical Environmental Area for the Long Island Sound and County and State Parklands (specifically Playland Park). The Long Island Sound CEA was designated to protect the many historical, cultural and environmental interests along the shoreline. The County and State Parklands CEA was created to protect the aesthetic, recreational and environmental qualities of these parks from the adverse impacts of development in adjacent areas. As this project will recreate an ecologically important habitat and prevent further erosion of the shoreline, this project will provide a benefit to the Long Island Sound CEA. As the project involves no change in land use or development patterns near Playland Park, there will be no adverse impact to the County and State Parklands CEA.

This project involves some disturbance of land, marine and aesthetic resources via the construction of an artificial reef and living shoreline. However, construction of this project will benefit these natural resources by recreating and protecting natural habitats near the Long Island Sound shore. The project will also lessen the impacts of coastal erosion in the area and create new marine habitats for fish and shellfish. The overall result of the project will be decreased erosion and risk from coastal storms, improved water quality and improved marine and coastal habitats for fish and wildlife.

The project involves construction within the 100-year floodplain, on tidal lands, and beneath surface waters. However, this project will have no negative impact on coastal flooding as it will restore tidal wetlands and include physical elements (ex. reef balls, rock sills) that will reduce wave intensity in the immediate area. All project elements will work in conjunction to reduce local wave action, inland flood risk, and coastal erosion.

This project is located in an area that has been designated as having archaeological potential. A Phase 1A report was conducted for a separate project at Rye Playland in 1999 and indicated the potential for relics and shell middens near Manursing Island, which the project is located proximate to. The report recommends: 1) that a Phase 1B report be prepared for any projects involving construction on firm ground, 2) that an archaeologist observe any construction deeper than 3 feet beneath areas of extensive fill, and 3) that any filled ground that was developed in the 20th century should be surveyed prior to construction activities. As this project involves only the placement of earthen features and concrete structures on top of the existing ground, the project will not result in the disturbance of any archaeological resources recognized in the Phase 1A report. The project is also in the vicinity of Rye Playland Park, which is listed on the National Register. However, as this project does not involve any significant new construction, change in use, or significant change in appearance, there will be no effect on this historic property.

Overall, this project will have no significant adverse environmental impacts, and will serve to reduce the local flood hazard, reduce coastal erosion, and restore habitats to terrestrial and marine plants and animals.

#### **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: Living Shoreline and Artificial Reef at Read Sanctuary/Playland Park (BPL40)

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 of the Westchester County Board of Legislators

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

*David Kvinge*

Date:

3/16/2021

**For Further Information:**

Contact Person: David Kvinge

Address: 148 Martine Avenue, Room 432, White Plains, NY, 10601

Telephone Number: 914-995-4400

E-mail: [dsk2@westchestergov.com](mailto:dsk2@westchestergov.com)

**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>

**PRINT FULL FORM**

RESOLUTION 20-12

WESTCHESTER COUNTY PLANNING BOARD

**Amendment of Planning Board Report of Capital Project  
BPL40 Stormwater Management – Various County Facilities II**

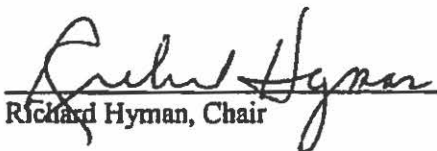
**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending an existing “fund” type capital project **BPL40 Stormwater Management – Various County Facilities II** to fund the design and construction of a living shoreline project within the Long Island Sound at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye in the amount of \$1,500,000 of County funding; and

**WHEREAS**, the project will help protect the shoreline from coastal storms and restore the marine habitat in the Long Island Sound; and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010, in that it will preserve and protect natural resources, control and treat stormwater, mitigate or reduce the impacts of flooding and also enhance the use of recreational facilities; now, therefore, be it

**RESOLVED**, that the County Planning Board includes the location of the above-described work in its Report on the 2020 Capital Projects Requests to include the location of the above-described project in the program of **BPL40 Stormwater Management – Various County Facilities II**.

Adopted this 7<sup>th</sup> day of July, 2020.

  
Richard Hyman, Chair

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE DESIGN AND INSTALLATION OF A LIVING SHORELINE/ARTIFICIAL REEF AT THE COUNTY-OWNED EDITH READ WILDLIFE SANCTUARY AND PLAYLAND PARK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$1,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design and installation of a living shoreline/artificial reef within the Long Island Sound shoreline at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye; 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 \$1,500,000. The plan of financing includes the issuance of \$1,500,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the specific object or purpose for which the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,500,000. 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 \$1,500,000 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\_\_\_.

(SEAL)

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

## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE DESIGN AND INSTALLATION OF A LIVING SHORELINE/ARTIFICIAL REEF AT THE COUNTY-OWNED EDITH READ WILDLIFE SANCTUARY AND PLAYLAND PARK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,500,000 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 design and installation of a living shoreline/artificial reef within the Long Island Sound shoreline at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye; 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: \$1,500,000; five (5) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> <b>BPL40</b>	<input checked="" type="checkbox"/> <b>CBA</b>	<b>Fact Sheet Date:*</b> 01-25-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II	<b>Legislative District ID:</b> 7
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> PLANNING	<b>CP Unique ID:</b> 1620

### Overall Project Description

This capital program is a continuation of capital project BPL23 Stormwater Management - Various County Facilities. This project will fund stormwater management for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). This is a general fund; specific projects are subject to a Capital Budget Amendment.

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

### FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	8.725	6.975	750	500	500	0	0	0
<b>Less Non-County Shares</b>	475	475	0	0	0	0	0	0
<b>Net</b>	8.250	6.500	750	500	500	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 2,891

**Current Bond Description:** This project will fund design and installation of a living shoreline/artificial reef within the Long Island Sound shoreline at Edith Read Wildlife Sanctuary and Playland Park in the City of Rye. The project will increase the resiliency of the nearby beach and intertidal areas to coastal storms, provide additional habitat for marine life and function as a demonstration project for others to replicate.

#### Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,500,000
Cash:	0
<b>Total:</b>	<b>\$ 1,500,000</b>

#### SEQR Classification:

TYPE I

#### Amount Requested:

1,500,000

#### Comments:

#### Energy Efficiencies:



**Appropriation History:**

Year	Amount	Description
2013	5,000,000	\$3,750,000 - CONSTRUCTION ON BRONX RIVER & ANITA LANE BRIDGE; \$1,250,000 - CONSTRUCTION ON BRONX RIVER AT HARNEY RD
2016	1,475,000	\$475,000 NCS FOR FULTON BROOK; \$1,000,000 FOR CONTINUATION OF THIS PROJECT
2020	500,000	CONTINUATION OF THIS PROJECT
2021	750,000	\$500,000 CONTINUATION OF THIS PROJECT; \$250,000 FOR STUDY OF BRONX RIVER

**Total Appropriation History:**

7,725,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
14	26	1,250,000	1,083,188	STORMWATER MANAGEMENT - BOTH SIDES OF BRONX RIVER BY TOWN OF EASTCHESTER AND CITY OF YONKERS
16	61	850,000	701,446	RESTORE WATERWAY & BANKS- CONFLUENCE OF BRX RIV & SPRAIN BR IN BNXVLE & YONK
19	13	1,000,000	281,430	STORMWATER MANAGEMENT- VARIOUS COUNTY FACILITIES II
19	174	400,000	0	

**Total Financing History:**

3,500,000

**Recommended By:****Department of Planning**

WBB4

**Date**

03-17-2021

**Department of Public Works**

RJB4

**Date**

03-17-2021

**Budget Department**

LMY1

**Date**

03-19-2021

**Requesting Department**

WBB4

**Date**

03-19-2021

## STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II ( BPL40 )

**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	2021	2022	2023	2024	2025	Under Review
Gross	8,725	6,975	2,891	750	500	500			
Non County Share	(475)	(475)	1						
<b>Total</b>	<b>8,250</b>	<b>6,500</b>	<b>2,892</b>	<b>750</b>	<b>500</b>	<b>500</b>			

### **Project Description**

This capital program is a continuation of capital project BPL23 Stormwater Management - Various County Facilities. This project will fund stormwater management for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). This is a general fund; specific projects are subject to a Capital Budget Amendment.

### **Current Year Description**

The current year request funds the continuation of this project, \$500,000 and a feasibility study for Bronx River Flood Mitigation, \$250,000.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	750,000			750,000

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2013	5,000,000	\$3,750,000 - Construction on Bronx River & Anita Lane Bridge; \$1,250,000 - Construction on Bronx River at Harney Rd	Anita Lane - AWAITING BOND AUTHORIZATION; Harney Rd - CONSTRUCTION
2016	1,475,000	\$475,000 NCS for Fulton Brook; \$1,000,000 for continuation of this project	IN PROGRESS
2020	500,000	Continuation of this project	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>6,975,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	6,500,000	2,066,063	4,433,937
State Funds	475,000		475,000
Others		(688)	688
<b>Total</b>	<b>6,975,000</b>	<b>2,065,375</b>	<b>4,909,625</b>

# **STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II ( BPL40 )**

## **Bonds Authorized**

Bond Act		Amount	Date Sold	Amount Sold	Balance
26	14	1,250,000	12/15/16	63,549	166,812
			12/15/17	129,277	
			12/15/17	23,737	
			12/15/17	201	
			12/10/18	363,679	
			12/10/19	264,920	
			12/10/19	52,315	
			04/30/20	164,510	
			10/28/20	17,816	
			10/28/20	2,496	
			10/28/20	688	
			12/15/16	35,761	148,554
			12/15/17	94,934	
61	16	850,000	12/15/17	17,431	
			12/15/17	147	
			12/10/18	249,897	
			12/10/19	182,021	
			12/10/19	35,945	
			04/30/20	85,312	
			12/10/19	75,158	718,570
			12/10/19	14,842	
			04/30/20	191,430	
174	19	400,000			400,000
Total		3,500,000		2,066,064	1,433,936



George Latimer  
County Executive

April 7, 2021

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

Dear Honorable Members:

Attached for your Honorable Board's consideration are the following: (1) an act (the "Act"), which, if approved, would authorize the County of Westchester (the "County") to modify the Peekskill Sanitary Sewer District (the "District") by adding one parcel of County-owned property located in the Town of Yorktown (the "Town") to the District, as well as enter into a proposed permit agreement with the Town (the "Agreement") to allow the County to connect a sanitary sewer service line from the property to the Town-owned sanitary sewer system and to accept any easements or other property interests from the Town; and (2) a related bond act (the "Bond Act") which, if adopted, would authorize the County to issue bonds in the total amount of Two Million (\$2,000,000) Dollars to finance Phase II of capital project SW011 – Rehabilitation of the Yorktown Maintenance Facility ("SW011").

I have been advised by the Commissioner of Environmental Facilities (the "Commissioner") that the County Department of Environmental Facilities (the "Department") has requested that the District be modified to add one (1) parcel of County-owned property located in the Town and more particularly described as 3840 Crompond Road, Sec. 25.20, Block 1, Lot 11 (hereinafter the "Parcel"), which Parcel is not currently in any County sewer district and has never been in any County sewer district in the past.

The Commissioner has advised that the Parcel is the site of the Department's Yorktown Maintenance Garage. The septic system at the property is not functional and the Department desires that the Parcel be added to the District. In order for the Parcel to obtain sewer service, it must first be connected to the Town's sanitary sewer that is located in Crompond Road. The Town's sanitary sewer is located in the Town's Hunterbrook Sewer District No. 8 which is also located within the District. As noted above, the County will be required to enter into an Agreement with the Town to provide sewer service to the Parcel.

I am advised that the analysis prepared by the Department dated December 8, 2020 and attached hereto indicates that the proposed addition of the Parcel represents an increase of 0.0466% to the Equalized Full Value of the District. The addition of the Parcel will not cause any significant changes in the tax rate of the District.

According to the Department, the proposal to add the Parcel is feasible because: 1) the matter was requested by the County and the Town; 2) the facilities necessary to connect the subject property to the Town sewer system (i.e., sanitary sewer service connection) will be constructed by the County under the County's Capital Construction Program; 3) maintenance of the completed facilities necessary to connect the subject property to the Town sewer system will be the responsibility of the Department. However, maintenance of the Town sewer system will remain with the Town; 4) the Peekskill Wastewater Treatment Facility (the "Plant") has a design flow of 10 MGD and the average daily flow in 2020 was 6.1 MGD, while the maximum average daily flow the Parcel will generate after inclusion is 400 GPD, and therefore the Plant and the County Trunk Sewer have sufficient capacity to accommodate the Parcel; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the Parcel proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten year period.

As your Honorable Board knows, County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators may only alter or change a district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board of Legislators shall direct. Therefore, attached hereto is a Resolution which will authorize the date and time of the public hearing.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Parcel. The Department recommends an aggregate surcharge of \$19,000.00 to be paid in each of ten equal annual installments of \$1,900.00, be assessed against the Parcel. This surcharge reflects capital costs incurred from inception of the District in 1970 through 2020. This formula has been used in past legislation for parcels added to a sanitary sewer district.

Pursuant to the terms of the proposed Agreement, the Town will grant the County a permit to allow the County to connect the Parcel to the Town's sanitary sewer located on Crompond Road and for the County to discharge sanitary sewage from the Parcel into the Town-owned sewer district which is tributary to the District. It should be noted that pursuant to New York State General Municipal Law §120-a, the County may enter into contracts with other municipalities for the purpose of connecting to such other municipalities' sewer outlets "upon such terms and for such consideration and length of time as may be mutually agreed upon between all the contracting municipalities." In consideration for the grant of permit, the County will pay a fee equivalent to what the County would pay the Town if the Town was able to levy a sewer tax against the Parcel. The first year charge from the Town is estimated at \$5,338.33 had an agreement been in place in 2020. In addition to the permit fee, the County would also be subject to payment of its share of debt service for any capital improvements made to the Town-owned sanitary sewer district during the term of the Agreement. The County will also be responsible for constructing the sanitary sewer line connection to the Town owned sanitary sewer system, at the County's sole cost and expense. The cost of the construction will be paid for under capital project SW011. The County will own, operate and maintain the sanitary sewer connection and related appurtenances after construction thereof. The Town will also grant the County any easements or other property interests necessary for the County to construct, operate and maintain the sewer service connection

and to have a financeable property interest in the sewer line connection for the purpose of issuing bonds. The term of the Agreement will commence upon execution thereof by both parties and continue for a period of thirty (30) years thereafter or upon the maturity date of the bonds, whichever is greater.

The Bond Act, in the amount of Two Million (\$2,000,000) Dollars, would provide construction funding for Phase II of the rehabilitation of the Department's Yorktown Maintenance Facility. Phase II funding will be used to complete all exterior work, including replacing the existing septic system with a new low pressure sewer system, including a new pressurized force main from the building to the property line that will be connected to the local Yorktown sewer system. The work will also include repaving the facility's existing paved driveway and storage yard and miscellaneous site work and drainage improvements such as grading and the installation of curbs.

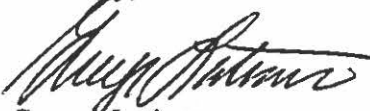
It should be noted that your Honorable Board has previously authorized the County to issue bonds which financed Phase I of project SW011 as set forth on the attached fact sheet.

The Department has advised that the design for project SW011 has been completed using outside consultants. Construction of Phase I is expected to take (12) months and begin in the second Quarter of 2021. Construction of Phase II is also estimated to take twelve (12) months and will begin after the completion of Phase I.

The Department of Planning has advised that based on its review, the proposed action falls within the definition of an "Unlisted" action under the State Environmental Quality Review Act ("SEQR") and its implementing regulations 6 NYCRR Part 617. A Resolution, along with a Short Environmental Assessment Form, is attached to assist your Honorable Board in complying with SEQR. Should your Honorable Board conclude that the proposed action will not have any significant adverse impact on the environment, it must approve the Resolution issuing a Negative Declaration prior to authorizing the sewer district modification, the IMA and the Bond Act. As you know, your Honorable Board may utilize the professional advice and assistance of the Planning Department in making your required determination under the applicable SEQR regulations.

Based on the above facts and the feasibility study provided by the Department, I respectfully recommend that your Board adopt a resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code in such matters. In addition, I urge your Board to file with the Clerk of the Board the Feasibility Report and, after the public hearing, adopt an Act which will add the Parcel to the District and authorize the County to enter into the Agreement with the Town. I further respectfully recommend that your Honorable Board adopt the attached Bond Act.

Sincerely,



George Latimer  
County Executive

GL/VK/MP/CJG/jpg



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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an act (the “Act”) to authorize the County of Westchester (the “County”) to modify the Peekskill Sanitary Sewer District (the “District”) by adding one (1) parcel of County-owned property located in the Town of Yorktown (the “Town”) to the District, as well as enter into a proposed permit agreement with the Town (the “Agreement”) to allow the County to connect a sanitary sewer service line from the property to the Town-owned sanitary sewer system and to accept any easements or other property interests from the Town necessary for the County to construct and maintain the sewer service connection and to have a financeable property interest in the sewer service connection for the purpose of issuing bonds. The County Executive’s transmittal also recommends the adoption of a related bond act (the “Bond Act”) which would authorize the County to issue bonds in the total amount of \$2,000,000 to finance Phase II of capital project SW011 – Rehabilitation of the Yorktown Maintenance Facility (“SW011”).

The County’s Department of Environmental Facilities (the “Department”) has requested that the District be modified to add one (1) parcel of County-owned property located in the Town and more particularly described as 3840 Crompond Road, Sec. 25.20, Block 1, Lot 11 (hereinafter the “Parcel”), which Parcel is not currently in any County sewer district and has never been in any County sewer district in the past. The Parcel is the site of the Department’s Yorktown Maintenance Garage. The septic system at the property is not functional and the Department desires that the Parcel be added to the District. In order for the Parcel to obtain sewer service, it must first be connected to the Town’s sanitary sewer that is located in Crompond Road. The Town’s sanitary sewer is located in the Town’s Hunterbrook Sewer District No. 8 which is also located within the District. As noted above, the County will be required to enter into an Agreement with the Town to provide sewer service to the Parcel.

Your Committee is informed that the analysis prepared by the Department dated December 8, 2020 and attached hereto indicates that the proposed addition of the Parcel represents an increase of 0.0466% to the Equalized Full Value of the District. The addition of the Parcel will not cause any significant changes in the tax rate of the District.

According to the Department, the proposal to add the Parcel is feasible because: 1) the matter was requested by the County and the Town; 2) the facilities necessary to connect the subject property to the Town sewer system (i.e., sanitary sewer service connection), will be constructed by the County under the County's Capital Construction Program; 3) maintenance of the completed facilities necessary to connect the subject property to the Town sewer system will be the responsibility of the Department, however, maintenance of the Town sewer system will remain with the Town; 4) the Peekskill Wastewater Treatment Facility (the "Plant") has a design flow of 10 MGD and the average daily flow in 2020 was 6.1 MGD, while the maximum average daily flow the Parcel will generate after inclusion is 400 GPD, and therefore the Plant and the County Trunk Sewer have sufficient capacity to accommodate the Parcel; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the Parcel proposed to be added to the District is not now in any County sewer district and will be required to pay a surcharge over a ten (10) year period.

Your Committee notes that Section 237.131 of the County Administrative Code authorizes the alteration or change of a sewer district. However, your Honorable Board may only alter or change the district after it has held a public hearing after notice has been given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution, which, if adopted by your Honorable Board, would authorize the date and time of the public hearing. Your Committee recommends adoption of said Resolution.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges, if any, will be paid by the Parcel. Your Committee has been informed that the Department of Environmental Facilities recommends that an aggregate surcharge of \$19,000.00 to be paid in each of ten (10) equal annual installments of \$1,900.00, be assessed against the Parcel. This surcharge reflects capital costs incurred from inception of the District in 1970 through 2020. This formula has been used in past legislation for parcels added to a sanitary sewer district.

Your Committee is advised that pursuant to the terms of the proposed Agreement, the Town will grant the County a permit to allow the County to connect the Parcel to the Town's sanitary sewer located on Crompond Road and for the County to discharge sanitary sewage from the Parcel into the Town-owned sewer district which is tributary to the District. It should be



noted that pursuant to New York State General Municipal Law §120-a, the County may enter into contracts with other municipalities for the purpose of connecting to such other municipalities' sewer outlets "upon such terms and for such consideration and length of time as may be mutually agreed upon between all the contracting municipalities." In consideration for the grant of permit, the County will pay a fee equivalent to what the County would pay the Town if the Town was able to levy a sewer tax against the Parcel. The first year charge from the Town is estimated at \$5,338.33 had an agreement been in place in 2020. In addition to the permit fee, the County would also be subject to payment of its share of debt service for any capital improvements made to the Town-owned sanitary sewer district during the term of the Agreement. The County will also be responsible for constructing the sanitary sewer line connection to the Town-owned sanitary sewer system, at the County's sole cost and expense. The cost of the construction will be paid for under capital project SW011. The County will own, operate and maintain the sanitary sewer connection and related appurtenances after construction thereof. The Town will also grant the County any easements or other real property interests necessary for the County to construct, operate and maintain the sewer service connection and to have a financeable property interest in the sewer line connection for the purpose of issuing bonds. The term of the Agreement will commence upon execution thereof by both parties and continue for a period of thirty (30) years thereafter or upon the maturity date of the bonds, whichever is greater.

The Bond Act, in the amount of \$2,000,000, which was prepared by the law firm of Norton Rose Fulbright, would provide construction funding for Phase II of the rehabilitation of the Department's Yorktown Maintenance Facility under Capital Project SW011. Phase II funding will be used to complete all exterior work, including replacing the existing septic system with a new low pressure sewer system, including a new pressurized force main from the building to the property line that will be connected to the local Yorktown sewer system. The work will also include repaving the facility's existing paved driveway and storage yard and miscellaneous site work and drainage improvements such as grading and the installation of curbs.

The Department has advised that the design for project SW011 has been completed using outside consultants. Construction of Phase I is expected to take (12) months and begin in the second Quarter of 2021. Construction of Phase II is also estimated to take twelve (12) months and will begin after the completion of Phase I.

It should be noted that your Honorable Board has previously authorized the County to issue bonds which financed Phase I of project SW011 as set forth on the attached fact sheet.

The Department of Planning has advised that based on its review, this overall project is an "Unlisted" action, pursuant to Part 617 of the New York State Environmental Quality Review Act ("SEQR"). A Resolution and a Short Environmental Assessment Form ("EAF") are attached to assist your Honorable Board in complying with SEQR. Your Committee has carefully considered the EAF and the applicable SEQR regulations. For the reasons set forth in the attached EAF, your Committee believes that this proposed action will not have any significant adverse impact on the environment and accordingly recommends passage of the annexed Resolution prior to adopting the Act to authorize the sewer district modification, the IMA and prior to enacting the Bond Act.

Based on the above facts and the Feasibility Report prepared by the Department of Environmental Facilities, your Committee concurs with the recommendation of the County Executive and recommends that this Honorable Board adopt the annexed Resolution which will authorize publication of the Legal Notice for the public hearing as required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the addition of the Parcel to the Peekskill Sanitary Sewer District and authorizes the County to enter into the Agreement with the Town, as well as to adopt the annexed Bond Act.

It should be noted that a vote of not less than a majority of the voting strength of the Board of Legislators is required to pass the Act, while an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

COMMITTEE ON

K:JPG 2/24/2021

# FISCAL IMPACT STATEMENT

SUBJECT: 3840 Crompond Road, Peekskill SSD, Yorktown (T)

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☒ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 5,338.33

Total Current Year Revenue \$ 1,900.00

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

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: Expense 236-60-1610-5100 Revenue 236-60-1610-9012

Potential Related Operating Budget Expenses: Annual Amount \$ 5,338.33

Describe: Operating expenses related to process and treatment

plant expenses of additional flow from these parcels. Annual Intermunicipal Agreement Fee

Estimated first year fee of \$5,338.33. Fee based on Town Tax rate and Property FEV

Potential Related Operating Budget Revenues: Annual Amount \$ 1,900.00

Describe: "Buy-in" revenue for parcel added to the Peekskill Sewer District each year

for the next 10 years

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

Current Year:

Next Four Years: Please see descriptions above.

Prepared by: Marian Pompa, Jr. P.E.

Title: Associate Engineer

Department: Environmental Facilities

Date: December 10, 2020


Reviewed By:

Budget Director

Date:

4/2/21

TO: Jeffrey Goldman, Senior Assistant County Attorney  
Department of Law

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

DATE: March 22, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
DEPARTMENT OF ENVIRONMENTAL FACILITIES  
YORKTOWN MAINTENANCE FACILITY**

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In response to a request by the Department of Environmental Facilities for an environmental review of the above referenced subject matter, the Planning Department has prepared the attached documentation.

The action involves capital project SW011- Rehabilitation of the Yorktown Maintenance Facility (ID# 1622), as well as modification of the Peekskill Sanitary Sewer District and an intermunicipal agreement with the Town of Yorktown in order to connect the maintenance facility to the sewer system.

The overall action has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for the project for consideration by the Board of Legislators.

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

DSK/cnm

Att.

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Norma Drummond, Commissioner of Planning  
Vincent Kopicki, Commissioner of Environmental Facilities  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Analyst  
Anthony Zaino, Assistant Commissioner  
Michelle Greenbaum, Assistant County Attorney  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

**RESOLUTION NO.      – 2021**

**RESOLVED**, that this Board hold a public hearing on the proposed modification to the Peekskill Sanitary Sewer District by the addition of one (1) parcel of County-owned property located in the Town of Yorktown, more particularly described as 3840 Crompond Road, Sec. 25.20, Block 1, Lot 11, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at \_\_\_\_\_ P.M. on the \_\_\_\_ day of \_\_\_\_\_, 2021 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. Such Notice shall be substantially in the form attached hereto.

## PUBLIC NOTICE

NOTICE OF HEARING: MODIFICATION TO THE PEEKSKILL SANITARY SEWER DISTRICT BY THE ADDITION OF ONE (1) PARCEL OF COUNTY-OWNED PROPERTY IN THE TOWN OF YORKTOWN; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2021 AT \_\_\_\_ P.M. IN THE CHAMBERS OF THE WESTCHESTER COUNTY BOARD OF LEGISLATORS, 8TH FLOOR, 148 MARTINE AVENUE, WHITE PLAINS, NEW YORK FOR THE PURPOSE OF HEARING PERSONS OR PARTIES INTERESTED IN THE PROPOSED ADDITION TO THE PEEKSKILL SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF YORKTOWN IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED DECEMBER 8, 2020, OF THE PARCEL LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION.

3840 CROMPOND ROAD, SEC. 25.20, BLOCK 1, LOT 11

A COPY OF THE REPORT AND MAP PREPARED BY THE COMMISSIONER OF ENVIRONMENTAL FACILITIES IS ON FILE IN THE OFFICE OF THE CLERK OF THE BOARD OF LEGISLATORS AND MAY BE INSPECTED THERE BY ANY INTERESTED PARTY DURING BUSINESS HOURS.

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CLERK OF THE COUNTY  
BOARD OF LEGISLATORS  
WESTCHESTER COUNTY, NEW YORK

Dated: \_\_\_\_\_, 2021  
White Plains, New York



**TOWN OF YORKTOWN**  
363 Underhill Avenue, P.O. Box 703  
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, September 24, 2019.

**WHEREAS:**

1. The Town received a request from the Westchester County Department of Environmental Facilities to connect a County-owned parcel located at 3840 Crompond Road to Town sewer. The County operates a maintenance garage at the subject site. The only wastewater generated is from floor drains and a bathroom in the building, which is currently served by a subsurface sewage disposal system, i.e. septic system. The current system is very old and in failing condition.
2. According to the Engineering report prepared for the County, there will be a maximum sewer use of 400 gallons per day from this site. Although the Hunterbrook PS is currently operating close to full capacity, this amount of wastewater flow is minimal and will not have any impact on current pump station operation.
3. The Town sewer in this area runs along the south side of Route 202/Crompond Road and is a low-pressure sewer pipe, meaning all connections to the sewer main line must be via pumped systems. Wastewater flow from the Route 202/Crompond Road area is conveyed to the Hunterbrook Pump Station, where it is then pumped via a force main to County trunk lines and treated at the County-owned Peekskill Wastewater Treatment Plant.
4. All costs and expenses associated with the construction of the new low-pressure sewer line shall be at the sole responsibility of the County. This includes the need for micro-tunneling to bring the sewer line under Route 202/Crompond Road as will be required for a NYSDOT road crossing.
5. In support of their application to the Town, the County submitted the following documents:
  - A sewer map showing the proposed parcel being added to the Town sewer district. See Attachment #1.
  - A petition for the proposed addition of the subject parcel to the Peekskill Sanitary Sewer District and to the Hunterbrook Sewer District. See Attachment #2.
  - A draft Intermunicipal Agreement (IMA) to allow for the Town to collect the equivalent amount of sewer taxes as the County would be tax-exempt otherwise. See Attachment #3.
6. The Town Engineer has reviewed the submitted documentation and discussed with the Town Attorney and Assessor. We recommend the Board allow inclusion of this parcel into the Peekskill Sanitary Sewer District, subject to the terms and conditions as stated in the IMA.



NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby request that the County of Westchester incorporate the land listed below into the Peekskill Sanitary Sewer District.

County of Westchester

3840 Crompond Road

25.20-1-11



Diana L. Quast, Town Clerk  
Town of Yorktown  
Certified Municipal Clerk

Date: September 26, 2019

To: Ilan D. Gilbert, Town Supervisor

cc: Richard Abbate, Town Attorney  
Patricia Caporale, Town Comptroller  
Kim Adams Penner, Sole Assessor  
file



COUNTY OF WESTCHESTER  
DEPARTMENT OF ENVIRONMENTAL FACILITIES

December 8, 2020

FEASIBILITY REPORT  
IN THE MATTER OF

THE ENLARGEMENT FOR A CERTAIN PARCEL  
IN THE  
PEEKSKILL SANITARY SEWER DISTRICT  
TOWN OF YORKTOWN

MP

*Nat J. Kopicki (for)*  
Vincent F. Kopicki, P.E.  
Commissioner  
Environmental Facilities

The County of Westchester Department of Environmental Facilities (WCDEF) has petitioned that one (1) property currently not included in the Peekskill Sanitary Sewer District be added to the Peekskill Sanitary Sewer District.

A. The identification of the one (1) parcel not currently within the boundaries of the Peekskill Sanitary Sewer District and to be added is is not currently in any County Sanitary Sewer District, and has never been in any County Sewer District in the past. The one (1) parcel to be added is located at 3840 Crompond Road, Section 25.20, Block 1, Lot 11. The parcel is parcel is the site of WCDEF's Yorktown Maintenance Garage. This facility is currently under renovation under County Capital Project # 18-516 & 18-517. The septic system at the property is currently not functional and the County DEF desires to connect to the Town of Yorktown Sanitary Sewer that is located in Crompond Road. This sewer system was constructed in about the year 2009 and is located within the Peekskill Sanitary Sewer district. The Town Sewer district is known as Hunterbrook Sewer district No. 8. The County of Westchester will be required to enter into an intermunicipal agreement with the Town of Yorktown to provide sewer service to the subject property.

B. Full Equalized Valuations, which are assessed values adjusted for equalization rates, form the basis on which the sewer district tax levies are apportioned by the County Board of Legislators. The following are the full equalized valuations in the 2020 tax levy pertinent to the subject parcel:

Full Value of District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUE</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Cortlandt	\$ 14,104,173	1.56%	\$ 904,113,654
Peekskill	122,526,171	3.18	3,853,024,245
Somers	28,947,635	11.97	241,834,879
Yorktown	46,304,566	2.24	2,067,168,125
Total			\$7,066,140,903

(Town of Yorktown) Total Value of the	
Parcel to be added	+ 3,294,643

Total Full Value of District as Amended: \$7,069,435,546

\* represents a 0.0466% increase in the FEV of the District

C. The Surcharge Calculation for the parcel which is not now in a County Sewer District and is proposed for inclusion in the Peekskill Sanitary Sewer District is as follows:

If:  $e$  = added area's share in District equity or surcharge amount;

$A$  = added area's f.e.v., 2020 Rolls

$D$  = District f.e.v., 2020 rolls, before proposed additions

and  $E$  = District equity in existing facilities or the total of debt service and advances from district levies to pay the capital costs of those facilities, from 1970 through 2020.

Then: 
$$e = \frac{A}{D+A} \times E$$

$$e = \frac{3,294,643}{7,066,140,903 + 3,294,643} \times 40,866,305$$

$$e = \frac{3,294,643}{7,069,435,546} \times 40,866,305$$

$$e = .000466 \times \$40,866,305$$

$$e = \$19,043.70 \text{ (rounded to } \$19,000.00)$$

and:

in each of 10 annual installments, a total surcharge of \$1,900.00 is to be collected from the added property and credited to the remaining properties of all Municipalities in the District, in each of the ten years.

D. Summary and Recommendations.

The proposed Peekskill Sanitary Sewer District Addition is feasible because:

1. The matter was requested by the County of Westchester Department of Environmental Facilities and the Town of Yorktown.
2. The facilities necessary to connect the subject property to the Town sewer system ultimately tributary to County facilities (i.e. Sanitary Sewer Service Connection) will be constructed by the County under the County's Capital Construction Program.
3. Maintenance of the completed facilities necessary to connect the subject property to the Town sewer system will be the responsibility of the County of Westchester Department of Environmental Facilities. Maintenance of the Town Sewer System will remain with the Town of Yorktown.
4. The Peekskill Wastewater Treatment Facility has a design flow of 10 MGD and the average daily flow in 2020 was 6.1 MGD. The daily flow the parcel will generate after inclusion is 400 gallons per day. The Plant and the County Trunk Sewer have sufficient capacity to accommodate these parcels.
5. The subject expansion will not result in any significant effect on the tax structure of the district.
6. The Territory proposed to be added to the Peekskill Sanitary Sewer District is not now in any County Sewer District and will be required to pay a surcharge over a ten year period.

File Name: FEAS\_Yorktown Maintenance Garage\_Updated.docx

## **RESOLUTION**

**WHEREAS**, there is pending before this Honorable Board an Act to authorize the County of Westchester to modify the Peekskill Sanitary Sewer District by the addition of one (1) parcel of County-owned property (the “Parcel”) in the Town of Yorktown (the “Town”), as well as to enter into a permit agreement with the Town to allow the County to connect a sanitary sewer service line from the Parcel to the Town-owned sanitary sewer system and to accept any easements or other real property interests from the Town, and a Bond Act to authorize the County of Westchester to finance Phase II of Capital Project SW011 (collectively the “Project”); and

**WHEREAS**, this Honorable Board has determined that the Project 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), the 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 is conducting uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

**WHEREAS**, in accordance with SEQR and its implementing regulations, a Short Environmental Assessment Form 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 Short Environmental Assessment Form 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 Short Environmental Assessment Form, to determine if this proposed action will have an effect upon 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 Short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Project and be it further

**RESOLVED**, the Clerk of the Board of Legislators is authorized and directed to sign the "Determination of Significance" in the Short Environmental Assessment Form, which Form 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.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

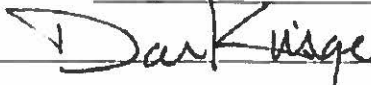
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

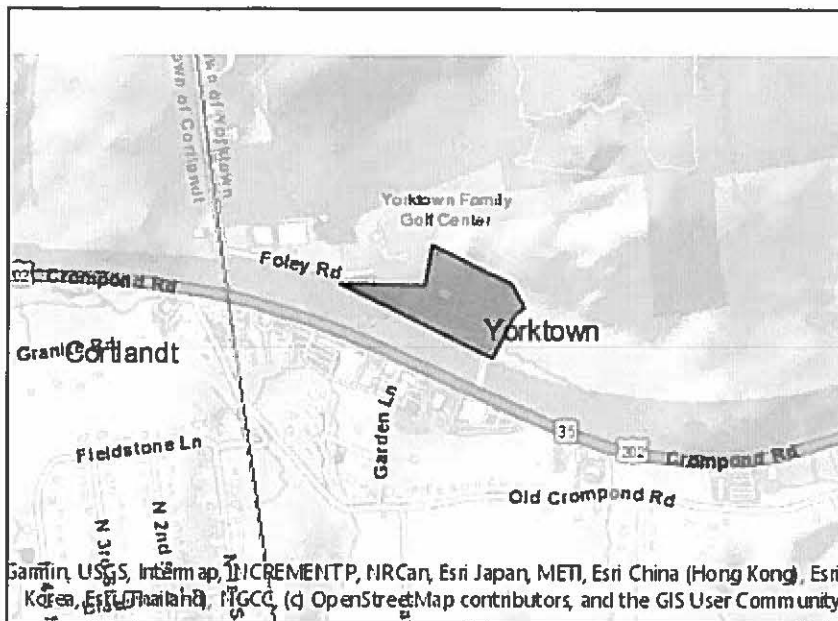
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Rehabilitation of the Yorktown Maintenance Facility (SW011)			
Project Location (describe, and attach a location map): 3840 Crompond Road, Mohegan Lake (Town of Yorktown), Westchester County, NY			
Brief Description of Proposed Action: The project provides for the rehabilitation of the exterior components of the existing maintenance facility, which serves the County's Department of Environmental Facilities, along with the installation of a new sewer connection to replace a failing septic system. Scope of work will include installation of concrete landings atop existing asphalt, repaving of the facility's existing driveway and area surrounding the building, associated site work and drainage improvements such as grading and the installation of curbs. The sewer connection involves the installation of a new low pressure sewer line from the building to the existing Yorktown sewer main, located on the south side of Crompond Road, which eventually leads to the Peekskill Water Resource Recovery Facility. The new sewer line will include a grinder pump and a 1,000-gallon oil/water interceptor tank to prevent oil from entering the sanitary sewer system. The project will require an intermunicipal agreement with Town for connection to the local sewer, which is part of the Town's Hunterbrook Sanitary Sewer District, as well as modification of the County's Peekskill Sanitary Sewer District to include the parcel in the County sewer district.			
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestergov.com	
Address: 148 Martine Avenue			
City/PO: White Plains		State: NY	Zip Code: 10601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Yorktown Town Board for IMA to connect to local sewer NYSDOT Highway Work Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		approx. 10 acres approx. 1.2 acres 35.7 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input checked="" type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	N/A  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ (Facility already connected to the municipal water supply.)	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>	
12. a. 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? b. 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?	NO <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	YES <input type="checkbox"/>  <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input type="checkbox"/>  <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/>  <input type="checkbox"/>	



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The project will restore existing pavement that has deteriorated. Runoff will be directed to existing storm drain inlets that outfall into a stream/wetlands on the south side of the property, which is in the Hunter Brook basin.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>March 22, 2021</u> Signature: <u></u> Title: <u>Director of Environmental Planning</u>		



**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.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Project: SW011 Yorktown Maintenance Facility

Date: March 2021

## Short Environmental Assessment Form

### Part 2 - Impact Assessment

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: SW011 Yorktown Maintenance Facility

Date: March 2021

### Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Originally developed for use by an automobile dealership, a portion of the site currently serves as a maintenance facility for the Westchester County Department of Environmental Facilities(DEF). The facility was constructed adjacent to New York State designated freshwater wetlands. The driveway crosses between the wetlands and over a small stream via a culvert. However, the driveway area is not included in the NYS wetlands inventory.

The sewer line is being installed in order to convey sewage from the maintenance facility to the Peekskill Water Resource Recovery Facility (WRRF). The existing septic system serving the facility currently does not provide an adequate level of service and must be serviced often. The sewer installation involves minor trenching and pipe-laying within and next to the driveway, outside the limits of the NYS designated wetlands. The pipeline will go under the culvert and will be hand dug at this location to prevent impacts to the stream. Directional drilling will be employed to install the sewer pipe under Crompond Road, so there will be no disruption to traffic. Erosion and sediment controls during construction will comply with NYS Standards and Specifications for same and will include silt fencing, stone and block drop inlet protection, as well as tree protection for existing trees along the driveway.

The project will replace deteriorated pavement and will not add impervious surfaces. All maintenance activities occur inside the building, which has an interior drainage system that will pass through a new 1,000 gallon oil/water interceptor tank prior to entering the sewer system. Chemicals are stored inside with 110% containment. As such, there will be no significant impact to the sewer system nor will there be any new impacts to the surrounding environment.

There will be no significant impact on the Town and County sewer districts, as both have the capacity to handle the facility's estimated maximum contribution of 400 gallons of sewage per day. The Peekskill WRRF has a design flow of 10 million gallons per day (MGD), but the average daily flow in 2020 was 6.1 MGD. The sewer connection will benefit the environment and the public by eliminating a potential source of contamination to the adjoining wetlands, which is within the Croton Watershed, which is part of the New York City drinking water supply.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Date

Clerk of the Board of Legislators

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ACT NO. \_\_\_\_\_ - 2021

BOND ACT DATED \_\_\_\_\_, 2021.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AUTHORIZING \$2,000,000 BONDS TO FINANCE THE CONSTRUCTION COST OF THE SECOND PHASE OF THE REHABILITATION OF THE COUNTY'S YORKTOWN MAINTENANCE FACILITY, INCLUDING, BUT NOT LIMITED TO, A NEW LOW PRESSURE SEWER SYSTEM, PAVING AND MISCELLANEOUS SITE WORK, FOR THE BENEFIT OF EACH OF THE COUNTY'S SANITARY SEWER DISTRICTS.

WHEREAS, the capital purpose hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital purpose, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purpose; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For financing the construction cost of the second phase of the rehabilitation of the County's Yorktown Maintenance Facility, including, but not limited to, a new low pressure sewer system, including a new pressurized force main from the building to the property line that will be connected to the local Yorktown sewer system, repaving the facility's existing paved driveway and storage yard and miscellaneous site work and drainage improvements, for the benefit of each of the County's Sanitary Sewer Districts, in and for the

County of Westchester, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$2,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid specific object or purpose set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$2,000,000, and that the plan for the financing thereof is by the issuance of the \$2,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Sanitary Sewer Districts determined to be specially benefitted thereby, or other sources,

there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said



Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said



bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \*

APPROVED BY THE COUNTY EXECUTIVE

\_\_\_\_\_

Date: \_\_\_\_\_, 2021

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

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on \_\_\_\_\_, 2021, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that, [please check one below]

\_\_\_\_\_ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

\_\_\_\_\_ (2) due to the COVID-19 pandemic, said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Executive Order 202.1, as amended.

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

Newspaper and/or Other News Media

Date Given

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

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Clerk and Administrative Officer of the County Board of Legislators  
of the County of Westchester, New York

(CORPORATE SEAL)

## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 2021, and approved by the County Executive on \_\_\_\_\_, 2021, 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 and Administrative Officer 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. \_\_\_\_\_-2021

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AUTHORIZING \$2,000,000 BONDS TO FINANCE THE CONSTRUCTION COST OF THE SECOND PHASE OF THE REHABILITATION OF THE COUNTY'S YORKTOWN MAINTENANCE FACILITY, INCLUDING, BUT NOT LIMITED TO, A NEW LOW PRESSURE SEWER SYSTEM, PAVING AND MISCELLANEOUS SITE WORK, FOR THE BENEFIT OF EACH OF THE COUNTY'S SANITARY SEWER DISTRICTS.

specific object or purpose:	to finance the construction cost of the second phase of the rehabilitation of the County's Yorktown Maintenance Facility, including, but not limited to, a new low pressure sewer system, including a new pressurized force main from the building to the property line that will be connected to the local Yorktown sewer system, repaving the facility's existing paved driveway and storage yard and miscellaneous site work and drainage improvements, for the benefit of each of the County's Sanitary Sewer Districts
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period of probable usefulness:	Forty years
--------------------------------	-------------

amount of obligations to be issued:	\$2,000,000
-------------------------------------	-------------

Dated: \_\_\_\_\_, 2021  
White Plains, New York

\_\_\_\_\_  
Clerk and Administrative Officer of the County Board of  
Legislators of the County of Westchester, New York

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SW011

☐ 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 \$ 2,000,000 PPU 40 Anticipated Interest Rate 1.77%

Anticipated Annual Cost (Principal and Interest): \$ 68,381

Total Debt Service (Annual Cost x Term): \$ 2,735,240

Finance Department: Interest rates from March 25, 2021 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: 22

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: CJ Gelardo, P.E.

Title: Capital Program Coordinator

Department: Environmental Facilities

Date: 4/1/21

Reviewed By: 

Budget Director

Date: 4/2/21

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> SW011	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-26-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> REHABILITATION OF THE YORKTOWN MAINTENANCE FACILITY	<b>Legislative District ID:</b> 1, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2,
<b>Category*</b> SEWER AND WATER DISTRICTS	<b>Department:*</b> ENVIRONMENTAL FACILITIES	<b>CP Unique ID:</b> 1622

### Overall Project Description

This project will provide funding for the rehabilitation of the DEF Yorktown Maintenance Facility located on Route 202 in Yorktown, NY. The maintenance facility is a concrete masonry structure which contains vehicle repair bays, a workshop for equipment repair, an office, locker rooms, and a break room. The required rehabilitation work will be done in phases.

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

### FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	6,450	2,450	2,000	0	0	0	0	2,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,450	2,450	2,000	0	0	0	0	2,000

**Expended/Obligated Amount (in thousands) as of:** 458

<b>Current Bond Description:</b>	
Construction funding for Phase II of the project to perform civil and site work upgrades to the outside of the Yorktown Maintenance Garage. The work will include replacing the existing septic system with a new low pressure sewer system, including a new pressurized force main from the building to the property line that will be connected to the local Yorktown sewer system. The work will also include replacing the existing deteriorated pavement of the facility's driveway and the area surrounding the building, and miscellaneous site work for drainage improvements such as grading and the installation of curbs.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 0
Bonds/Notes:	2,000,000
Cash:	0
<b>Total:</b>	<b>\$ 2,000,000</b>

### SEQR Classification:

UNLISTED

### Amount Requested:

2,000,000

### Comments:

This legislation is being submitted concurrently with the legislation to modify the Peekskill Sanitary Sewer District to add this property to the sewer district.

### Energy Efficiencies:

N/A



**Appropriation History:**

Year	Amount	Description
2015	450,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR PHASE I & II
2016	750,000	CONSTRUCTION - PHASE I
2017	1,250,000	CONSTRUCTION FOR PHASE I AND II.
2021	2,000,000	PHASE II CONSTRUCTION

**Total Appropriation History:**

4,450,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
15	188	0	0	REHABILITATION OF YORKTOWN MAINTENANCE FACILITY
20	57	2,450,000	0	REHAB OF DEF YORKTOWN MAINTENANCE FACILITY

**Total Financing History:**

2,450,000

**Recommended By:**

Department of Planning  
WBB4

Date  
02-19-2021

Department of Public Works  
RJB4

Date  
02-22-2021

Budget Department  
LMY1

Date  
02-24-2021

Requesting Department  
CJGA

Date  
03-18-2021

## REHABILITATION OF THE YORKTOWN MAINTENANCE FACILITY ( SW011 )

**User Department :** Environmental Facilities

**Managing Department(s) :** Environmental Facilities ;

**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	2021	2022	2023	2024	2025	Under Review
Gross	6,450	2,450	458	2,000					2,000
Non County Share									
Total	6,450	2,450	458	2,000					2,000

### **Project Description**

This project will provide funding for the rehabilitation of the DEF Yorktown Maintenance Facility located on Route 202 in Yorktown, NY. The maintenance facility is a concrete masonry structure which contains vehicle repair bays, a workshop for equipment repair, an office, locker rooms, and a break room. The required rehabilitation work will be done in phases.

### **Current Year Description**

The current year request funds replacement of the septic system, paving of the driveway and storage yard and site improvements.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	2,000,000			2,000,000

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2015	450,000	Design and Construction Management for Phase I & II	DESIGN
2016	750,000	Construction - phase I	DESIGN
2017	1,250,000	Construction for phase I and II.	DESIGN
Total	2,450,000		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	2,450,000		2,450,000
Total	2,450,000		2,450,000

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
188 15				
57 20	2,450,000			2,450,000
Total	2,450,000			2,450,000

**ACT NO. - 2021**

**AN ACT** to Modify the Peekskill Sanitary Sewer District by the addition of one (1) Parcel of Property located in the Town of Yorktown and to authorize a permit agreement with the Town to provide sewer service to the subject Parcel and to accept any easements or other real property interests from the Town.

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

**Section 1.** The property owned by the County of Westchester (the "County") and known and designated as 3840 Crompond Road, Sec. 25.20, Block 1, Lot 11 (the "Parcel") on the assessment maps of the Town of Yorktown (the "Town") is hereby added to the Peekskill Sanitary Sewer District (the "District").

§ 2. Pursuant to the provisions of Chapter 237 of the Laws of Westchester County, the Board levies and assesses against the Parcel the aggregate sum of Nineteen Thousand Dollars (\$19,000.00) which amount shall be payable in ten (10) equal annual installments of One Thousand Nine Hundred Dollars (\$1,900.00) and shall be credited to the remaining portion of the District. Payment of said amount by the County shall be subject to execution of the Agreement by the County and the Town.

§ 3. This Act and the District and assessment areas as so altered, changed, modified, reduced and/or enlarged hereby, shall become effective immediately and the assessment rolls filed after the next taxable status date shall show County sewer district assessments and taxes on the basis of such revised District, and taxes levied on such rolls shall be based thereon, but any sewer district tax or assessment levied on any valid assessment rolls in effect prior to the next taxable status date, on any parcel affected by the revisions made by this Act, shall continue valid as such or as a tax lien, until paid and the amount paid shall be credited to the sewer district in which such parcel was assessed on the role on which said tax is levied.

§ 4. The County, acting by and through its Department of Environmental Facilities (“Department”), is hereby further authorized to enter into a permit agreement with the Town, in substantially the form attached hereto (the “Agreement”), pursuant to which the Town will grant the County a permit (the “Permit”) to allow the County to connect to the Town’s sanitary sewer located on Crompond Road for the purpose of providing sewer service to the Parcel, as well as any easements or other real property interests necessary for the County to construct, operate and maintain the connection of the Parcel to the Town’s sanitary sewer, and for the County to have a financeable property interest in the sewer line connection for the purpose of issuing bonds (the “Bonds”).

§ 5. In consideration of the grant of Permit and other benefits to be conferred upon the County by the Town under the Agreement, the County shall be authorized to pay the Town an annual permit fee equivalent to what the County would pay if the Town was able to levy a sewer tax against the Parcel (the “Permit Fee”). The Permit Fee for the first year of the Permit is estimated to be \$5,338.33.

§ 6. In addition to the Permit Fee, the County would also be subject to payment of the Parcel’s share of debt service for any capital improvements made to the Town’s sanitary sewer district during the term of the Agreement.

§ 7. The term of the Agreement shall commence upon execution and shall continue for a period of thirty (30) years thereafter or upon the maturity date of the Bonds, whichever is longer.

§ 8. The County shall be permitted to terminate the Permit upon the sale or other disposition of the Parcel.

§ 9. The County is hereby authorized to accept from the Town any easements or other real property interests necessary to construct, operate and maintain the sewer service connection from the Parcel to the Town’s sanitary sewer and for the County to have a financeable property interest in the sewer line connection for the purpose of issuing bonds.

**§ 10.** The County Executive or his authorized designee be and hereby is authorized and empowered to execute any and all instruments and to take all action necessary and appropriate to accomplish the purposes hereof.

**§ 11.** This Act shall take effect immediately.

## **PERMIT AGREEMENT**

**THIS AGREEMENT** made the \_\_\_\_ day of \_\_\_\_\_, 2021 by and between:

**THE TOWN OF YORKTOWN**, a municipal corporation of the State of New York, having an office and place of business at 363 Underhill Avenue, Yorktown Heights, New York 10598 (hereinafter referred to as the "Town")

and

**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"), acting by and through its Department of Environmental Facilities (the "Department")

### **W I T N E S S E T H:**

**WHEREAS**, the County is the owner of certain real property located at 3840 Crompond Road, Cortlandt Manor, New York and designated as Section 25.20, Block No. 1, Lot No. 11 (the "County Property"); and

**WHEREAS**, the County Property is not currently part of any sewer district; and

**WHEREAS**, the County Property's septic system is not functional and the County desires that the County Property be added to the County's Peekskill Sanitary Sewer District (the "County District") so that sanitary sewage discharged from the County Property may be treated in the County District's Water Resource Recovery Facility ("WRRF"); and

**WHEREAS**, the Westchester County Board of Legislators, by Act No. \_\_\_\_-2021, has authorized the County Property be added to the County District; and

**WHEREAS**, in order for the County Property to receive sewer service, it must first be connected to the Town-owned sanitary sewer system (the "Town District"), a portion of which is located along Route 202 (Crompond Road); and

**WHEREAS**, the Town District is part of and located within the County District; and

**WHEREAS**, the Town is willing to grant a permit and such other rights as are hereinafter provided, to the County, to enable the County to connect the County Property to the Town District so that it may receive sewer service, upon the terms and conditions set forth in this IMA (the “Agreement”).

**NOW, THEREFORE**, the parties hereto, in consideration of the terms and conditions herein contained, do agree as follows:

**1. DESCRIPTION.** (a) The Town hereby grants to the County and the County hereby accepts from the Town a permit (the “Permit”) to allow the County to connect the County Property to the Town District’s sanitary sewer located on Crompond Road and to authorize the County to discharge sanitary sewage from the County Property into the Town District ultimately tributary to the County District, for treatment in the County District’s WRRF. This Permit and the permission granted hereunder is limited to “sanitary sewage”, as defined in Chapter 824 of the Laws of Westchester County, which is generated on and discharged from the County Property.

(b) The County, at its sole cost and expense, shall construct, operate and maintain a sewer service line (the “Sewer Service Line”) from the County Property to the Town’s sanitary sewer manhole located on Crompond Road, and shall be solely responsible for obtaining all necessary permits and approvals from the Town or any other governmental entities that may have jurisdiction over such activities. The County further agrees that the Sewer Service Line will be constructed in strict accordance with all applicable federal, state, local municipal and County codes and ordinances. The County shall require any contractor hired by the County to construct and connect said Sewer Service Line and sanitary sewer pumping station from the County Property to the Town’s sanitary sewer manhole, to obtain Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.l) per occurrence and a \$2,000,000 aggregate limit and Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate written on a “follow the form” basis naming the County of Westchester and the Town as an additional insureds.

(c) The Town shall grant the County, its contractors and agents, a non-exclusive license in, upon, under and over the Town Property (as hereinafter defined) to enable the County to

construct, operate and maintain the Sewer Service Line (the "License"), said License to be in effect co-terminus with the Term of this Agreement (as hereinafter defined).

**2. PERMIT FEE.** In consideration for the privilege of connecting to and discharging sanitary sewage from the County Property into the Town District's sanitary sewer during the term of this Permit, the County agrees and covenants to pay a fee equivalent to what the County would pay if the Town was able to levy a sewer tax against the Property (the "Permit Fee"). The Permit Fee for the first year of the Permit is estimated to be \$5,338.33. A cost estimate breakdown was provided by the Town and is included at the end of this Agreement as Appendix "A". The Town agrees to provide an annual cost breakdown similar to what is provided in Appendix "A" with the annual Permit Fee bill sent to the County.

In addition to the Permit Fee, the County would also be subject to payment of its share of debt service for any capital improvements made to the Town District during the term of this Agreement ("Debt Service").

The Town shall bill the County annually for the Permit Fee and for Debt Service, if any, and payment thereon shall be due and payable to the Town no later than thirty (30) days from the date of billing.

**4. TERM.** This Agreement and the privileges granted hereunder shall be valid for a period of thirty (30) years from the date of execution of this Agreement by both parties and approval of same by the Town Attorney and the County Attorney, or upon the maturity date of the County Bonds (as hereinafter defined), whichever is greater (the "Term"), subject to the County's rights of termination hereinafter set forth.

**5. GRANT OF EASEMENT:** Prior to the County's commencement of work on the Sewer Service Line, the Town shall convey to the County and its successors, assigns, invitees, contractors and agents, a non-exclusive easement, in substantially the form attached hereto as Schedule "A" (the "Easement"), in, upon, under and over any property interest of the Town as depicted on the maps and legal descriptions contained in Schedule "B-1", attached hereto and made a part hereof (the "Town Property"), for the purpose of creating a financeable property interest allowing the County to bond for the construction of the Sewer Service Line (the



“County Bonds”). Said Easement shall be in effect for so long as the County Bonds are outstanding. Upon maturity or redemption of the County Bonds, the County’s Easement will automatically terminate.

6. **TERMINATION.** Should the County decide to sell or otherwise dispose of the County Property at any time during the Term of this Agreement, this Agreement, the Permit and License granted hereunder shall immediately terminate upon such sale or disposition and neither party shall have any further liability to the other, provided however, that the County shall be responsible for paying the Town any part of the Permit Fee or Debt Service, if any, due and owing up to the date of such termination, and further provided that the Easement shall continue in full force and effect for the life of the County Bonds.

7. **FIRE DAMAGE, DESTRUCTION, CONDEMNATION.** In the event that the Town District and appurtenant facilities or such a substantial part thereof so as to render impossible the operation of this Permit are destroyed or damaged by fire or other casualty or are taken by eminent domain, then, at the option of the County, this Permit shall continue in full force and effect subject only to abatement of that portion of the Permit Fee attributable to the services that are non-operational; or shall terminate upon the date of such casualty or upon the date that title vests in the Condemnor, and neither party shall have any liability to the other on account of such termination.

8. **PERMITS & REGULATIONS.** It is the understanding and agreement of the parties hereto that each party shall, at their sole cost and expense, procure and maintain, in full force and effect for the term of this Permit, all other permits, licenses and approvals from governmental authorities having jurisdiction required for the lawful operation of this Permit.

9. **INSURANCE & INDEMNIFICATION.** The County represents that it is a self-insured entity and shall provide the Town with proof of such self-insurance upon request. In addition, each party to this Agreement expressly agrees:

(a) that except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the other party, to indemnify and hold harmless the other party, their officers, employees and agents 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

negligent acts or omissions of the indemnifying party or third parties under the direction or control of the indemnifying party; 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 the negligent acts or omissions of the indemnifying party and to bear all other costs and expenses related thereto; and

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

**10. NOTICES.** All notices of any nature referred to in this Permit shall be in writing and sent by registered or certified mail postage prepaid or delivered by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by registered or certified mail postage pre-paid), to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing:

To the Town

Town Supervisor  
Town of Yorktown  
363 Underhill Avenue  
Yorktown Heights, New York 10598

with a copy to:

Town Attorney  
Town of Yorktown  
363 Underhill Avenue  
Yorktown Heights, New York 10598

To the County:

Commissioner  
County of Westchester  
Department of Environmental Facilities  
270 North Avenue  
New Rochelle, New York 10801

with a copy to:

County Attorney  
County Office Building, Room 600  
148 Martine Avenue  
White Plains, New York 10601

11. **REMEDIES CUMULATIVE.** The failure of either party to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment for the future of such term or condition, but the same shall remain in full force and effect. Acceptance by either party of payment of any fee due hereunder with knowledge of a breach of any term or condition hereof, shall not be deemed a waiver of such breach and no waiver by the party of any provision hereof shall be implied.

12. **ENTIRE AGREEMENT.** This Permit 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. It 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.

13. **APPROVALS.** This Permit shall not be enforceable until signed by the parties and approved by the Office of the County Attorney.

14. **APPLICABLE LAW.** This Permit shall be construed and enforced pursuant to the law of the State of New York.

[NO FURTHER TEXT ON THIS PAGE]

**IN WITNESS WHEREOF**, the parties hereto have executed this Permit in duplicate.

**THE TOWN OF YORKTOWN**

By: \_\_\_\_\_  
Name:  
Title:

**THE COUNTY OF WESTCHESTER**

By: \_\_\_\_\_  
Vincent Kopicki, P.E., Commissioner  
Department of Environmental Facilities

Authorized by the Westchester County Board of Legislators by Act No. \_\_\_\_-2021, approved on \_\_\_\_\_, 2021.

Authorized by the Town Board of the Town of Yorktown at a meeting duly held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Approved as to form and  
manner of execution

\_\_\_\_\_  
Sr. Assistant County Attorney  
The County of Westchester

Approved as to form and  
manner of execution

\_\_\_\_\_  
Town Attorney  
Town of Yorktown

**ACKNOWLEDGMENT**

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

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_ before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF AUTHORITY**  
**(CORPORATION)**

I, \_\_\_\_\_,  
(Officer other than officer signing contract)

certify that I am the \_\_\_\_\_ of  
(Title)  
the \_\_\_\_\_  
(Name of Corporation)

a corporation duly organized and in good standing under the \_\_\_\_\_  
(Law under which organized, e.g., the New York Business Corporation Law) named in the  
foregoing agreement; that

\_\_\_\_\_  
(Person executing agreement)

who signed said agreement on behalf of the \_\_\_\_\_  
(Name of Corporation)

was, at the time of execution

\_\_\_\_\_  
(Title of such person)

of the Corporation and that said agreement was duly signed for and on behalf of said Corporation  
by authority of its Board of Directors, 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                    )

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_ before me, the undersigned, a  
Notary Public in and for said State, \_\_\_\_\_ personally appeared,  
personally known to me or proved to me on the basis of satisfactory evidence to be the officer  
described in and who executed the above certificate, who being by me duly sworn did depose  
and say that he/she resides at \_\_\_\_\_,  
and he/she is an officer of said corporation; that he/she is duly authorized to execute said  
certificate on behalf of said corporation, and that he/she signed his/her name thereto pursuant to  
such authority.

\_\_\_\_\_  
Date

## SCHEDULE "A"

**THIS EASEMENT AGREEMENT**, made the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by

**TOWN OF YORKTOWN**, a municipal corporation organized and existing under the laws of the State of New York having an office and place of business at 363 Underhill Avenue, Yorktown Heights, New York 10598 ("Grantor"); and

**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/or the "Grantee")

### **W I T N E S S E T H:**

**WHEREAS**, Grantor is the owner of the fee title of those certain parcels of real property located in the Town of Yorktown, New York and identified on the tax maps of the Town as: Section \_\_, Block \_\_, Lot \_\_, which real property is more particularly described in Schedule "B-1," which is annexed hereto and made a part hereof (the "Subject Property").

That the Grantor in consideration of the sum of One (\$1.00) Dollar lawful money of the United States, paid by the Grantee, receipt of which is hereby acknowledged, does hereby grant and release unto the Grantee, its successors and assigns, a non-exclusive easement (the "Easement") in, on, over, under and through the Subject Property, as more particularly described in Schedule "B-1," which is attached hereto and made a part hereof for the purpose of accessing certain improvements (the "Project Improvements") as described in a separate Agreement of even date between the Grantor and Grantee, to construct, operate, maintain, repair, replace, inspect, or restore the Project Improvements.

The Easement granted herein is subject to the following restrictions:

The Grantor covenants that, until such time as the Bonds (defined below) have matured or been fully redeemed, neither it, nor its successors or assigns, shall do anything, or allow anything to be done, which in the reasonable opinion of the County would injure, endanger, impede use of or impair the Project in any material respect, or the operation thereof, located within the Easement,

The Grantor acknowledges that the easement rights of the County granted herein regarding the Project Improvements constructed in, on, over, under or through the Easement shall encumber such Project Improvements for so long as the bonds of the County (the "Bonds"), which made funds available for said Project are outstanding, pursuant to the terms of the certain inter-municipal agreement by and between the Municipality and the County of even date herewith. The Grantee shall not interfere with or disturb the construction, use, operation, maintenance or repair of any improvements now or hereafter situated within or upon the Project property.

The Easement shall run with the land and the provisions contained herein shall be binding upon and inure to the benefit of and be enforceable by the County, its successors and assigns until the Bonds have matured or been fully redeemed.

**TO HAVE AND TO HOLD** the Easement granted herein unto the County, its successors and assigns, until such time as the Bonds have matured or been fully redeemed.

**IN WITNESS WHEREOF**, the Grantor has executed this instrument the day and year first above written.

**TOWN OF YORKTOWN**

By: \_\_\_\_\_

**COUNTY OF WESTCHESTER**

By: \_\_\_\_\_

**Record and Return to:**

\_\_\_\_\_



## MUNICIPALITY'S ACKNOWLEDGMENT

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

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20\_\_ before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument; and, acknowledged if operating under any trade name, that the certificate required by the New York State General Business Law Section 130 has been filed as required therein.

**Signature and Office of individual taking acknowledgment**

### COUNTY'S ACKNOWLEDGMENT

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

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 200\_\_ before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument; and, acknowledged if operating under any trade name, that the certificate required by the New York State General Business Law Section 130 has been filed as required therein.

**Signature and Office of individual taking acknowledgment**

**SCHEDULE “B-1”**

DRAFT

## Appendix A

### Westchester County Garage, 3840 Crompond Road, Sec. 25.20, Block 1 Lot 11

District Name	District Number	Unit Charge	Tax Rate	Total Tax
Hunter Brook Sewer	S0046	26.14	\$197.244	\$5,155.97
Hunter Brook Sewer 202 Ext	S0048	26.14	\$6.97617	\$182.36


**Approximate Sewer Charge**

**\$5,338.33**

**Charges provided by the Town of Yorktown on a breakdown dated December 10, 2020.  
Charges are based on 2020 tax rates and are subject to change.**

April 12, 2021

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – BPL40  
(1619) – Stormwater Management – Various County Facilities II.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 12, 2021 Agenda.

Transmitted herewith for your review and approval is a Bond Act, which if adopted would authorize the County to issue bonds in the amount of \$400,000.00.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 12, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

April 7, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$400,000.00 to finance a component of the following capital project:

BPL40 - Stormwater Management - Various County Facilities II ("BPL40").

The Bond Act, in the amount of \$400,000.00, would fund a stormwater management project at Oscawana Park in the Town of Cortlandt.

The Department of Planning (the "Department") has advised that this capital program is a continuation of capital project BPL23 Stormwater Management – Various County Facilities, which funds stormwater management projects for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). The current request will fund the design of the removal of the Maiden Lane dam, located within the County-owned Oscawana Park in the Town of Cortlandt. The dam is in disrepair and the project will reduce flooding conditions in the area and improve fish passage along the Furnace Brook.

The Department anticipates that following bonding authorization, this project will take approximately eight (8) months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior separate components of this capital project as set forth in the attached fact sheet.

The Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Office of the County Executive

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

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

[westchestergov.com](http://westchestergov.com)

It should be noted that since BPL40 is a "general fund" project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County's Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the County's 2021 Capital Budget to reflect this project component.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for BPL40 is annexed.

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written over the printed name.

George Latimer  
County Executive

GL/ND/WB/jpg

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (the "County") of a bond act (the "Bond Act") in the amount of \$400,000.00 to finance a component of capital project BPL40 - Stormwater Management - Various County Facilities II ("BPL40"). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund a stormwater management project at Oscawana Park in the Town of Cortlandt.

The Department of Planning (the "Department") has advised that this capital program is a continuation of capital project BPL23 Stormwater Management – Various County Facilities, which funds stormwater management projects for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). The current request will fund the design of the removal of the Maiden Lane dam located within the County-owned Oscawana Park in the Town of Cortlandt. The dam is in disrepair and the project will reduce flooding conditions in the area and improve fish passage along the Furnace Brook.

The Department anticipates that following bonding authorization, this project will take approximately eight (8) months to complete.

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

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

Your Committee is further advised that since BPL40 is a “general fund” project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County’s Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the County’s 2021 Capital Budget to reflect this project component.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for BPL40 is annexed.

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

Dated: \_\_\_\_\_, 2021

White Plains, New York

**COMMITTEE ON**

k/jpg/03.30.2021



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL40

☐ NO FISCAL IMPACT PROJECTED

## SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal    \$                      400,000            PPU    5            Anticipated Interest Rate    0.42%

Anticipated Annual Cost (Principal and Interest):                      \$    81,001

Total Debt Service (Annual Cost x Term):                      \$    405,005

Finance Department:            Interest rates from April 5, 2021 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):

N/A

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded:                      N/A

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: William Brady

Title: Chief Planner

Department: Planning

Date: 4/8/21


Reviewed By:

Budget Director

Date:

4/9/21

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

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

DATE: March 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
BPL40 Stormwater Management – Various County Facilities II**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
03/15/2021 (Unique ID: 1619)

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

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

**COMMENTS:** The current request allows for design only.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 20-~~12~~<sup>13</sup>

WESTCHESTER COUNTY PLANNING BOARD

**Amendment of Planning Board Report of Capital Project  
BPL40 Stormwater Management – Various County Facilities II**

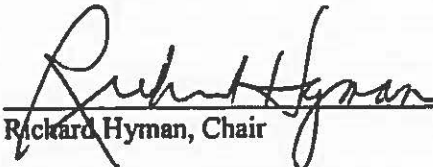
**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending an existing “fund” type capital project **BPL40 Stormwater Management – Various County Facilities II** to fund the design and removal of the Maiden Lane Dam and the restoration of Furnace Brook located within County-owned Oscawana Park in the Town of Cortlandt in the amount of \$1,500,000 of County funding; and

**WHEREAS**, the project will reduce localized flooding in the area and will restore fish passage and habitat and the natural and beneficial functions of the floodplain along Furnace Brook; and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010, in that it will preserve and protect natural resources, control and treat stormwater, mitigate or reduce the impacts of flooding and also enhance the use of recreational facilities; now, therefore, be it

**RESOLVED**, that the County Planning Board includes the location of the above-described work in its Report on the 2020 Capital Projects Requests to include the location of the above-described project in the program of **BPL40 Stormwater Management – Various County Facilities II**.

Adopted this 7<sup>th</sup> day of July, 2020.

  
Richard Hyman, Chair

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REMOVAL OF THE COUNTY-OWNED MAIDEN LANE DAM AT OSCOWANA PARK IN THE TOWN OF CORTLANDT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$400,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$400,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the removal the Maiden Lane dam, located within County-owned Oscawana Park in the Town of Cortlandt; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$400,000. The plan of financing includes the issuance of \$400,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$400,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2<sup>nd</sup>) of the Law, is five (5) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$400,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$400,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

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

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

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

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

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

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

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

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

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

\* \* \*

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

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

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

(SEAL)

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



## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REMOVAL OF THE COUNTY-OWNED MAIDEN LANE DAM AT OSCOWANA PARK IN THE TOWN OF CORTLANDT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$400,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (adopted on \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the removal the Maiden Lane dam, located within County-owned Oscawana Park in the Town of Cortlandt; all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness:

\$400,000; five (5) years

Dated: \_\_\_\_\_, 20\_\_  
White Plains, New York

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



3577531.1 044973 LEG

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> <b>BPL40</b>	<input checked="" type="checkbox"/> <b>CBA</b>	<b>Fact Sheet Date:*</b> 01-25-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II	<b>Legislative District ID:</b> 9
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> PLANNING	<b>CP Unique ID:</b> 1619

### Overall Project Description

This capital program is a continuation of capital project BPL23 Stormwater Management - Various County Facilities. This project will fund stormwater management for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). This is a general fund; specific projects are subject to a Capital Budget Amendment.

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

### FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	8,725	6,975	750	500	500	0	0	0
Less Non-County Shares	475	475	0	0	0	0	0	0
Net	8,250	6,500	750	500	500	0	0	0

**Expended/Obligated Amount (in thousands) as of:** 2,891

**Current Bond Description:** This project will fund the design for the removal the Maiden Lane dam, located within County-owned Oscawana Park in the Town of Cortlandt. The dam is in disrepair and the project will reduce flooding conditions in the area and improve fish passage along the Furnace Brook.

#### Financing Plan for Current Request:

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

#### **SEQR Classification:**

TYPE II

#### **Amount Requested:**

400,000

#### Comments:

#### Energy Efficiencies:

**Appropriation History:**

Year	Amount	Description
2013	5,000,000	\$3,750,000 - CONSTRUCTION ON BRONX RIVER & ANITA LANE BRIDGE; \$1,250,000 - CONSTRUCTION ON BRONX RIVER AT HARNEY RD
2016	1,475,000	\$475,000 NCS FOR FULTON BROOK; \$1,000,000 FOR CONTINUATION OF THIS PROJECT
2020	500,000	CONTINUATION OF THIS PROJECT
2021	750,000	\$500,000 CONTINUATION OF THIS PROJECT; \$250,000 FOR STUDY OF BRONX RIVER

**Total Appropriation History:**

7,725,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
14	26	1,250,000	1,083,188	STORMWATER MANAGEMENT - BOTH SIDES OF BRONX RIVER BY TOWN OF EASTCHESTER AND CITY OF YONKERS
16	61	850,000	701,446	RESTORE WATERWAY & BANKS- CONFLUENCE OF BRX RIV & SPRAIN BR IN BNXVLE & YONK
19	13	1,000,000	281,430	STORMWATER MANAGEMENT- VARIOUS COUNTY FACILITIES II
19	174	400,000	0	

**Total Financing History:**

3,500,000

**Recommended By:**

Department of Planning  
WBB4

Date  
03-15-2021

Department of Public Works  
RJB4

Date  
03-25-2021

Budget Department  
LMY1

Date  
03-30-2021

Requesting Department  
WBB4

Date  
03-30-2021

## STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II ( BPL40 )

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	2021	2022	2023	2024	2025	Under Review
Gross	8,725	6,975	2,891	750	500	500			
Non County Share	(475)	(475)	1						
Total	8,250	6,500	2,892	750	500	500			

### Project Description

This capital program is a continuation of capital project BPL23 Stormwater Management - Various County Facilities. This project will fund stormwater management for both water quality (in compliance with federal MS4 stormwater regulations administered by the NYSDEC) and quantity (to reduce flooding). This is a general fund; specific projects are subject to a Capital Budget Amendment.

### Current Year Description

The current year request funds the continuation of this project, \$500,000 and a feasibility study for Bronx River Flood Mitigation, \$250,000.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	750,000			750,000

### Impact on Operating Budget

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

### Appropriation History

Year	Amount	Description	Status
2013	5,000,000	\$3,750,000 - Construction on Bronx River & Anita Lane Bridge; \$1,250,000 - Construction on Bronx River at Harney Rd	Anita Lane - AWAITING BOND AUTHORIZATION; Harney Rd - CONSTRUCTION
2016	1,475,000	\$475,000 NCS for Fulton Brook; \$1,000,000 for continuation of this project	IN PROGRESS
2020	500,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	6,975,000		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	6,500,000	2,066,063	4,433,937
State Funds	475,000		475,000
Others		(688)	688
Total	6,975,000	2,065,375	4,909,625

## STORMWATER MANAGEMENT - VARIOUS COUNTY FACILITIES II ( BPL40 )

### Bonds Authorized

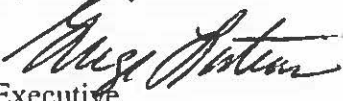
Bond Act	Amount	Date Sold	Amount Sold	Balance
26 14	1,250,000	12/15/16	63,549	166,812
		12/15/17	129,277	
		12/15/17	23,737	
		12/15/17	201	
		12/10/18	363,679	
		12/10/19	264,920	
		12/10/19	52,315	
		04/30/20	164,510	
		10/28/20	17,816	
		10/28/20	2,496	
		10/28/20	688	
		12/15/16	35,761	148,554
		12/15/17	94,934	
61 16	850,000	12/15/17	17,431	
		12/15/17	147	
		12/10/18	249,897	
		12/10/19	182,021	
		12/10/19	35,945	
		04/30/20	85,312	
		12/10/19	75,158	718,570
		12/10/19	14,842	
		04/30/20	191,430	
13 19	1,000,000			
174 19	400,000			400,000
Total	3,500,000		2,066,064	1,433,936

# Memorandum

Office of the County Executive  
Michaelian Office Building

April 12, 2021

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **ACT, CBA & Bond Act  
– A0133 – Rehabilitation of Taxiway “L”.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 12, 2021 Agenda.

Transmitted herewith for your review and approval is a proposed Act, which if adopted would authorize the County to apply for and enter into a grant agreement with the FAA for Capital Project A0133. A CBA and Bond Act are also attached.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 12, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

April 12, 2021

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a proposed act ("Act") which, if adopted, would authorize the County of Westchester ("County"), to apply for and enter into a grant agreement with the Federal Aviation Administration ("FAA") for capital project A0133 – Rehabilitation of Taxiway "L" ("A0133"). Also transmitted is an act which, if adopted, would authorize the County to amend its current-year capital budget for A0133 (the "Capital Budget Amendment"), along with a Bond Act which would authorize the County to issue up to \$200,000 in bonds to finance A0133 ("Bond Act").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the appropriation for A0133 by \$4,000,000, comprised of a \$200,000 increase to Bonds and/or Notes and a \$3,800,000 increase to non-County shares. The Department of Public Works and Transportation ("Department") has advised that the Capital Budget Amendment is required so the County may apply for an FAA Airport Capital Improvement Program Entitlement grant which has become available in 2021.

The Bond Act, in the amount of \$200,000 would finance the cost of construction and construction management for the rehabilitation of Taxiway "L" between Runway 11/29 and Taxiway "C" at the Westchester County Airport.

The Act would authorize the County to apply for and enter into a grant with the FAA for the rehabilitation of Taxiway "L" from Runway 11/29 to Taxiway "C". The FAA has indicated it will fund up to 90% of A0133, resulting in a FAA grant in the amount of approximately \$3,600,000. Additionally, the New York State Department of Transportation ("NYSDOT") has indicated that it will fund up to 5% of A0133 resulting in a NYSDOT grant amount of approximately \$200,000. Consequently, a local share of 5% of the cost of A0133 will be provided by the Airport Special Revenue Fund ("ASRF") in the amount of approximately \$200,000.

The Department has advised that that the Taxiway "L" pavement being rehabilitated from Runway 11/29 to Taxiway "C" has reached the end of its useful life.

Office of the County Executive

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

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

westchestergov.com

Design has been completed by consultants. It is estimated that construction will take three months to complete and will begin after award and execution of construction contracts, subject to approval of construction financing by your Honorable Board.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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 A0133 has been annexed.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

A handwritten signature in dark ink, appearing to read "George Latimer", written over the printed name.

George Latimer  
County Executive

Attachments



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

Your Committee is in receipt of a communication from the County Executive recommending approval of an act ("Act") which, if adopted, would authorize the County of Westchester ("County"), to apply for and enter into a grant agreement for funding from the Federal Aviation Administration ("FAA") for capital project A0133 – Rehabilitation of Taxiway "L" ("A0133"). The communication further recommends approval of an act which, if adopted, would authorize the County to amend its current-year capital budget for A0133 ("Capital Budget Amendment") as well as an a bond act drafted by the law firm Hawkins, Delafield & Wood, ("Bond Act") which would authorize the County to issue up to \$200,000 in bonds to finance A0133.

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the appropriation for A0133 by \$4,000,000, comprised of a \$200,000 increase to Bonds and/or Notes and a \$3,800,000 increase to non-County shares. The Department of Public Works and Transportation ("Department") has advised that the Capital Budget Amendment is required so the County may apply for an FAA Airport Capital Improvement Program Entitlement grant which has become available in 2021.

The Bond Act, in the amount of \$200,000 would finance the cost of construction and construction management for the rehabilitation of Taxiway "L" between Runway 11/29 and Taxiway "C" at the Westchester County Airport.

The Act would authorize the County to apply for and enter into a grant with the FAA for the rehabilitation of Taxiway "L" from Runway 11/29 to Taxiway "C". The FAA has indicated it will fund up to 90% of A0133, resulting in a FAA grant in the amount of approximately \$3,600,000. Additionally, the New York State Department of Transportation ("NYSDOT") has indicated that it will fund up to 5% of A0133 resulting in a NYSDOT grant amount of approximately \$200,000. Consequently, a local share of 5% of the cost of A0133 will be

provided by the Airport Special Revenue Fund ("ASRF") in the amount of approximately \$200,000.

The Department has advised that that the Taxiway "L" pavement being rehabilitated from Runway 11/29 to Taxiway "C" has reached the end of its useful life.

Design has been completed by consultants. It is estimated that construction will take three months to complete and will begin after award and execution of construction contracts, subject to approval of construction financing by your Honorable Board.

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

Your Committee has carefully considered this matter and has concluded that it is in the best interest of the County to adopt the Act to authorize the County to apply for and enter into a grant agreement with the FAA as well as adopt the act to amend the County's current-year capital budget. Your Committee is advised that an affirmative vote of a majority of your Honorable Board is required to adopt the Act, while an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act. In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the Planning Board report for A0133 has been annexed hereto.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment.

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

s: MG/4-6-21

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: A0133

☐ 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    \$                    200,000            PPU    10            Anticipated Interest Rate    0.86%

Anticipated Annual Cost (Principal and Interest):            \$    20,946

Total Debt Service (Annual Cost x Term):            \$    209,460

Finance Department:    Interest rates from April 5, 2021 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):            N/A

Potential Related Revenues (Annual):            N/A

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:            43

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☐ Consultant

☒ Not Applicable

Prepared by:    James Antonaccio

Title:    Principal Architect

Department:    Public Works & Transportation


Date:    4/8/21

Reviewed By: 

Budget Director

Date:    4/9/21

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

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

DATE: April 6, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
A0133 REHABILITATION OF TAXIWAY "L"**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
04/06/2021 (Unique ID: 1668)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 21-\_\_//

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2021 Capital Project Requests

A0133 Rehabilitation of Taxiway "L"

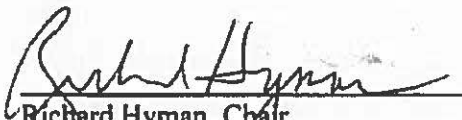
**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending the capital project **A0133 Rehabilitation of Taxiway "L"** by moving funds from 2022 to 2021 in the amount of \$4,000,000 for construction of Phase I of the Rehabilitation of Taxiway L at Westchester County Airport, and

**WHEREAS**, the Department of Public Works and Transportation is advising that this work, utilizing 95% state and federal funds, be expedited at Westchester County Airport, and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by maintaining county facilities; now therefore, be it

**RESOLVED**, that the County Planning Board recommends amending the 2021 Capital Projects Requests to include the use of funds for **A0133 Rehabilitation of Taxiway "L"** in the amount of \$4,000,000 for construction of Phase I of the Rehabilitation of Taxiway L at Westchester County Airport.

Adopted this 6<sup>th</sup> day of April, 2021.

  
Richard Hyman, Chair

## A0133 Rehabilitation of Taxiway "L"

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2021	2022	2023	2024	2025	Under Review
Gross	10,525	450	250	4,000	575	250	0	5,000
Non-County Share	10,010	428	237	3,800	545	250	0	4,750
County Share	515	22	13	200	30	0	0	250

### Project Description

This project funds the rehabilitation of Taxiway "L" from Runway 11/29 to Runway 16 Approach End. The project includes, but is not limited to, pavement restoration, rehabilitation of taxiway lighting and signage and installation of taxiway markings. The current Capital Budget Amendment (CBA) is to move forward the \$4 million from 2022 to 2021 (95% of which is FAA and NYS funding) for construction of Phase 1 of the Rehabilitation of Taxiway L.

### Appropriation / Funding Requests

2017:	Design of Phase I
2021:	\$250,000 for rehabilitation of Taxiway "L" Phase 2 – Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End – environmental planning, preparation of NEPA. CBA in 2021 to move \$4,000,000 from 2022 to 2021 for construction of Phase 1 of the Rehabilitation of Taxiway L.
2022:	\$4,000,000 for Rehabilitation of Taxiway "L" Phase 1 – Rehabilitation of Taxiway "L" from Runway 11/29 to Taxiway "C" - construction and construction management
2023:	\$575,000 for rehabilitation of Taxiway "L" Phase 2 – Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End - design
2024:	\$250,000 for rehabilitation of Taxiway "L" Phase 2 - Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End
Under Review:	\$5,000,000 for rehabilitation of Taxiway "L" Phase 2 - Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End - Construction and Construction Management

### Justification

This replacement cycle follows a Federal Aviation Administration (FAA) requirement that a Pavement Management System be utilized in scheduling pavement replacement projects.

### Consistency with Programs or Plans

This project is consistent with the County Board of Legislators' Airport Policy Statement which supports improving safety, increasing efficiency and up-grading facilities or providing better conditions for Airport users, tenants, and passengers.

### Planning Board Analysis

PL2: The Planning Board is supportive of Airport projects that improve safety, increase efficiency and upgrade facilities for travelers and employees. Planning Department staff will review plans for the taxiway rehabilitation for physical and environmental concerns.



ACT No. \_\_\_\_\_ 2021

An Act amending the 2021 County  
Capital Budget Appropriations for  
Capital Project A0133 - Rehabilitation  
of Taxiway L

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$700,000	\$4,000,000	\$4,700,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	\$200,000	\$200,000
Non County Shares	\$664,500	\$3,800,000	\$4,464,500
Cash	<u>\$35,500</u>	<u></u>	<u>\$35,500</u>
Total	\$700,000	\$4,000,000	\$4,700,000

Section 3. The ACT shall take effect immediately.



ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE REHABILITATION OF TAXIWAY L AT WESTCHESTER COUNTY AIRPORT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,600,000 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE EXPENDITURE OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK AND THE ISSUANCE OF \$200,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$200,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the construction and construction management of the rehabilitation of Taxiway L Between Runway 11/29 and Taxiway C at Westchester County Airport, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$4,000,000. The plan of financing includes the expenditure of \$3,600,000 expected to be received from the United States of America and \$200,000 expected to be received from the State of New York and the issuance of \$200,000 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.

Section 2. The period of probable usefulness applicable to the object or purpose for which the bonds authorized by this Act are to be issued within the limitations of Section 11.00 a. 14 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 \$200,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$4,000,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

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

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

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

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

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

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

\* \* \*

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

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

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

(SEAL)

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

## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE REHABILITATION OF TAXIWAY L AT WESTCHESTER COUNTY AIRPORT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$3,600,000 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA, THE EXPENDITURE OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK AND THE ISSUANCE OF \$200,000 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 construction and construction management of the rehabilitation of Taxiway L Between Runway 11/29 and Taxiway C at Westchester County Airport, 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: \$200,000; 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



## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> A0133	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 04-06-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> REHABILITATION OF TAXIWAY "L"	<b>Legislative District ID:</b> 6,
<b>Category*</b> AIRPORT	<b>Department:*</b> AIRPORT/DOT	<b>CP Unique ID:</b> 1668

### Overall Project Description

This project funds the rehabilitation of Taxiway "L" from Runway 11/29 to Runway 16 Approach End. Project includes, but is not limited to pavement restoration, rehabilitation of taxiway lighting and signage, and installation of taxiway markings.

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

### FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	10,525	450	250	4,000	575	250	0	5,000
Less Non-County Shares	10,010	428	237	3,800	545	250	0	4,750
Net	515	22	13	200	30	250	0	250

**Expended/Obligated Amount (in thousands) as of :** 431

**Current Bond Description:** Funding is requested for construction and construction management of the rehabilitation of Taxiway L Between Runway 11/29 and Taxiway C.

#### Financing Plan for Current Request:

Non-County Shares:	\$ 3,800,000
Bonds/Notes:	200,000
Cash:	0
<b>Total:</b>	<b>\$ 4,000,000</b>

### SEQR Classification:

**Amount Requested:**  
200,000

### Comments:

The Department is requesting a CBA to move \$4,000,000 forward from 2022 to 2021. The action being requested is legislation to apply for and enter into a grant agreement with the Federal Aviation Administration ("FAA") to rehabilitate Taxiway L from Runway 11/29 to Taxiway C. The FAA has indicated that it will fund up to 90% of this project, resulting in a grant in the amount of approximately \$3,600,000. Additionally, New York State Department of Transportation ("NYSDOT") has indicated that they will fund up to 5% of this project resulting in a grant amount of approximately \$200,000. Consequently, a local share of 5% of the cost of the project will be required, which will be provided by the Airport Special Revenue Fund ("ASRF") in the amount of approximately \$200,000. A Bond Act is being requested to fund the \$200,000.

### Energy Efficiencies:

### Appropriation History:

Year	Amount	Description
2017	450,000	DESIGN.
2021	250,000	REHABILITATION OF RUNWAY L

**Total Appropriation History:**  
700,000

**Total Financing History:**  
0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
04-06-2021

**Department of Public Works**  
RJB4

**Date**  
04-06-2021

**Budget Department**  
LMY1

**Date**  
04-06-2021

**Requesting Department**  
RJB4

**Date**  
04-06-2021



## REHABILITATION OF TAXIWAY "L" ( A0133 )

**User Department :** Airport/DOT  
**Managing Department(s) :** Airport/DOT ; Public Works ;  
**Estimated Completion Date:** TBD  
**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	10,525	450	431	250	4,000	575	250		5,000
Non County Share	(10,010)	(428)	(191)	(237)	(3,800)	(545)	(250)		(4,750)
Total	515	22	240	13	200	30			250

### Project Description

This project funds the rehabilitation of Taxiway "L" from Runway 11/29 to Runway 16 Approach End. Project includes, but is not limited to pavement restoration, rehabilitation of taxiway lighting and signage, and installation of taxiway markings.

### Current Year Description

The current request funds rehabilitation of runway L.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021		13,000	237,000	250,000

### Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the appropriation of Cash to Capital.

### Appropriation History

Year	Amount	Description	Status
2017	450,000	Design.	DESIGN
Total	450,000		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Federal Funds	405,000	181,253	223,747
Funds Revenue	22,500	22,500	
State Funds	22,500	10,070	12,430
Total	450,000	213,823	236,177

ACT NO. \_\_\_\_-20\_\_\_\_

AN ACT to authorize the County to apply for and enter into a grant agreement with the United States of America, acting through the Federal Aviation Administration ("FAA"), for capital project A0133 – Rehabilitation of Taxiway "L" ("A0133")

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

**Section 1.** The County of Westchester is hereby authorized to apply for and enter into a grant agreement with the FAA in the amount of approximately \$3,600,000.00 for capital project A0133, equivalent to approximately 90% of the total estimated project cost of \$4,000,000.00. The New York State Department of Transportation ("NYSDOT") has indicated that it will fund up to 5% of A0133, resulting in a NYSDOT grant amount of approximately \$200,000. A local share of 5% of the cost of A0133 will also be required which will be provided by the Airport Special Revenue Fund in the amount of approximately \$200,000.

**§ 2.** The County Executive, or his duly authorized designee, is hereby authorized and empowered to take such actions and to execute and deliver such instruments as may be necessary and appropriate to accomplish the purposes hereof.

**§ 3.** This Act shall take effect immediately.

George Latimer  
County Executive

Office of the County Attorney

John M. Nonna  
County Attorney

April 7, 2021

Honorable Westchester County Board of Legislators  
County of Westchester  
800 Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

Re: Request to authorize the retention of the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Dear Members of the Honorable Board of Legislators:

Attached for your consideration is an Act which, if approved by your Honorable Board, authorize the retention of the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Another piece of proposed legislation is simultaneously being submitted to your Honorable Board. That legislation, if passed, would authorized the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by the County.

The Office of the County Attorney does not have the resources necessary to commence and maintain such a large, complex action. Consequently, by submission of this proposed legislation, authorization is being sought to retain the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in this matter. Napoli Shkolnik PLLC has already been retained by several other New York counties — including Nassau — to represent them in this litigation.



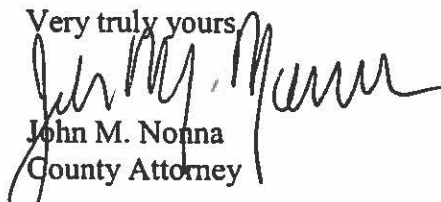
This office has been informed by Napoli Shkolnik PLLC that they will be compensated on a contingency fee basis, the terms of which are as follows:

Counsel shall be paid on a contingency fee basis under which Counsel shall receive:

- i. 7.5% of pre-complaint recovery;
- ii. 15% of recovery after ruling on a motion to dismiss;
- iii. 20% of recovery after close of pretrial discovery; and
- iv. 25% of recovery after a ruling on summary judgment.

For the foregoing reasons, I request the retention of the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Very truly yours,



John M. Nonna  
County Attorney

JMN/lz  
Encls.

## BOARD OF LEGISLATORS

### COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which, if enacted by your Honorable Board, would authorize the retention of the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Another piece of proposed legislation has been simultaneously submitted to your Honorable Board. That legislation, if passed, would authorize the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by the County.

The County Attorney has informed Your Committee that the Law Department does not have the resources necessary to commence and maintain such a large, complex action. Consequently, by submission of this proposed legislation, authorization is being sought to retain the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in this matter. Napoli Shkolnik PLLC has already been retained by 14 other New York counties — including Nassau — to represent them in this action.

The Law Department has been informed by Napoli Shkolnik PLLC that they will be compensated on a contingency fee basis, the terms of which are as follows:

Counsel shall be paid on a contingency fee basis under which Counsel shall receive:

- v. 7.5% of pre-complaint recovery;

- vi. 15% of recovery after ruling on a motion to dismiss;
- vii. 20% of recovery after close of pretrial discovery; and
- viii. 25% of recovery after a ruling on summary judgment.

Your Committee has carefully considered the subject matter and the attached act and recommends retaining the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action against generic pharmaceutical companies with regard to the inflated pricing of generic pharmaceuticals in Westchester County.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York  
      , 2021

# FISCAL IMPACT STATEMENT

SUBJECT: Napoli Shkolnik PLLC

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue TBD

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

☐ Additional Appropriations

☒ Other (explain)

Identify Accounts: TBD- Law firm to be paid on a contingency basis.

Potential Related Operating Budget Expenses: Annual Amount \$0

Describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Potential Related Operating Budget Revenues: Annual Amount TBD

Describe: An act authorizing the retention of the firm Napoli Shkolnik to be of counsel to  
the County Attorney in an action on behalf of the County against certain generic pharmaceutical  
companies which resulted in the overpayment for generic drugs by Westchester County.

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

Current Year: N/A

Next Four Years: N/A

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: April 7, 2021

Reviewed By: 

Budget Director

Date: 4/7/21

AN ACT authorizing the retention of the law firm of Napoli Shkolnik PLLC to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

BE IT ENACTED by the County Board of Legislators of the County of

Westchester as follows:

§ 1. The law firm of Napoli Shkolnik PLLC is retained to be of counsel to the County Attorney in an action on behalf of the County of Westchester against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

§ 2. The County Attorney or his designee is hereby authorized and empowered to undertake such legal proceedings and prepare all documents necessary or desirable to accomplish the purpose of this Act.

§ 3. This Act shall take effect immediately.



George Latimer  
County Executive

Office of the County Attorney

John M. Nonna  
County Attorney

April 7, 2021

Honorable Westchester County Board of Legislators  
County of Westchester  
800 Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

**Re: Request to authorize the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.**

Dear Members of the Honorable Board of Legislators:

Attached for your consideration is an Act which, if approved by your Honorable Board, would authorize the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Because the conduct dates back to approximately 2010 and covers almost every generic pharmaceutical product, the County's spending on these products – and thus potential damages in this suit, which can be trebled – is significant.

For example, on March 2, 2020, one of the potential defendants, Sandoz, agreed to pay a \$195 million criminal penalty in connection to felony antitrust charges arising from the company's antitrust violations regarding generic drug pricing.

A four-count felony charge accusing Sandoz of participating in conspiracies with other generic-drug makers between 2013-15 was recently filed in the Eastern District of Pennsylvania. The Department of Justice entered into a deferred prosecution agreement with Sandoz the same day, under which it agreed to co-operate with the ongoing investigation and admitted that sales resulting from the alleged schemes rose above \$500 million.

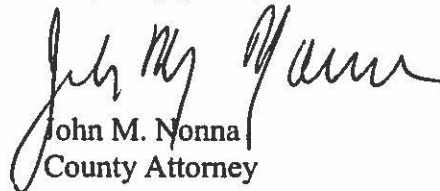


Although a criminal fine is different from an admission of damages in a civil suit, it is an encouraging development in the long road ahead. Civil damages from this and other Defendants are likely to be significantly more.

The law firm of Napoli Shkolnik PLLC filed a lawsuit in the Supreme Court of New York, Nassau County, on behalf of 14 New York Counties, against generic pharmaceutical manufacturers based upon their consistent behavior with respect to the generic pharmaceutical market. The complaint seeks damages, disgorgement of profits, injunctive relief, attorneys' fees and costs, and other relief.

The case was removed to federal court and transferred to the MDL (Multi-District Litigation) for this matter, currently pending in the U.S. District Court for the Eastern District of Pennsylvania. The case is *County of Nassau, et al v. Actavis Holdco US, Inc., et al.*, 20-00065-CMR (16-MDL-2724) (E.D. Pa.).

Very truly yours,



John M. Nonna  
County Attorney

Encls.  
JMN/lz

BOARD OF LEGISLATORS  
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Because the conduct dates back to approximately 2010 and covers almost every generic pharmaceutical product, the County's spending on these products – and thus potential damages in this suit, which can be trebled – is significant.

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Although a criminal fine is different from an admission of damages in a civil suit, it is an encouraging development in the long road ahead. Civil damages from this and other Defendants are likely to be significantly more.

The law firm of Napoli Shkolnik PLLC filed a lawsuit in the Supreme Court of New York, Nassau County, on behalf of 14 New York Counties, against generic pharmaceutical manufacturers based upon their consistent behavior with respect to the generic pharmaceutical market. The complaint seeks damages, disgorgement of profits, injunctive relief, attorneys' fees and costs, and other relief.

The case was removed to federal court and transferred to the MDL (Multi-District Litigation) for this matter, currently pending in the U.S. District Court for the Eastern District of Pennsylvania. The case is *County of Nassau, et al v. Actavis Holdco US, Inc., et al.*, 20-00065-CMR (16-MDL-2724) (E.D. Pa.).

Your Committee has carefully considered the subject matter and the attached act and recommends authorizing the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York  
April , 2021

COMMITTEE ON

# FISCAL IMPACT STATEMENT

SUBJECT: Napoli Shkolnik PLLC

☒ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☐ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

Total Current Year Revenue \$

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

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts:

Potential Related Operating Budget Expenses:

Annual Amount N/A

Describe:

Potential Related Operating Budget Revenues:

Annual Amount N/A

Describe: An Act authorizing the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others which resulted in the overpayment for generic drugs by Westchester County.

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

Current Year: N/A

Next Four Years: N/A

Prepared by: Patricia Haggerty

Title: Sr. Budget Analyst

Department: Budget

Date: April 7, 2021

Reviewed By: 

PH

Budget Director

Date: 4/8/21

ACT NO. - 2021

AN ACT authorizing the County Attorney to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

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

Section 1. The County Attorney is hereby authorized to join the County of Westchester as plaintiff in an action against certain generic pharmaceutical companies and others who fixed prices, allocated markets, and engaged in antitrust violations, which resulted in the overpayment for generic drugs by Westchester County.

Section 2. The County Attorney or his duly designated representative is hereby authorized to undertake such legal proceedings and prepare all documents necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

**Benjamin Boykin II**

Chairman of the Board

Legislator, 5th District



March 31, 2021

Ms. Sunday Vanderberg  
Clerk of the Board  
Westchester County Board of Legislators  
148 Martine Avenue, 8<sup>th</sup> Floor  
White Plains, NY 10601

Re: Suspension of Rules

Dear Madame Clerk:

Pursuant to Rule Twenty-four of the Rules of the Westchester County Board of Legislators, this letter serves as written notice of my intent to make a motion to suspend County Board Rule 4.1 for the Monday, April 12, 2021 regular meeting of the Westchester County Board of Legislators.

Sincerely,

Benjamin Boykin II  
Chairman of the Board

**Catherine Borgia****Legislator, 9<sup>th</sup> District**

Chair, Budget &amp; Appropriations Committee

**Committee Assignments:**

Appointments  
Environment & Health  
Intergovernmental Services  
Labor & Housing  
Legislation  
Planning, Economic Development & Energy  
Social Services

To: Ben Boykin, Chairman of the Board of Legislators  
Sunday Vanderberg, Clerk of the Board of Legislators

From: Catherine Borgia, 9<sup>th</sup> District

Date: March 25, 2021

Re: Inter-municipal Agreement to provide the Ossining Basics Program

---

Please refer the attached ACT, which would authorize the County of Westchester to enter into an inter-municipal agreement with the Ossining Union Free School District, pursuant to which Ossining will provide its Ossining Basics Program for the period from January 1, 2021 through December 31, 2021, in the amount not to exceed Two Thousand One Hundred Seventy-Five (\$2,175.00) Dollars, payable in full upon execution of the IMA, to the appropriate committees on the April 12, 2021 Westchester County Board of Legislators agenda.



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

Your Committee is in receipt of a communication from the Chairman of the Board of Legislators recommending the adoption of an Act which, if approved by your Honorable Board, would authorize the County of Westchester (the “County”) to enter into an inter-municipal agreement (“IMA”) with the Ossining Union Free School District (“Ossining”), pursuant to which Ossining will provide its Ossining Basics Program (the “Program”) for the period from January 1, 2021 through December 31, 2021. The County will pay Ossining an amount not to exceed Two Thousand One Hundred Seventy-Five (\$2,175.00) Dollars, payable in full upon execution of the IMA, in accordance with an approved budget.

Pursuant to the IMA, Ossining will provide the Program, a set of five easy and nurturing practices that stimulate brain growth in children from birth to age 3. The Program will help parents and caregivers of young children thrive cognitively, physically, socially and emotionally, and enter school better prepared.

Your Committee has determined that there is a clear and overwhelming need for the Program. Accordingly, Your Committee recommends authorizing the County to enter into the proposed IMA.

The Department of Planning has advised that the proposed IMA does not constitute an action as defined in section 617.2(b) of 6NYCRR Part 617. No environmental review is required. Your Committee concurs with this conclusion.

Your Committee has been advised that passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board. Your Committee has carefully considered this proposed legislation authorizing the above-mentioned IMA and recommends its approval.

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

ACT NO. \_\_\_\_-20\_\_\_\_

**AN ACT** authorizing the County of Westchester to enter into an inter-municipal agreement with Ossining Union Free School District (“Ossining”) pursuant to which Ossining will provide its Ossining Basics Program for the period from January 1, 2021 through December 31, 2021 for a total amount not to exceed \$2,175.00.

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


**Section 1.** The County of Westchester (the “County”), is hereby authorized to enter into an inter-municipal agreement (the “IMA”) with Ossining, pursuant to which Ossining will provide its Ossining Basics Program for the period from January 1, 2021 through December 31, 2021, for a total amount not to exceed Two Thousand One Hundred Seventy-Five (\$2,175.00) Dollars, payable in full upon execution of the IMA, in accordance with an approved budget.

**§2.** Ossining shall submit a written report, including statistics, to the County, of the program. Evaluations will be based on the extent to which objectives of the program were accomplished.

**§3.** The Chair of the Board of Legislators or his designee (the “Chair”) is hereby authorized to execute and deliver all documents and take such actions as the Chair deems necessary or desirable to accomplish the purposes hereof.

**§4.** This Act shall take effect immediately.

TO: Andrea Ettere, 2<sup>nd</sup> Deputy Clerk - Administrative Office  
Board of Legislators

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

DATE: March 24, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
OSSINING BASICS PROGRAM**

---

**PROJECT/ACTION:** An intermunicipal agreement with the Ossining Union Free School District, whereby the County will provide funding to support the Ossining Basics Program for the 2021 calendar year. The program educates parents and caregivers of young children of simple practices that they can do to stimulate brain growth in children from birth to age 3 to help them thrive cognitively, physically, socially and emotionally, and enter school better prepared.

**With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required because the project/action:**

- ☒ **DOES NOT MEET THE DEFINITION OF AN “ACTION” AS DEFINED UNDER SECTION 617.2(b)**
- ☐ **MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)( ):**
- 

**COMMENTS:** None

DSK/cnm

cc: Steven Bass, Assistant to the County Executive  
Norma Drummond, Commissioner  
Mary Beth Gose, Fiscal Analyst, Board of Legislators  
Michelle Greenbaum, Assistant County Attorney  
Claudia Maxwell, Associate Environmental Planner

**COUNTY OF WESTCHESTER**  
**LOCAL STATE OF EMERGENCY DECLARATION**

WHEREAS, on January 31, 2020, the Health and Human Services Secretary declared a public health emergency for the United States in light of the Covid-19 (coronavirus) outbreak; and

WHEREAS, on March 7, 2020, the governor declared a state of emergency in New York as the virus spread to this state; and

WHEREAS, on March 10, 2020, the governor announced the establishment of a containment area in the Westchester city of New Rochelle; and

WHEREAS, the World Health Organization declared the Covid-19 outbreak as a global pandemic on March 11, 2020; and

WHEREAS, on March 12, 2020, Governor Cuomo issued a continuing temporary suspension and modification of laws relating to the emergency; and

WHEREAS on March 13, 2020, President Trump declared a national emergency which will among other things, provide federal funds to combat the spread of Covid-19; and

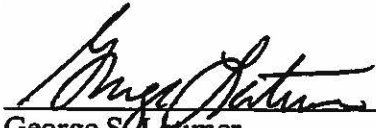
WHEREAS, the Covid-19 outbreak continues to represent a serious threat to the health and safety of the people of Westchester County,

NOW THEREFORE, I, George S. Latimer, County Executive of the County of Westchester, and Chief Executive Officer of the County of Westchester, do hereby exercise my authority pursuant to Article 2-B of the New York State Executive Law to preserve and protect the public health and safety in response to this public health threat; and it is further

DECLARED, that the outbreak and spread of COVID -19 threatens and imperils the public health and safety of the residents of Westchester County; and it is further

DECLARED, that the local state of emergency for the County of Westchester, which began on the 16th day of March 2020, is extended an additional thirty (30) days; and it is further

DECLARED, that all required and available assistance be rendered to address this public health threat which is vital to the security, well-being and health of the citizens of this County.

  
\_\_\_\_\_  
George S. Latimer  
County Executive  
County of Westchester

Dated: April 1, 2021  
White Plains, New York

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 15<sup>th</sup> day of September, 2020, recommended the appointment of Ghada Salim of Yonkers, New York, as a member of the Westchester County Arab American Advisory Board, for a term to commence on September 15, 2020 and expire on December 31, 2021, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 30<sup>th</sup> day of March, 2021 approved the appointment of Ghada Salim as a member of the Westchester County Arab American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 30, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to read "Mary Jane Kennedy", with a large, stylized flourish at the end.

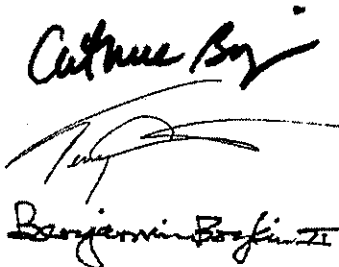
COMMITTEE ON APPOINTMENTS

Dated: March 30, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

APPOINTMENTS



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 22<sup>nd</sup> day of December, 2020, recommended the appointment of Rachel Simon of South Salem, New York, as a member of the Westchester County LGBTQ Advisory Board, for a term to commence on December 22, 2020, and expire on December 31, 2024, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 23<sup>rd</sup> day of March, 2021, approved the appointment of Rachel Simon to the Westchester County LGBTQ Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 23, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to be 'J. H. L.', is written over the text of the resolution.

COMMITTEE ON APPOINTMENTS



Dated: March 23, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

APPOINTMENTS

Manaf. Parr

Catherine By

Toby

Mary Jane Shinsky

Benjamin Bozfin II

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 8<sup>th</sup> day of January, 2021, recommended the appointment of Dr. Bhavana A. Pahwa of Rye Brook, New York, as a member of the Westchester County Asian American Advisory Board, for a term to commence on January 8, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 6<sup>th</sup> day of April, 2021, approved the appointment of Dr. Bhavana A. Pahwa as a member of the Westchester County Asian American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: April 6, 2021  
White Plains, New York

A handwritten signature in black ink, appearing to read "Ty U R", is written over the printed text of the date and location.

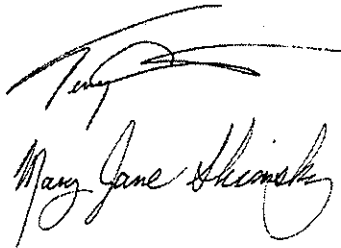
COMMITTEE ON APPOINTMENTS

Dated: April 6, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

#### APPOINTMENTS



Mary Jane Shinsky

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 8<sup>th</sup> day of January, 2021, recommended the appointment of Lillian Wu of Chappaqua, New York, as a member of the Westchester County Asian American Advisory Board, for a term to commence on January 12, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 23<sup>rd</sup> day of March, 2021, approved the appointment of Lillian Wu as a member of the Westchester County Asian American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 23, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to be "J. Wu", is written over the signature line.

COMMITTEE ON APPOINTMENTS

Dated: March 23, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**APPOINTMENTS**

*Manoel Barr*

*Catherine By*

*Tony*

*Mary Jane Skimich*

*Benjamin Borfin II*

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 21<sup>st</sup> day of January, 2021, recommended the appointment of Alicia K. Sandberg, Esq., of Katonah, New York, as a medical community representative member of the Westchester County Domestic Violence Council for a term to commence January 21, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 23<sup>rd</sup> day of March, 2021, approved the appointment of Alicia K. Sandberg, Esq., as a medical community representative member of the Westchester County Domestic Violence Council; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 23, 2021  
White Plains, New York



COMMITTEE ON APPOINTMENTS

Dated: March 23, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

APPOINTMENTS

Manaf. Parr

Catherine By

Tony

Mary Jane Shinsky

Benjamin Boefin

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 21<sup>st</sup> day of January, 2021, recommended the appointment of Marisa Moran Sullivan of Pound Ridge, New York, as an at-large member of the Westchester County Domestic Violence Council for a term to commence January 21, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 30<sup>th</sup> day of March, 2021, approved the appointment of Marisa Moran Sullivan as an at-large member of the Westchester County Domestic Violence Council; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 30, 2021  
White Plains, New York



COMMITTEE ON APPOINTMENTS

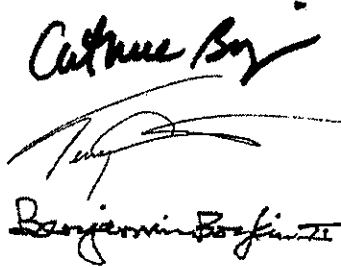


Dated: March 30, 2021  
White Plains, New York.

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

APPOINTMENTS



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 12<sup>th</sup> day of January, 2021, recommended the appointment of Ali Chettih of Hastings-on-Hudson, New York, as a member of the Westchester County Arab American Advisory Board, for a term to commence on January 12, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 23<sup>rd</sup> day of March, 2021 approved the appointment of Ali Chettih as a member of the Westchester County Arab American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 23, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to be 'J. U. L.', is written over the signature line.

COMMITTEE ON APPOINTMENTS

Dated: March 23, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

APPOINTMENTS

Manaf. Parr

Catherine By

Tony

Mary Jane Shinsky

Benjamin Bosfin II

RESOLUTION - 2021

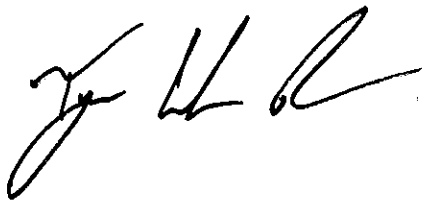
TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 13<sup>th</sup> day of November, 2020, recommended the appointment of Michael Sabatino of Yonkers, New York, as a member of the Westchester County LGBTQ Advisory Board, for a term to commence on November 13, 2020, and expire on December 31, 2024, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 6<sup>th</sup> day of April, 2021, approved the appointment of Michael Sabatino as a member of the Westchester County LGBTQ Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: April 6, 2021  
White Plains, New York



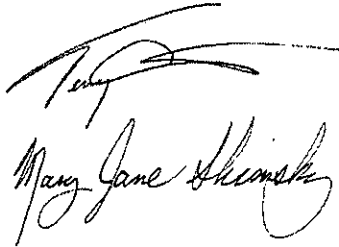
COMMITTEE ON APPOINTMENTS

Dated: April 6, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

#### APPOINTMENTS



Mary Jane Shimsky

RESOLUTION - 2021

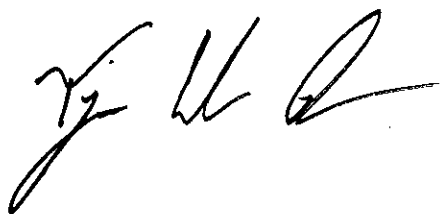
TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 13<sup>th</sup> day of January, 2021, recommended the appointment of William Kaung of White Plains, New York, as a member of the Westchester County Asian American Advisory Board, for a term to commence on January 13, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 6<sup>th</sup> day of April, 2021, approved the appointment of William Kaung as a member of the Westchester County Asian American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: April 6, 2021  
White Plains, New York

A handwritten signature in black ink, appearing to be 'J. H. Q.', is written over the printed text of the date and location.

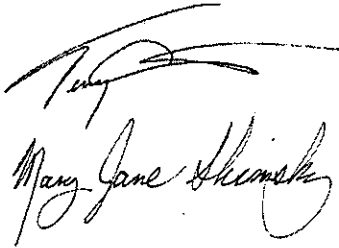
COMMITTEE ON APPOINTMENTS

Dated: April 6, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**APPOINTMENTS**



Mary Jane Shinsky

RESOLUTION - 2021

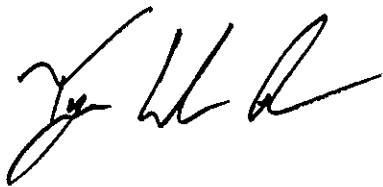
TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 8<sup>th</sup> day of January, 2021, recommended the appointment of David Imamura of Irvington, New York, as a member of the Westchester County Asian American Advisory Board, for a term to commence on January 8, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 6<sup>th</sup> day of April, 2021, approved the appointment of David Imamura as a member of the Westchester County Asian American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: April 6, 2021  
White Plains, New York



COMMITTEE ON APPOINTMENTS

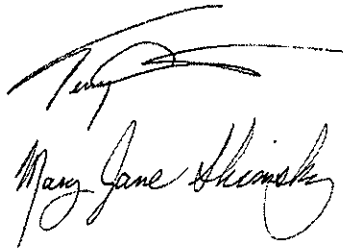


Dated: April 6, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**APPOINTMENTS**



Mary Jane Shimsky

RESOLUTION - 2021

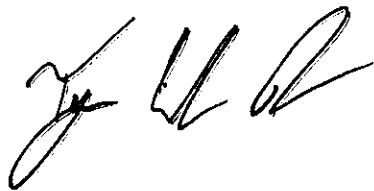
TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 13<sup>th</sup> day of January, 2021, recommended the appointment of Michelle A. Nicholas of Mount Vernon, New York, as a member of the Westchester County African American Advisory Board, for a term to commence on January 13, 2021 and expire on December 31, 2022, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 6<sup>th</sup> day of April, 2021 approved the appointment of Michelle A. Nicholas as a member of the Westchester County African American Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: April 6, 2021  
White Plains, New York



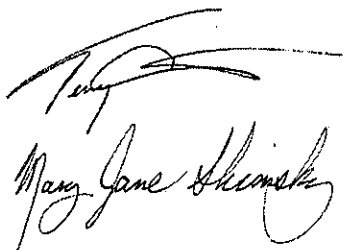
COMMITTEE ON APPOINTMENTS

Dated: April 6, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

#### APPOINTMENTS



Mary Jane Skimich

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 1<sup>st</sup> day of January, 2021, recommended the appointment of Andre Early of White Plains, New York, as a member of the Westchester County Fair Housing Board for a term to commence on January 1, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 30<sup>th</sup> day of March, 2021, approved the appointment of Andre Early as a member of the Westchester County Fair Housing Board; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 30, 2021  
White Plains, New York

Two handwritten signatures in blue ink. The top signature is more legible and appears to be 'Andre Early'. The bottom signature is more stylized and cursive.

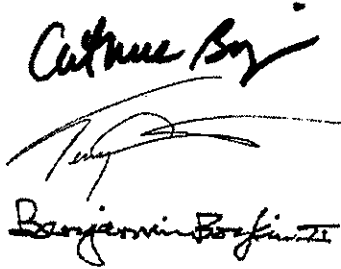
COMMITTEE ON APPOINTMENTS

Dated: March 30, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

APPOINTMENTS



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 1<sup>st</sup> day of January, 2021, recommended the reappointment of Andre Early of White Plains, New York, as a member of the Westchester County Human Rights Commission for a term to commence on January 1, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 30<sup>th</sup> day of March, 2021, approved the reappointment of Andre Early as a member of the Westchester County Human Rights Commission; NOW THEREFORE BE IT

**RESOLVED**, that said reappointment be and is hereby approved.

Dated: March 30, 2021  
White Plains, New York

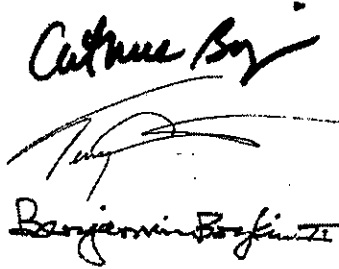
COMMITTEE ON APPOINTMENTS

Dated: March 30, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

APPOINTMENTS



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive, having on the 1<sup>st</sup> day of January, 2021, recommended the reappointment of Sobeida Cruz of Yonkers, as a member of the Westchester County Parks, Recreation, and Conservation Board, for a term to commence on January 1, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 23<sup>rd</sup> day of March, 2021, approved the reappointment of Sobeida Cruz as a member of the Westchester County Parks, Recreation and Conservation Board; NOW THEREFORE BE IT

**RESOLVED**, that said reappointment be and is hereby approved.

Dated: March 23, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to be 'ZUL', is written over the signature line.

COMMITTEE ON APPOINTMENTS



Dated: March 23, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**APPOINTMENTS**

*Manoel Pava*

*Catherine By*

*Tony*

*Mary Jane Skimich*

*Benjamin Bojinski*

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive, having on the 1<sup>st</sup> day of January, 2021, recommended the reappointment of J. Henry Neale, Jr., of Scarsdale, as a member of the Westchester County Parks, Recreation, and Conservation Board, for a term to commence on January 1, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 23<sup>rd</sup> day of March, 2021, approved the reappointment of J. Henry Neale, Jr., as a member of the Westchester County Parks, Recreation and Conservation Board;  
**NOW THEREFORE BE IT**

**RESOLVED**, that said reappointment be and is hereby approved.

Dated: March 23, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to be 'J. Henry Neale, Jr.', is written over the signature line.

COMMITTEE ON APPOINTMENTS

Dated: March 23, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

**APPOINTMENTS**

*Manaf. Parr*

*Catherine By*

*Tony*

*Mary Jane Whimpy*

*Benjamin Bosfin II*

RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 31<sup>st</sup> day of December, 2020, recommended the appointment of Marni Rabin-Marron of Yorktown Heights, New York, as a deaf or hard of hearing advocate member of the Westchester County Advisory Council on People with Disabilities, for a term to begin on December 31, 2020 and expire on December 31, 2021, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 30<sup>th</sup> of March, 2021, approved the appointment of Marni Rabin-Marron to the Westchester County Advisory Council on People with Disabilities; NOW THEREFORE BE IT

**RESOLVED**, that said appointment be and is hereby approved.

Dated: March 30, 2021  
White Plains, New York

A handwritten signature in blue ink, appearing to read "Ty U...", is written over a printed signature that reads "Marni Rabin-Marron".

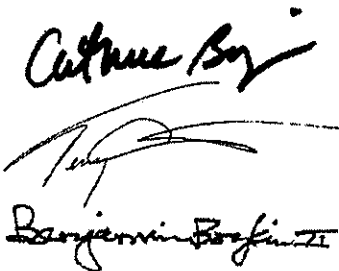
COMMITTEE ON APPOINTMENTS

Dated: March 30, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

APPOINTMENTS



RESOLUTION - 2021

TO THE COUNTY BOARD OF LEGISLATORS  
OF THE COUNTY OF WESTCHESTER, NEW YORK

**WHEREAS**, the County Executive having on the 17<sup>th</sup> day of February, 2021, recommended the reappointment of Robert Fleisher of Chappaqua, New York as a member of the Westchester County Airport Advisory Board for the term to begin on February 17, 2021 and expire on December 31, 2023, in accordance with the terms and provisions of the Westchester County Charter, as amended, and subject to the confirmation of this Board; and

**WHEREAS**, the Committee on Appointments, having on the 30<sup>th</sup> day of March, 2021, approved the reappointment of Robert Fleisher to the Westchester County Airport Advisory Board; NOW THEREFORE BE IT

**RESOLVED**, that said reappointment be and is hereby approved.

Dated: March 30, 2021  
White Plains, New York

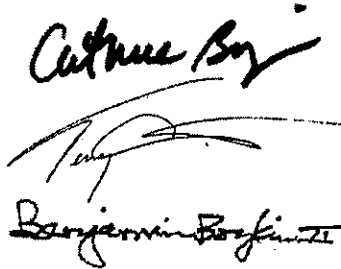
COMMITTEE ON APPOINTMENTS

Dated: March 30, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

APPOINTMENTS



The block contains three handwritten signatures in black ink. The top signature is 'Catherine By'. The middle signature is a stylized, cursive signature that appears to be 'Tony'. The bottom signature is 'Benjamin Borfina'.

**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 (the “Capital Budget Amendment”), as well as adoption of a related bond act ( the “Bond Act”) which, if adopted, will authorize the County to issue up to \$1,700,000 in bonds of the County to finance a component of capital project BSS13 – Infrastructure Improvements to Shelter Facilities – Vernon Plaza Mt. Vernon (“BSS13”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County funds for this project by \$173,000.

The Bond Act, in the amount of \$1,700,000, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will finance the cost of design, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center in Mt. Vernon.

The Department of Public Works and Transportation (“Department”) has advised that the cast iron boiler sections used to heat the building are cracked at several locations and are beyond repair. As a consequence, the facility is currently operating on temporary boilers and replacement boilers are desperately needed.

The Department has further advised that upon bonding authorization, design shall begin by in-house staff and is expected to be completed in two (2) months. It is anticipated that construction will take approximately six (6) months and shall begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for a prior component of project BSS13 as follows: Bond Act No. 84-2012 in the amount of \$80,000 which funded the cost of design in connection with the replacement of



existing roofing, air conditioning units and miscellaneous repairs at the Vernon Plaza Center in Mt. Vernon. These bonds have not been sold.

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

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

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related 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 Bond Act.

Dated: April 5, 2021

White Plains, New York

**COMMITTEE ON**

Calvin B.  
C.H.  
12/12  
Benjamin Boyfman  
Vedat J. Li

C.H.  
Benjamin Boyfman  
Vedat J. Li

Calvin B.  
C.H.  
Benjamin Boyfman

Budget & Appropriations

Public Works & Transportation

Social Services

Dated: April 5, 2021  
White Plains, New York

**The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.**

Committee(s) on:

**Social Services**

Nancy E. Dunn  
L. H. Seill  
Alfreda Willis  
Mary Jane Skimsky  
David Q. Iabico

**Budget & Appropriations**

Catherine F. Parker  
David Q. Iabico  
Ruth Walter  
Margaret A. Cuzio  
Alfreda Willis  
Nancy E. Dunn  
Ty H. L.

**Public Works & Transportation**

Mary Jane Skimsky  
Catherine F. Parker  
Ruth Walter  
David Q. Iabico  
L. H. Seill  
Ty H. L.

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS13

☐ 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 15 Anticipated Interest Rate 1.14%

Anticipated Annual Cost (Principal and Interest): \$ 1,236,948

Total Debt Service (Annual Cost x Term): \$ 18,554,220

Finance Department: Interest rates from March 4, 2021 Bond Buyer

## 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

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☐ Consultant

☐ Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 3/15/21

Reviewed By: 

Dep. Budget Director

Date: 3/16/21

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

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

DATE: March 3, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
BSS13 Infrastructure Improvements To Shelter Facilities–Vernon Plaza, Mt.  
Vernon**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 02-18-2021 (Unique ID: 1636)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

---

**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

**RESOLUTION 21-09**

**WESTCHESTER COUNTY PLANNING BOARD**

**Amendment of Planning Board Report on 2021 Capital Project Requests**

**BSS13 Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon**

**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending capital project **BSS13 – Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon** for a bonding request of \$1,700,000 for design, construction and construction management associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center, and

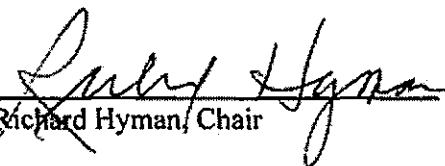
**WHEREAS**, the cast iron boiler sections are cracked at several locations and the boilers are beyond repair. The facility is currently operating on temporary boilers, and

**WHEREAS**, the project will provide shelter for up to 20 singles or families; and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by contributing to the development of fair and affordable housing; now therefore, be it

**RESOLVED**, that the County Planning Board approves an amendment to its Report on the 2021 Capital Projects Requests to include the use of funding from **BSS13 Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon** to be used for costs associated with a boiler replacement at this location.

Adopted this 2<sup>nd</sup> day of March, 2021.

  
Richard Hyman, Chair

**BSS13 Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon****FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Estimated							
	Ultimate	Approp-						Under
	Total Cost	riated	2021	2022	2023	2024	2025	Review
Gross	2,423	2,250						173
Less non-County Shares								
Net	2,423	2,250						173

**Project Description:**

This DSS project funds a phased, multi-year cycle of infrastructure improvements at the County's Vaughn Glanton Employment Residence (Vernon Plaza Center) in Mount Vernon. The Capital Budget Amendment (CBA), totaling \$1,700,000, is for design, construction and construction management associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center. This (CBA) includes a request for an additional \$173,000.

**APPROPRIATION/FUNDING REQUESTS:**

2011: \$650,000 for replacement of roofing and air conditioning units, also miscellaneous repairs  
2014: \$900,000 for renovations at the facility to include all residence bathrooms and common hallways along with upgrades to lighting throughout the facility to energy-efficient lighting. The project will also include miscellaneous site improvements including rehabilitation of walkways, retaining walls and fencing.  
2019: \$700,000 for acquisition and renovation for a building for at-risk youths  
2021: CBA for an additional \$173,000 for replacement of boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center.

**JUSTIFICATION:** The proposed work is required to keep the facility in good condition.

**CONSISTENCY WITH PROGRAMS OR PLANS:** The project is generally consistent with the policies of *Westchester 2025*, the County Planning Board's long-range land use policies, in that it is a capital improvement to keep physical facilities in good condition and to deliver services in an economic and humane manner.

**Planning Board Analysis:**

**PL2:** The County Planning Board supports this project in that it will keep the County facility in good condition. Plans for exterior site work will be reviewed by Planning Department staff to ensure that it will be consistent with all County policies and recommendations.

An Act amending the 2021 County  
Capital Budget Appropriations for  
Capital Project - BSS13 -  
Infrastructure Improvements to  
Shelter Facilities - Vernon Plaza, Mt.  
Vernon

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$2,250,000	\$173,000	\$2,423,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF  
FINANCING

Bonds and/or Notes	\$2,250,000	\$173,000	\$2,423,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$2,250,000	\$173,000	\$2,423,000

Section 3. The ACT shall take effect immediately.



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 DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF BOILERS, BURNERS, BOILER CONTROLS, RADIATOR CONTROL VALES, STEAM TRAPS AND UPGRADES TO THE BOILER ROOM AT THE VERNON PLAZA CENTER IN THE CITY OF MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,700,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$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 of the design, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center in the city of Mount Vernon, 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 class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,700,000. 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, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$1,700,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.13 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 \$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 \$1,700,000 as the estimated total cost of the aforesaid objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties

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

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

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

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

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

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

Section 8. This Act shall take effect 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\_\_\_\_.

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

(SEAL)

## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF BOILERS, BURNERS, BOILER CONTROLS, RADIATOR CONTROL VALES, STEAM TRAPS AND UPGRADES TO THE BOILER ROOM AT THE VERNON PLAZA CENTER IN THE CITY OF MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,700,000 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 design, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center in the city of Mount Vernon, 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; fifteen (15) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

**Project ID:\***  
BSS13

☒ CBA

**Fact Sheet Date:\***  
02-11-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
INFRASTRUCTURE IMPROVEMENTS 13,  
TO SHELTER FACILITIES-VERNON  
PLAZA, MT. VERNON

**Legislative District ID:**

**Category\***  
BUILDINGS, LAND &  
MISCELLANEOUS

**Department:\***  
SOCIAL SERVICES

**CP Unique ID:**  
1636

**Overall Project Description**

A continuing multi-year cycle of infrastructure improvements at the Vernon Plaza Center, Mt. Vernon. Work involves exterior infrastructure, including roofing, window replacement, facade repairs, waterproofing and site work. Interior infrastructure includes painting, ceilings, hardware, security system upgrade, building management system upgrade, elevator upgrade, upgrade to the mechanical, plumbing, electrical and fire alarm systems. All related work is to be included.

☒ 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	2021	2022	2023	2024	2025	Under Review
Gross	2,423	2,250	0	0	0	0	0	173
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,423	2,250	0	0	0	0	0	173

**Expended/Obligated Amount (in thousands) as of :** 22

**Current Bond Description:** Funding is requested for design, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	1,700,000
Cash:	0
Total:	<u>\$ 1,700,000</u>

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,700,000

**Comments:**

A Capital Budget Amendment in the amount of \$173,000 (shown under review) is being requested to provide the additional funds estimated to replace the existing boilers. The cast iron boiler sections are cracked at several locations and the boilers are beyond repair. The facility is currently operating on temporary boilers.

**Energy Efficiencies:**

THE NEW BOILERS WILL BE ENERGY EFFICIENT GAS BOILERS.

Year	Amount	Description
2011	650,000	DESIGN & CONSTRUCTION OF INFRASTRUCTURE REPAIRS
2014	900,000	RENOVATIONS AT THE VAUGHN GLANTON EMPLOYMENT RESIDENCE - VERNON PLAZA
2019	700,000	ACQUISITION AND RENOVATION OF A BUILDING FOR AT-RISK YOUTHS

**Total Appropriation History:**

2,250,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
12	84	80,000	0	PLANNING FOR PARTIAL RECONSTRUCTION OF VAUGHN GLANTON EMPLOYMENT RESIDENCE AT VERNON PLAZA

**Total Financing History:**

80,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

02-18-2021

**Department of Public Works**

RJB4

**Date**

02-18-2021

**Budget Department**

LMY1

**Date**

02-25-2021

**Requesting Department**

RJB4

**Date**

02-25-2021



# INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES-VERNON PLAZA, MT. VERNON ( BSS13 )

**User Department :** Social Services

**Managing Department(s) :** Public Works ; Social Services ;

**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	2021	2022	2023	2024	2025	Under Review
Gross	2,250	2,250	22						
Non County Share									
Total	2,250	2,250	22						

## **Project Description**

A continuing multi-year cycle of infrastructure improvements at the Vernon Plaza Center, Mt. Vernon. Work involves exterior infrastructure, including roofing, window replacement, facade repairs, waterproofing and site work. Interior infrastructure includes painting, ceilings, hardware, security system upgrade, building management system upgrade, elevator upgrade, upgrade to the mechanical, plumbing, electrical and fire alarm systems. All related work is to be included.

## **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
2011	650,000	Design & construction of infrastructure repairs	\$80,000 - DESIGN; \$570,000 - AWAITING BOND AUTHORIZATION
2014	900,000	Renovations at the Vaughn Glaton Employment Residence - Vernon Plaza	AWAITING BOND AUTHORIZATION
2019	700,000	Acquisition and renovation of a building for at-risk youths	AWAITING BOND AUTHORIZATION
Total	2,250,000		

## **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	2,250,000		2,250,000
Total	2,250,000		2,250,000

## **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
84 12	80,000			80,000
Total	80,000			80,000

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of bonding legislation (the “Bond Act”) in the amount of \$2,800,000 to authorize the County of Westchester (the “County”) to finance a component of capital project B077D – Infrastructure Rehabilitation, Valhalla Campus (2014 – 2018) (“B077D”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will fund design, construction management and construction in connection with the replacement of the deaerator tank and all associated work at the Central Heating Plant (“CHP”) at the Valhalla Campus.

The Department of Public Works and Transportation (the “Department”) has advised that the CHP provides steam and hot water to the Westchester Medical Center and the Norwood E. Jackson Correctional Facility. The CHP also provides steam to the Department of Laboratories and Research Facility and Woodfield Cottage. During the CHP equipment and control system upgrade project, the existing deaerator tank was discovered to be pitted and excessively corroded. As such, repairs were made to the tank to extend its useful life as part of that project. Although funding to replace the deaerator tank was originally programmed for 2024 under capital project B0114 - Infrastructure Rehabilitation, Valhalla Campus (2021-2025), because recent inspections have revealed that the tank has deteriorated faster than expected, it is now imperative that the tank be replaced as soon as possible.

Your Committee is advised that upon bonding authorization, design will begin and will be performed by an outside consultant (New York Power Authority) and is expected to be completed in two (2) months. It is anticipated that construction will take approximately six (6) months and shall begin after award and execution of the construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds for a prior separate component of this capital project as set forth on the attached fact sheet.

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

Your Committee is further advised that in order to address this immediate need, it is requested that the existing 2021 appropriations under B077D be amended to authorize the replacement of the deaerator tank. The exterior and interior work at the CHP, which was originally programmed for this funding, will be addressed under future capital. As your Honorable Board may know, Section 1 of the Bond Act authorizes an amendment to the County’s Capital Budget to the extent the project scope is inconsistent with any details set forth in the current year’s Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the County’s 2021 Capital Budget to reflect this change in project scope.




In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. Accordingly, the Planning Board Report for B077D is annexed.

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

Dated: April 5, 2021

White Plains, New York

**COMMITTEE ON**

  
  
Benjamin Bayliss  
  
Vedat G. Li

**Budget & Appropriations**

  
Benjamin Bayliss  
Vedat G. Li

**Public Works & Transportation**

Dated: April 5, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**Budget & Appropriations**



Margaret A. Cunzio

Catherine F. Parker

David Q. Iulio

Ruth Walter

Alfreda Wilkin

Ty H. 

**Public Works & Transportation**



David Q. Iulio

Mary Jane Shinsky

Catherine F. Parker

Ruth Walter

Ty H. 

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B077D

☐ 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 \$ 2,800,000 PPU 15 Anticipated Interest Rate 1.14%

Anticipated Annual Cost (Principal and Interest): \$ 203,733

Total Debt Service (Annual Cost x Term): \$ 3,055,995

Finance Department: Interest rates from March 4, 2021 Bond Buyer

## 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: 30

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 3/15/21

Reviewed By: 

Dep. Budget Director

Date: 3/16/21

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

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

DATE: March 3, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
B077D Infrastructure Rehabilitation, Valhalla Campus (2014-2018)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
02-18-2021 (Unique ID: 1626)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 21-07

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2021 Capital Project Requests

**B077D - Infrastructure Rehabilitation, Valhalla Campus (2014-2018)**

**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending the capital project **B077D - Infrastructure Rehabilitation, Valhalla Campus (2014-2018)** to use appropriated funds in the 2021 Capital Program in the amount of \$2,800,000 for design, construction and construction management for the replacement of the deaerator tank at the Central Heating Plant at the Valhalla Campus, and

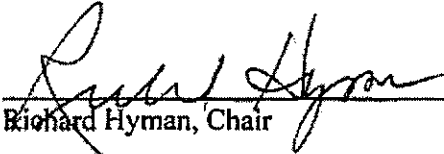
**WHEREAS**, the Central Heating Plant (CHP) provides steam and hot water to the Westchester Medical Center and the Norwood E. Jackson Correctional Facility. The CHP also provides steam to the Department of Laboratories and Research Facility and Woodfield Cottage, and

**WHEREAS**, the existing deaerator tank was discovered to be pitted and excessively corroded, and recent inspections have indicated that the tank has deteriorated faster than expected and it is critical to replace the tank at this time, and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by maintaining county facilities; now therefore, be it

**RESOLVED**, that the County Planning Board recommends amending the 2021 Capital Projects Requests to include the use of funds for **B077D - Infrastructure Rehabilitation, Valhalla Campus (2014-2018)** in the amount of \$2,800,000 for design, construction and construction management for the replacement of the deaerator tank at the Central Heating Plant at the Valhalla Campus.

Adopted this 2<sup>nd</sup> day of March, 2021.

  
Richard Hyman, Chair



**B077D Infrastructure Rehabilitation, Valhalla Campus (2014-2018)****FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Estimated							
	Ultimate	Approp-						Under
	Total Cost	riated	2021	2022	2023	2024	2025	Review
<b>Gross</b>	5,600	5,600						
<b>Less non-County Shares</b>								
<b>Net</b>	5,600	5,600						

**Project Description:**

This project funds the rehabilitation of exterior, interior and site infrastructure which is at the end of its useful life at the County's Valhalla Campus. Infrastructure rehabilitation may include masonry repairs/re-pointing, window repairs/replacement, roofing, parapets, flashing, gutters, waterproofing, painting, partition wall repair or additions, hardware, ceilings, lighting, security systems, building management systems, fuel inventory and dispensing systems, fire alarm, air conditioning, electrical power, data/telecommunications, carpeting/flooring, architectural elements refurbishing or replacement, landscaping, sidewalks, fencing, walls, pavement and site utilities/services. The current Capital Budget Amendment (CBA) is a request for bonding for use of \$2,800,000 in appropriated funds for the replacement of the deaerator tank at the central heating plant.

**APPROPRIATION/FUNDING REQUESTS:**

2014: \$500,000 Addition to Central Electrical Distribution Facility  
 2015: \$1,050,000 Rehabilitation of the Central Heating Plant exterior, including masonry repairs, waterproofing and sealing. Replacement of domestic hot water shut-off valves serving the hospital tunnel. Construction of a new ten-foot-wide driveway from Woods Road curb line to Water District #3 Campus Valve Chamber  
 2016: \$1,800,000 Upgrade of Valhalla Campus street lighting system  
 2017: \$375,000 Upgrade of Valhalla Campus Veeder Root fuel-monitoring system.  
 2018: \$1,475,000 Upgrade of various items at the central heating plant  
 2020: \$400,000 for Cost Escalation  
 2021: CBA to use \$2,800,000 in appropriated funds for the design, construction and construction management for the replacement of the deaerator tank at the Central Heating Plant at the Valhalla Campus.

**JUSTIFICATION:** The project is required to maintain the County-owned facilities.

**CONSISTENCY WITH PROGRAMS OR PLANS:** This project is generally consistent with the policies of *Westchester 2025* in that it helps maintain County physical facilities in good condition in order to deliver services in an efficient and economic manner.

**Planning Board Analysis:**

**PL2** The Planning Board supports this multi-phase project for infrastructure rehabilitation. The request is primarily for the installation and replacement of equipment and is not anticipated to have significant site impacts. However, Planning staff will review plans to ensure that all County and campus policies and recommendations are followed.

ACT NO. - 20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF THE DEAEATOR TANK AND ALL ASSOCIATED WORK AT THE CENTRAL HEATING PLANT AT THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,800,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$2,800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction and construction management in connection with the replacement of the deaerator tank and all associated work at the central heating plant at the Valhalla Campus, 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 class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$2,800,000. The plan of financing includes the issuance of \$2,800,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$2,800,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.13 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 \$2,800,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$2,800,000 as the estimated total cost of the aforesaid objects or purposes is hereby approved.

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

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

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

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

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

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

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

Section 8. This Act shall take effect 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\_\_\_\_.

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

(SEAL)

## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF THE DEAERATOR TANK AND ALL ASSOCIATED WORK AT THE CENTRAL HEATING PLANT AT THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,800,000 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 design, construction and construction management in connection with the replacement of the deaerator tank and all associated work at the central heating plant at the Valhalla Campus, 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: \$2,800,000; fifteen (15) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

Project ID:\*

B077D

☒ CBA

Fact Sheet Date:\*

02-01-2021

Fact Sheet Year:\*

2021

Project Title:\*

INFRASTRUCTURE  
REHABILITATION, VALHALLA  
CAMPUS (2014-2018)

Legislative District ID:

3,

Category\*

BUILDINGS, LAND &  
MISCELLANEOUS

Department:\*

PUBLIC WORKS

CP Unique ID:

1626

**Overall Project Description**

To rehabilitate exterior, interior or site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include, but not be limited to, masonry repairs/repainting, window repairs/replacement, roofing, parapets, flashing, gutters, waterproofing, painting, partition wall repair or additions, hardware, ceilings, lighting, security systems, BMS systems, fuel inventory and dispensing systems, fire alarm, air conditioning, electrical power, data/telecommunications, carpeting/flooring, architectural element refurbishing or replacement, landscaping, sidewalks, fences, walls, pavement, and site utilities/services.

☒ 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	2021	2022	2023	2024	2025	Under Review
Gross	5,600	5,600	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,600	5,600	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 497

**Current Bond Description:** Funding is requested for the design, construction management and construction in connection with the replacement of the deaerator tank and all associated work at the Central Heating Plant at the Valhalla Campus.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,800,000
Cash:	0
Total:	\$ 2,800,000

**SEQR Classification:**

TYPE II

**Amount Requested:**

2,800,000

**Comments:**

The Central Heating Plant (CHP) provides steam and hot water to the Westchester Medical Center and the Norwood E. Jackson Correctional Facility. The CHP also provides steam to the Department of Laboratories and Research Facility and Woodfield Cottage.

During the CHP equipment and control system upgrade project, the existing deaerator tank was discovered to be pitted and excessively corroded. Repairs were made to the tank to extend its useful life as part of that project. Funding to replace the deaerator tank is currently programmed in 2024 under capital project B0114 Infrastructure Rehabilitation, Valhalla Campus (2021-2025).

Recent inspections however have indicated that tank has deteriorated faster than expected and it is critical to replace the tank at this time.

In order to address this immediate need, it is requested that the existing appropriations under B077D be amended to replace the deaerator tank. The exterior and interior work at the Central Heating Plant which was originally programmed for this funding will be addressed under future capital.



**Appropriation History:**

Year	Amount	Description
2014	500,000	DESIGN AND CONSTRUCTION FOR ADDITION TO CENTRAL ELECTRICAL DISTRIBUTION FACILITY
2015	1,050,000	CENTRAL HEATING PLANT EXTERIOR REHABILITATION; HOSPITAL TUNNEL DHW VALVE REPLACEMENT; CWD #3 VALHALLA CAMPUS VALVE CHAMBER DRIVEWAY
2016	1,800,000	STREET LIGHTING SYSTEMS UPGRADE
2017	375,000	UPGRADES TO THE FUEL MONITORING SYSTEM.
2018	1,475,000	REHABILITATION OF VARIOUS ITEMS AT THE CENTRAL HEATING PLANT.
2020	400,000	COST ESCALATION

**Total Appropriation History:**

5,600,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
14	202	500,000	493,008	INFRASTRUCTURE REHABILITATION VALHALLA CAMPUS (2014 - 2018)

**Total Financing History:**

500,000

**Recommended By:****Department of Planning**

WBB4

**Date**

02-18-2021

**Department of Public Works**

RJB4

**Date**

02-18-2021

**Budget Department**

LMY1

**Date**

02-25-2021

**Requesting Department**

RJB4

**Date**

02-25-2021

# INFRASTRUCTURE REHABILITATION, VALHALLA CAMPUS (2014-2018) ( B077D )

**User Department :** Public Works

**Managing Department(s) :** Public Works ;

**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

## **FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025 Under Review
Gross	5,600	5,600	497					
Non County Share								
Total	5,600	5,600	497					

## **Project Description**

To rehabilitate exterior, interior or site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include, but not be limited to, masonry repairs/repointing, window repairs/replacement, roofing, parapets, flashing, gutters, waterproofing, painting, partition wall repair or additions, hardware, ceilings, lighting, security systems, BMS systems, fuel inventory and dispensing systems, fire alarm, air conditioning, electrical power, data/telecommunications, carpeting/flooring, architectural element refurbishing or replacement, landscaping, sidewalks, fences, walls, pavement, and site utilities/services.

## **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
2014	500,000	Design and construction for addition to Central Electrical Distribution Facility	COMPLETE
2015	1,050,000	Central Heating Plant Exterior Rehabilitation; Hospital Tunnel DHW Valve Replacement; CWD #3 Valhalla Campus Valve Chamber Driveway	AWAITING BOND AUTHORIZATION
2016	1,800,000	Street lighting systems upgrade	AWAITING BOND AUTHORIZATION
2017	375,000	Upgrades to the fuel monitoring system.	AWAITING BOND AUTHORIZATION
2018	1,475,000	Rehabilitation of various items at the Central Heating Plant.	AWAITING BOND AUTHORIZATION
2020	400,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	5,600,000		

## **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	5,600,000	493,008	5,106,992
Total	5,600,000	493,008	5,106,992

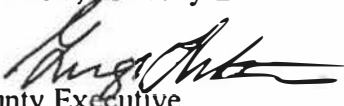
**INFRASTRUCTURE REHABILITATION, VALHALLA CAMPUS (2014-2018)**  
**( B077D )**

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
202 14	500,000	12/15/16	70,121	6,992
		12/15/17	135,470	
		12/15/17	24,874	
		12/15/17	210	
		12/10/18	262,334	
<b>Total</b>	<b>500,000</b>		<b>493,008</b>	<b>6,992</b>

March 22, 2021

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – WD309 –  
Water Storage Facilities and Maintenance Program.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators March 22, 2021 Agenda.

Transmitted herewith for your review and approval is a legislative package which, if approved by your Honorable Board, would authorize the County of Westchester (“County”) to proceed with capital project WD309 – Water Storage Facilities and Maintenance Program. In addition to related documents: PH, ENV RES, 2 ACTS, STATE REGULATION RESOLUTION.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for March 22, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

March 17, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a legislative package which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to proceed with capital project WD309 – Water Storage Facilities and Maintenance Program ("WD309" or "Project"), for the benefit of County Water District No. 3 ("District"), subject to an order issued by the Comptroller of the State of New York ("State Comptroller") permitting the expenditure, as described herein. WD309 provides for the rehabilitation and maintenance of the existing water storage tower for the Grasslands Reservation ("Grasslands"), including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadway and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.

The Department of Environmental Facilities ("Department") has advised that the 1.5 million gallon water storage tower was last recoated in 1997 and at that time a cathodic protection system was installed. The life expectancy of a recoated water storage tower with cathodic protection is approximately twenty (20) years. The Department has advised that the outside of the water tank itself has started to rust. In order to maintain the integrity of the tower, it is necessary to address the rusting of the tank. Further, I am advised that the County Department of Health has determined that it is imperative that the Department implement this rehabilitation Project.

As you may recall, your Honorable Board, by Act No. 193-2015, previously authorized the County to issue bonds in an amount not-to-exceed \$500,000 to finance design and construction management for the Project. I am advised that these bonds have not been sold. The design has been completed. It is now requested that Act No. 193-2015 be amended to increase the amount authorized by \$9,300,000 to finance the construction portion of WD309 bringing the total authorized amount, as amended, to \$9,800,000 which is the maximum estimated cost of the Project. Construction is estimated to take approximately twelve (12) months to complete.

The Department has prepared a report dated January 5, 2021 ("District Report") on behalf of the District, which recommends the Project. The Department has advised that WD309 is necessary for the proper maintenance and service of District facilities to ensure the District's continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. Based on its review, the Department has determined that the Project is the best, most cost effective option available to the District for this purpose. A copy of the District Report is attached hereto for your Honorable Board's review.

By Act No. 63-1977, the District was duly established pursuant to Article 5-A of the New York County Law ("Article 5-A"). It comprises the territorial limits of the Valhalla Campus at Grasslands. The District provides water to over fifty separate County, State, and private facilities including, but not limited to, the Westchester Medical Center, County Departments of Correction, Public Works and Transportation, Social Services and Emergency Services, the New York Medical College, and the New York State Department of Transportation. The average daily consumption rate for the District is approximately 0.65 million gallons. Consumers of District water are both County and non-County users and are billed for their water consumption and related District costs.

As your Honorable Board may recall, Article 5-A imposes certain legal requirements on the County before projects can move forward. One such requirement is that your Honorable Board must conclude, after holding a public hearing that the proposed Project is in the public interest. A proposed resolution authorizing legal notice for the public hearing is attached hereto ("Public Hearing Resolution"). Should your Honorable Board, after the public hearing, determine that the Project is in the public interest, it is respectfully requested that your Honorable Board approve the first Act annexed hereto.

Further, pursuant to Article 5-A, permission of the State Comptroller is required in certain instances for the issuance of bonds to finance an increase and improvement of water district facilities. Section 268.3 of Article 5-A provides, in pertinent part, that:

"Whenever it is proposed or required that the county in which a district is located shall finance an expenditure or contract for the purposes authorized in this section by the issuance of the bonds...and the cost to the typical property or, if different, the typical one or two family home...is above the average estimated cost to the typical properties or or homes for similar types of expenditures as may be annually computed by the state comptroller, no such expenditure shall be made or contract let, unless the state comptroller, on behalf of the state, shall consent to such expenditure." (Emphasis added).

In accordance with the above-referenced section, the State Comptroller issues annual guidelines setting forth average estimated costs with respect to, among other things, county water districts. The guidelines designate cost thresholds for such special districts at or below which permission of the State Comptroller is determined to be unnecessary. For 2021, the State Comptroller provided "there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the Comptroller's approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement." A copy of the guidelines is annexed hereto.

As noted, the District is not a typical district, as it does not consist of any “typical property” or “typical one or two-family homes”. Rather, it is a District substantially owned by the County. Accordingly, where District property is owned by the County and district improvements are not taxed to or paid for by “typical property” or “typical one or two-family home” owners as defined in 2 N.Y.C.R.R. Section 85.2, the cost of the proposed increase and improvement must be calculated over all taxable parcels in the County. The Finance Department has advised that debt issuances associated with District capital expenses are expensed through bills to the County’s General Fund and are a contributing factor to the County’s tax levy. The District’s operating budget is also a contributing factor to the County’s tax levy.

The Department, in conjunction with the Finance Department, has calculated that the average cost that will result from the increase and improvement to the facilities of the District in connection with WD309 equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.

In order to obtain the permission of the State Comptroller, State regulations require that the County submit a verified application (“Application”) in the form prescribed by 2 N.Y.C.R.R. Part 85 (“State Regulations”), to the Office of the State Comptroller. The State Regulations further require that your Honorable Board adopt a resolution (“State Regulations Resolution”) stating that it believes the following: the contents of the Application are accurate; that the proposed improvements are in the public interest; that said improvements will not constitute an undue burden on the property that will bear the cost thereof; and if the cost of the proposed improvements are to be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded. A second Act is annexed hereto which, if approved by your Honorable Board, will direct that a verified application be submitted to the State Comptroller.

The Department of Planning (“Planning”) has advised that based on its review, WD309 falls within the definition of an Unlisted action under the State Environmental Quality Review (“SEQR”) Act and its implementing regulations 6 N.Y.C.R.R. Part 617, which requires an assessment of environmental impacts. A Short Environmental Assessment Form prepared by Planning is attached to assist your Honorable Board in complying with SEQR. Should your Honorable Board conclude that the proposed action will not have any significant adverse impact on the environment, it must approve the Resolution (“SEQR” Resolution”) issuing a Negative Declaration prior to enacting the Acts and Bond Act. As you know, your Honorable Board may utilize the professional advice and assistance of the Planning Department in making your required determination under the applicable SEQR regulations.

In order to proceed with the Project, approval of your Honorable Board is required as follows:

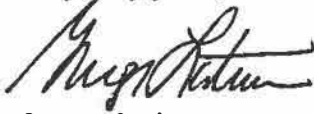
1. Public Hearing Resolution – authorizing a public hearing to be held;
2. SEQR Resolution – issuing a Negative Declaration pursuant to SEQR regulations;
3. Act – authorizing the County to proceed with WD309 for the benefit of the District, subject to the permission of the State Comptroller;
4. Act - directing that a verified application be submitted to the State Comptroller;

5. State Regulations Resolution – as required by the State Regulations (2 N.Y.C.R.R. Part 85) in order to submit the verified application to the State Comptroller; and

6. Bond Act – authorizing the issuance of up to \$9,800,000 in bonds to finance WD309 subject to the permission of the State Comptroller authorizing such expenditure.

Accordingly, based upon the importance of WD309, I respectfully recommend that your Honorable Board adopt the Public Hearing Resolution. Furthermore, in the event that your Honorable Board should, following the public hearing, conclude that the proposed Project is in the public interest, then I urge adoption of the remainder of the legislative package.

Very truly yours,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer  
County Executive

GL/LAC  
Attachments



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

Your Committee is in receipt of a transmittal from the County Executive, which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to proceed with capital project WD309 – Water Storage Facilities and Maintenance Program ("WD309" or "Project"), for the benefit of County Water District No. 3 ("District"), subject to an order issued by the Comptroller of the State of New York ("State Comptroller") permitting the expenditure, as described herein. WD309 provides for the rehabilitation and maintenance of the existing water storage tower for the Grasslands Reservation ("Grasslands"), including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadway and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.

The Department of Environmental Facilities ("Department") has advised that the 1.5 million gallon water storage tower was last recoated in 1997 and at that time a cathodic protection system was installed. The life expectancy of a recoated water storage tower with cathodic protection is approximately twenty (20) years. The Department has advised that the outside of the water tank itself has started to rust. In order to maintain the integrity of the tower, it is necessary to address the rusting of the tank. Further, I am advised that the County Department of Health has determined that it is imperative that the Department implement this rehabilitation Project.

As you may recall, your Honorable Board, by Act No. 193-2015, previously authorized the County to issue bonds in an amount not-to-exceed \$500,000 to finance design and construction management for the Project. I am advised that these bonds have not been sold. The design has been completed. It is now requested that Act No. 193-2015 be amended to increase the amount authorized by \$9,300,000 to finance the construction portion of WD309 bringing the total authorized amount, as amended, to \$9,800,000 which is the maximum estimated cost of the Project. Construction is estimated to take approximately twelve (12) months to complete.

The Department has prepared a report dated January 5, 2021 (“District Report”) on behalf of the District, which recommends the Project. The Department has advised that WD309 is necessary for the proper maintenance and service of District facilities to ensure the District’s continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. Based on its review, the Department has determined that the Project is the best, most cost effective option available to the District for this purpose. A copy of the District Report is attached hereto for your Honorable Board’s review.

By Act No. 63-1977, the District was duly established pursuant to Article 5-A of the New York County Law (“Article 5-A”). It comprises the territorial limits of the Valhalla Campus at Grasslands. The District provides water to over fifty separate County, State, and private facilities including, but not limited to, the Westchester Medical Center, County Departments of Correction, Public Works and Transportation, Social Services and Emergency Services, the New York Medical College, and the New York State Department of Transportation. The average daily consumption rate for the District is approximately 0.65 million gallons. Consumers of District water are both County and non-County users and are billed for their water consumption and related District costs.

As your Honorable Board may recall, Article 5-A imposes certain legal requirements on the County before projects can move forward. One such requirement is that your Honorable Board must conclude, after holding a public hearing that the proposed Project is in the public interest. A proposed resolution authorizing legal notice for the public hearing is attached hereto (“Public Hearing Resolution”). Should your Honorable Board, after the public hearing, determine that the Project is in the public interest, it is respectfully requested that your Honorable Board approve the first Act annexed hereto.

Further, pursuant to Article 5-A, permission of the State Comptroller is required in certain instances for the issuance of bonds to finance an increase and improvement of water district facilities. Section 268.3 of Article 5-A provides, in pertinent part, that:

“Whenever it is proposed or required that the county in which a district is located shall finance an expenditure or contract for the purposes authorized in this section by the issuance of the bonds...and the cost to the typical property or, if different, the typical

one or two family home...is above the average estimated cost to the typical properties or or homes for similar types of expenditures as may be annually computed by the state comptroller, no such expenditure shall be made or contract let, unless the state comptroller, on behalf of the state, shall consent to such expenditure.” (Emphasis added).

In accordance with the above-referenced section, the State Comptroller issues annual guidelines setting forth average estimated costs with respect to, among other things, county water districts. The guidelines designate cost thresholds for such special districts at or below which permission of the State Comptroller is determined to be unnecessary. For 2021, the State Comptroller provided “there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the Comptroller’s approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement.” A copy of the guidelines is annexed hereto.

As noted, the District is not a typical district, as it does not consist of any “typical property” or “typical one or two-family homes”. Rather, it is a District substantially owned by the County. Accordingly, where District property is owned by the County and district improvements are not taxed to or paid for by “typical property” or “typical one or two-family home” owners as defined in 2 N.Y.C.R.R. Section 85.2, the cost of the proposed increase and improvement must be calculated over all taxable parcels in the County. The Finance Department has advised that debt issuances associated with District capital expenses are expensed through bills to the County's General Fund and are a contributing factor to the County's tax levy. The District’s operating budget is also a contributing factor to the County’s tax levy.

Your Committee has been advised that the Department, in conjunction with the Finance Department, has calculated that the average cost that will result from the increase and improvement to the facilities of the District in connection with WD309 equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.

Your Committee has been further advised that in order to obtain the permission of the State Comptroller, State regulations require that the County submit a verified application (“Application”) in the form prescribed by 2 N.Y.C.R.R. Part 85 (“State Regulations”), to the Office of the State Comptroller. The State Regulations further require that your Honorable Board adopt a resolution (“State Regulations Resolution”) stating that it believes the following: the contents of the Application

are accurate; that the proposed improvements are in the public interest; that said improvements will not constitute an undue burden on the property that will bear the cost thereof; and if the cost of the proposed improvements are to be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded. A second Act is annexed hereto which, if approved by your Honorable Board, will direct that a verified application be submitted to the State Comptroller.

Your Committee notes that the Department of Planning (“Planning”) has advised that based on its review, WD309 falls within the definition of an Unlisted action under the State Environmental Quality Review (“SEQR”) Act and its implementing regulations 6 N.Y.C.R.R. Part 617, which requires an assessment of environmental impacts. A Short Environmental Assessment Form (“EAF”) prepared by Planning is annexed hereto. Your Committee has carefully considered the proposed legislation and has reviewed the EAF. For the reasons set forth in the EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the resolution (“SEQR Resolution”) issuing a Negative Declaration prior to enacting the Acts and Bond Act.

In order to proceed with the Project, approval of your Honorable Board is required as follows:

1. Public Hearing Resolution – authorizing a public hearing to be held;
2. SEQR Resolution – issuing a Negative Declaration pursuant to SEQR regulations;
3. Act – authorizing the County to proceed with WD309 for the benefit of the District, subject to the permission of the State Comptroller;
4. Act - directing that a verified application be submitted to the State Comptroller;
5. State Regulations Resolution – as required by the State Regulations (2 N.Y.C.R.R. Part 85) in order to submit the verified application to the State Comptroller; and
6. Bond Act – authorizing the issuance of up to \$9,800,000 in bonds to finance WD309 subject to the permission of the State Comptroller authorizing such expenditure.

Your Committee has carefully considered WD309 and based on its importance, it is recommended that your Honorable Board adopt the Public Hearing Resolution. Further, in the event that your Honorable Board should, following the public hearing, conclude that the

proposed actions are in the public interest, then it is recommended that your Honorable Board adopt the remainder of the legislative package.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

**COMMITTEE ON:**  
c/lac/3.1.21

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WD309

☐ 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 \$ 9,800,000 PPU 40 Anticipated Interest Rate 1.75%

Anticipated Annual Cost (Principal and Interest): \$ 334,158

Total Debt Service (Annual Cost x Term): \$ 13,366,320

Finance Department: Interest rate from March 4, 2021 Bond Buyer

## 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: 106

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: CJ Gelardo

Title: Capital Program Coordinator

Department: Environmental Facilities

Date: 3/15/21

Reviewed By: 

Det: Budget Director

Date: 3/16/21

**RESOLUTION NO. \_\_\_\_ – 2021**

**WHEREAS**, the Westchester County Board of Legislators (“Board”) duly established County Water District No. 3 (“District”) in 1977 pursuant to Article 5-A of the New York State County Law (“Article 5-A”); and

**WHEREAS**, the District is comprised of the territorial limits of the County’s Valhalla Campus at Grasslands; and

**WHEREAS**, the District is wholly owned by the County of Westchester (“County”); and

**WHEREAS**, the Department of Environmental Facilities has prepared and submitted to this Honorable Board a report dated January 5, 2021, as may be amended from time to time (“District Report”), which recommends capital project: WD309 – Water Storage Facilities and Maintenance Program (“WD309”), which represents an increase and improvement of District facilities; and

**WHEREAS**, WD309 will finance design, construction management and construction costs for the rehabilitation and capital maintenance of the existing water storage tower for the Grasslands Reservation, including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadways and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.; and

**WHEREAS**, the County is currently seeking authorization of the issuance of up to \$9,300,000 in bonds of the County to finance WD309, stating the estimated maximum cost of the capital project is \$9,800,000 subject to the permission of the Comptroller of the State of New York; noting that the financing plan of the WD309 includes a \$500,000 in bonds previously authorized by Act 193-2015; and

**WHEREAS**, the Department has advised that the cost resulting from the proposed increase and improvement of district facilities to all taxable parcels in the County represents an estimated average tax assessment increase of \$1.46 per parcel, as more fully set forth in the District Report; and

**WHEREAS**, in accordance with Article 5-A, this Board is required to schedule a public hearing.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that a public hearing shall be held upon the proposed increase and improvement of facilities for the District, as more fully set forth in the District Report dated January 5, 2021, as may be amended from time to time; said hearing to be held in the Board of Legislators Chambers, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_ .m.; and be it further

**RESOLVED**, that the Clerk of the Board is hereby authorized and empowered take all necessary steps in furtherance hereof; and be it further

**RESOLVED**, that the Clerk of the Board is hereby directed to cause notice of such public hearing to be published in the official newspapers of the County of Westchester having a general circulation in the District and in the manner required by law, the first publication thereof to be not less than ten (10) or more than twenty (20) days before the date set forth above for the public hearing. Such Notice shall be substantially in the form attached hereto; and be it further

**RESOLVED**, that this Resolution shall take effect immediately



## NOTICE OF PUBLIC HEARING

Property owners in Westchester County are hereby notified that legislation is currently before the Westchester County Board of Legislators ("Board") to carry out the following proposed capital project WD309 – Water Storage Facilities and Maintenance Program ("WD309") ("Capital Project"), for the benefit of County Water District No. 3 (the "District") as more fully set forth herein and in the District Report dated January 5, 2021, as may be amended from time to time ("District Report"). The District Report is available for review from the Office of the Commissioner of the Westchester County Department of Environmental Facilities.

The issuance of bonds would finance the cost of design, construction management and construction costs for the rehabilitation and capital maintenance of the existing water storage tower for the Grasslands Reservation, including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadways and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.

It should be noted that the District does not consist of any private one or two family homes. It does not include any property owned by individual private property owners, but rather it is a District wholly owned by the County. The County is currently seeking authorization of a bond act to authorize the issuance of up to \$9,300,000, in bonds of the County, subject to the permission of the New York State Comptroller, stating the estimated maximum cost of the Capital Project is \$9,800,000, including \$500,000 in previously authorized bonds of the County. The average cost that will result from the increase and improvement to the facilities of the District in connection with the Capital Project equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.

Notice is hereby given that a public hearing will be held by the Board of Legislators of Westchester County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_:\_\_\_\_.m. in the chambers of the Westchester County Board of Legislators, 8th floor, 148 Martine Avenue, White Plains, New York for the purpose of hearing persons or parties interested in the aforementioned increase and improvement of facilities for the District.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

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

**RESOLUTION NO. \_\_\_\_ – 2021**

**WHEREAS**, the Westchester County Board of Legislators (“Board”) duly established County Water District No. 3 (“District”) in 1977 pursuant to Article 5-A of the New York State County Law (“Article 5-A”); and

**WHEREAS**, the District is comprised of the territorial limits of the County’s Valhalla Campus at Grasslands; and

**WHEREAS**, the District is wholly owned by the County of Westchester (“County”); and

**WHEREAS**, the Department of Environmental Facilities has prepared and submitted to this Honorable Board a report dated January 5, 2021, as may be amended from time to time (“District Report”), which recommends capital project: WD309 – Water Storage Facilities and Maintenance Program (“WD309”), which represents an increase and improvement of District facilities; and

**WHEREAS**, WD309 will finance design, construction management and construction costs for the rehabilitation and capital maintenance of the existing water storage tower for the Grasslands Reservation, including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadways and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.; and

**WHEREAS**, the County is currently seeking authorization of the issuance of up to \$9,300,000 in bonds of the County to finance WD309, stating the estimated maximum cost of the capital project is \$9,800,000 subject to the permission of the Comptroller of the State of New York; noting that the financing plan of the WD309 includes a \$500,000 in bonds previously authorized by Act 193-2015; and

**WHEREAS**, the Department has advised that the cost resulting from the proposed increase and improvement of district facilities to all taxable parcels in the County represents an estimated average tax assessment increase of \$1.46 per parcel, as more fully set forth in the District Report; and

**WHEREAS**, in accordance with Article 5-A, this Board is required to schedule a public hearing.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that a public hearing shall be held upon the proposed increase and improvement of facilities for the District, as more fully set forth in the District Report dated January 5, 2021, as may be amended from time to time; said hearing to be held in the Board of Legislators Chambers, Room 800, Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601 on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_ .m.; and be it further

**RESOLVED**, that the Clerk of the Board is hereby authorized and empowered take all necessary steps in furtherance hereof; and be it further

**RESOLVED**, that the Clerk of the Board is hereby directed to cause notice of such public hearing to be published in the official newspapers of the County of Westchester having a general circulation in the District and in the manner required by law, the first publication thereof to be not less than ten (10) or more than twenty (20) days before the date set forth above for the public hearing. Such Notice shall be substantially in the form attached hereto; and be it further

**RESOLVED**, that this Resolution shall take effect immediately

## NOTICE OF PUBLIC HEARING

Property owners in Westchester County are hereby notified that legislation is currently before the Westchester County Board of Legislators ("Board") to carry out the following proposed capital project WD309 – Water Storage Facilities and Maintenance Program ("WD309") ("Capital Project"), for the benefit of County Water District No. 3 (the "District") as more fully set forth herein and in the District Report dated January 5, 2021, as may be amended from time to time ("District Report"). The District Report is available for review from the Office of the Commissioner of the Westchester County Department of Environmental Facilities.

The issuance of bonds would finance the cost of design, construction management and construction costs for the rehabilitation and capital maintenance of the existing water storage tower for the Grasslands Reservation, including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadways and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.

It should be noted that the District does not consist of any private one or two family homes. It does not include any property owned by individual private property owners, but rather it is a District wholly owned by the County. The County is currently seeking authorization of a bond act to authorize the issuance of up to \$9,300,000, in bonds of the County, subject to the permission of the New York State Comptroller, stating the estimated maximum cost of the Capital Project is \$9,800,000, including \$500,000 in previously authorized bonds of the County. The average cost that will result from the increase and improvement to the facilities of the District in connection with the Capital Project equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.

Notice is hereby given that a public hearing will be held by the Board of Legislators of Westchester County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_:\_\_\_\_.m. in the chambers of the Westchester County Board of Legislators, 8th floor, 148 Martine Avenue, White Plains, New York for the purpose of hearing persons or parties interested in the aforementioned increase and improvement of facilities for the District.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

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

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

Your Committee is in receipt of a transmittal from the County Executive, which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to proceed with capital project WD309 – Water Storage Facilities and Maintenance Program ("WD309" or "Project"), for the benefit of County Water District No. 3 ("District"), subject to an order issued by the Comptroller of the State of New York ("State Comptroller") permitting the expenditure, as described herein. WD309 provides for the rehabilitation and maintenance of the existing water storage tower for the Grasslands Reservation ("Grasslands"), including but not limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadway and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the District.

The Department of Environmental Facilities ("Department") has advised that the 1.5 million gallon water storage tower was last recoated in 1997 and at that time a cathodic protection system was installed. The life expectancy of a recoated water storage tower with cathodic protection is approximately twenty (20) years. The Department has advised that the outside of the water tank itself has started to rust. In order to maintain the integrity of the tower, it is necessary to address the rusting of the tank. Further, I am advised that the County Department of Health has determined that it is imperative that the Department implement this rehabilitation Project.

As you may recall, your Honorable Board, by Act No. 193-2015, previously authorized the County to issue bonds in an amount not-to-exceed \$500,000 to finance design and construction management for the Project. I am advised that these bonds have not been sold. The design has been completed. It is now requested that Act No. 193-2015 be amended to increase the amount authorized by \$9,300,000 to finance the construction portion of WD309 bringing the total authorized amount, as amended, to \$9,800,000 which is the maximum estimated cost of the Project. Construction is estimated to take approximately twelve (12) months to complete.

The Department has prepared a report dated January 5, 2021 (“District Report”) on behalf of the District, which recommends the Project. The Department has advised that WD309 is necessary for the proper maintenance and service of District facilities to ensure the District’s continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. Based on its review, the Department has determined that the Project is the best, most cost effective option available to the District for this purpose. A copy of the District Report is attached hereto for your Honorable Board’s review.

By Act No. 63-1977, the District was duly established pursuant to Article 5-A of the New York County Law (“Article 5-A”). It comprises the territorial limits of the Valhalla Campus at Grasslands. The District provides water to over fifty separate County, State, and private facilities including, but not limited to, the Westchester Medical Center, County Departments of Correction, Public Works and Transportation, Social Services and Emergency Services, the New York Medical College, and the New York State Department of Transportation. The average daily consumption rate for the District is approximately 0.65 million gallons. Consumers of District water are both County and non-County users and are billed for their water consumption and related District costs.

As your Honorable Board may recall, Article 5-A imposes certain legal requirements on the County before projects can move forward. One such requirement is that your Honorable Board must conclude, after holding a public hearing that the proposed Project is in the public interest. A proposed resolution authorizing legal notice for the public hearing is attached hereto (“Public Hearing Resolution”). Should your Honorable Board, after the public hearing, determine that the Project is in the public interest, it is respectfully requested that your Honorable Board approve the first Act annexed hereto.

Further, pursuant to Article 5-A, permission of the State Comptroller is required in certain instances for the issuance of bonds to finance an increase and improvement of water district facilities. Section 268.3 of Article 5-A provides, in pertinent part, that:

“Whenever it is proposed or required that the county in which a district is located shall finance an expenditure or contract for the purposes authorized in this section by the issuance of the bonds...and the cost to the typical property or, if different, the typical

one or two family home...is above the average estimated cost to the typical properties or or homes for similar types of expenditures as may be annually computed by the state comptroller, no such expenditure shall be made or contract let, unless the state comptroller, on behalf of the state, shall consent to such expenditure.” (Emphasis added).

In accordance with the above-referenced section, the State Comptroller issues annual guidelines setting forth average estimated costs with respect to, among other things, county water districts. The guidelines designate cost thresholds for such special districts at or below which permission of the State Comptroller is determined to be unnecessary. For 2021, the State Comptroller provided “there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the Comptroller’s approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement.” A copy of the guidelines is annexed hereto.

As noted, the District is not a typical district, as it does not consist of any “typical property” or “typical one or two-family homes”. Rather, it is a District substantially owned by the County. Accordingly, where District property is owned by the County and district improvements are not taxed to or paid for by “typical property” or “typical one or two-family home” owners as defined in 2 N.Y.C.R.R. Section 85.2, the cost of the proposed increase and improvement must be calculated over all taxable parcels in the County. The Finance Department has advised that debt issuances associated with District capital expenses are expensed through bills to the County's General Fund and are a contributing factor to the County's tax levy. The District’s operating budget is also a contributing factor to the County’s tax levy.

Your Committee has been advised that the Department, in conjunction with the Finance Department, has calculated that the average cost that will result from the increase and improvement to the facilities of the District in connection with WD309 equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.

Your Committee has been further advised that in order to obtain the permission of the State Comptroller, State regulations require that the County submit a verified application (“Application”) in the form prescribed by 2 N.Y.C.R.R. Part 85 (“State Regulations”), to the Office of the State Comptroller. The State Regulations further require that your Honorable Board adopt a resolution (“State Regulations Resolution”) stating that it believes the following: the contents of the Application

are accurate; that the proposed improvements are in the public interest; that said improvements will not constitute an undue burden on the property that will bear the cost thereof; and if the cost of the proposed improvements are to be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded. A second Act is annexed hereto which, if approved by your Honorable Board, will direct that a verified application be submitted to the State Comptroller.

Your Committee notes that the Department of Planning (“Planning”) has advised that based on its review, WD309 falls within the definition of an Unlisted action under the State Environmental Quality Review (“SEQR”) Act and its implementing regulations 6 N.Y.C.R.R. Part 617, which requires an assessment of environmental impacts. A Short Environmental Assessment Form (“EAF”) prepared by Planning is annexed hereto. Your Committee has carefully considered the proposed legislation and has reviewed the EAF. For the reasons set forth in the EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the resolution (“SEQR Resolution”) issuing a Negative Declaration prior to enacting the Acts and Bond Act.

In order to proceed with the Project, approval of your Honorable Board is required as follows:

1. Public Hearing Resolution – authorizing a public hearing to be held;
2. SEQR Resolution – issuing a Negative Declaration pursuant to SEQR regulations;
3. Act – authorizing the County to proceed with WD309 for the benefit of the District, subject to the permission of the State Comptroller;
4. Act - directing that a verified application be submitted to the State Comptroller;
5. State Regulations Resolution – as required by the State Regulations (2 N.Y.C.R.R. Part 85) in order to submit the verified application to the State Comptroller; and
6. Bond Act – authorizing the issuance of up to \$9,800,000 in bonds to finance WD309 subject to the permission of the State Comptroller authorizing such expenditure.

Your Committee has carefully considered WD309 and based on its importance, it is recommended that your Honorable Board adopt the Public Hearing Resolution. Further, in the event that your Honorable Board should, following the public hearing, conclude that the



proposed actions are in the public interest, then it is recommended that your Honorable Board adopt the remainder of the legislative package.

Dated: 4/5, 2021  
White Plains, New York

Culture by  
Chapman  
C. N. M.  
Benjamin R. Sykes  
Vedat Gulci

Benjamin R. Sykes  
Vedat Gulci  
Chapman

Budget & Appropriations

Public Works  
& Transportation

COMMITTEE ON:  
c/lac/3.1.21

Dated: April 5, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

**Budget & Appropriations**

*Nancy E. Dunn*

*Alfreda Willis*

*Margaret A. Cunzio*

*Catherine F. Parker*

*Doris Q. Jabrot*

*Ruth Walker*

*Tye H. [Signature]*

**Public Works & Transportation**

*Mary Jane Shinsky*

*Catherine F. Parker*

*Doris Q. Jabrot*

*Ruth Walker*

*[Signature]*

*Tye H. [Signature]*

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WD309

☐ 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    \$                    9,800,000            PPU    40            Anticipated Interest Rate    1.75%

Anticipated Annual Cost (Principal and Interest):                    \$    334,158

Total Debt Service (Annual Cost x Term):                    \$    13,366,320

Finance Department:            Interest rate from March 4, 2021 Bond Buyer

## 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:                    106

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: CJ Gelardo

Title: Capital Program Coordinator

Department: Environmental Facilities

Date: 3/15/21

Reviewed By: 

Det. Budget Director

Date: 3/16/21

**RESOLUTION NO. \_\_\_\_ - 2021**

**WHEREAS**, there is pending before this Honorable Board legislation to authorize the County of Westchester to issue bonds in connection with capital project WD309 – Water Storage Facilities and Maintenance Program (“WD309”); and

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

**WHEREAS**, pursuant to SEQR and its implementing regulations (6 New York Code of Rules and Regulations 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 is the only involved agency with discretionary authority for this action and, therefore, is assuming the role of Lead Agency; and

**WHEREAS**, in accordance with SEQR and its implementing regulations, an Environmental Assessment Form 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 short Environmental Assessment Form 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 Environmental Assessment Form, to determine if this proposed action will have an effect upon 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 Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the capital project; and be it further

**RESOLVED**, the Clerk of the Board of Legislators, as responsible officer in Lead Agency, is authorized and directed to sign the Determination of Significance in the attached Environmental Assessment Form, which Form is made a part hereof; to issue this "Negative Declaration" on behalf of this Board pursuant to Article 8 of the Environmental Conservation Law; 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 New York Code of Rules and Regulations; and be it further

**RESOLVED**, that the Resolution shall take effect immediately.

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

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

DATE: December 30, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
WD309 Water Storage Facilities and Maintenance Program**

---

The Planning Department has reviewed Capital Project WD309 – Water Storage Facilities and Maintenance Program (Unique ID: 1609).

This project has been classified as an Unlisted action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR). A Short Environmental Assessment Form has been prepared for the project for consideration by the Board of Legislators.

Additionally, please be advised that the County is the only involved agency with discretionary authority and, therefore, must assume the role of Lead Agency under SEQR.

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

DSK/cnm

Att.

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
C.J. Gelardo, Capital Program Coordinator, Department of Environmental Facilities  
Michelle Greenbaum, Assistant County Attorney  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

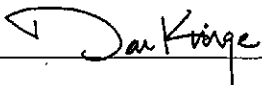
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

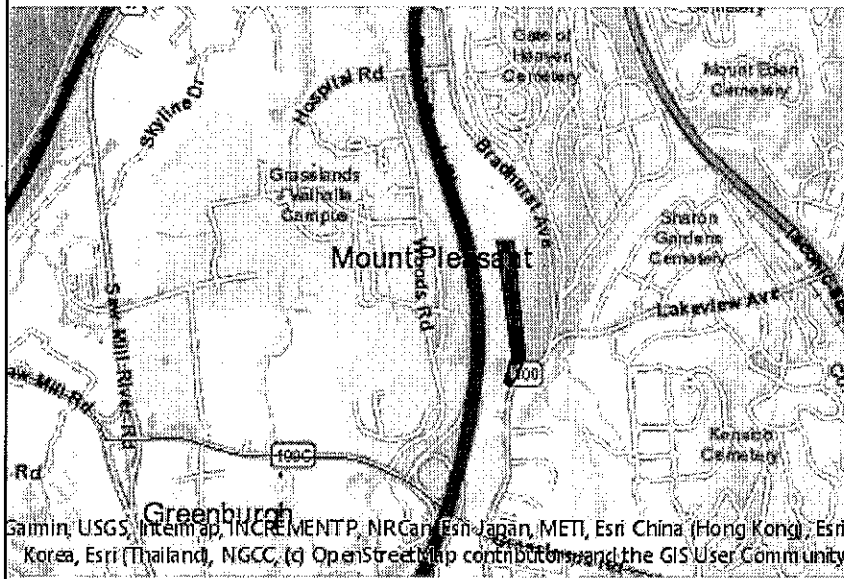
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>							
Name of Action or Project: Water Storage Facilities and Maintenance Program (WD309) - Grasslands Water Tower							
Project Location (describe, and attach a location map): Bradhurst Avenue, Valhalla (Town of Mount Pleasant), Westchester County, NY							
Brief Description of Proposed Action: The project involves the rehabilitation of the water tower facility for County Water District No. 3, which serves the County's Grasslands and Community College campuses. The rehabilitation work includes: removal of antennae from the water tower; repainting and recoating of the water tower interior and exterior; replacement of various vent and access equipment on the water tower; replacement of the cathodic protection system within the tower; electrical and instrumentation upgrades; construction of an instrumentation enclosure within the base of the tower; rehabilitation of equipment within the existing pumping stations and vault chambers around the base of the tower, and construction of a new meter chamber near the base of the tower. The project will also include replacement of the existing security fence and gates, the addition of a 1-foot-wide concrete strip along the fence line, paving of the gravel access road, and the installation of grassed swales for stormwater management.							
Name of Applicant or Sponsor: County of Westchester		Telephone: (914) 995-4400 E-Mail: dsk2@westchestergov.com					
Address: 148 Martine Ave							
City/PO: White Plains		State: NY	Zip Code: 10601				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC- SPDES General Permit			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? _____ 7 acres b. Total acreage to be physically disturbed? _____ 1 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 46.74 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Cemetery, school, parkway <input type="checkbox"/> Parkland							

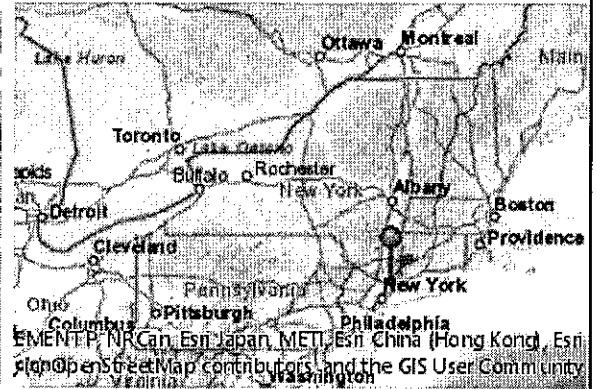
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ The project involves improvements to an existing water supply facility, but does not include any new water supply connections. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____ Grassed swales and rip-rapped outfalls will be constructed alongside the access road to channel and disperse some of the stormwater runoff from the adjoining hillside and newly paved driveway.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>December 29, 2020</u>  Signature: <u></u> Title: <u>Director of Environmental Planning</u>		



**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.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Project: WD309 Grasslands Water Tower

Date: December 2020

## *Short Environmental Assessment Form*

### *Part 2 - Impact Assessment*

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Short Environmental Assessment Form

#### Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Much of the work, which involves internal or surface renovations or replacements in-kind, will have no impact on the environment.

Construction of a new meter chamber will occur within the fenced in and maintained area beneath the water tower will have little to no impact on the environment. The vault, itself, will be approximately 6 feet wide by 4 feet long by 8 feet high, and will be installed to a depth of 10 feet. Due to previous heavy disturbance associated with the construction of the water tower facility, no impact on archaeological resources are anticipated.

The existing gravel access road is approximately 12 feet wide and 2,145 feet in length. Paving of the road will allow for easier access to the water tower and will ensure that the path remains passable as it currently washes out and must be regraded often. Grassed swales will guide stormwater runoff to various discharge points with rip-rap aprons to facilitate percolation into the ground. A tributary of the Bronx River and a man-made pond exist at the south end of the property. The tributary passes in a culvert underneath Bradhurst Avenue at the base of the driveway. The dispersal of storm water at various points along the length of the driveway with outlet protection at each discharge point, along with erosion and sediment controls during construction, will minimize impacts to the tributary.

A chain-link fence currently encircles the water tower approximately 25 feet beyond the water tower pedestal base. The area within the fence is mowed as is a few feet outside the fence. The fence and gate assembly will be replaced in kind. However, a paved apron that will extend 6 inches on each of the fence will be installed to keep weeds and saplings from growing into the fence, which currently cause damage to the fence and allow trespassers to climb over the fence. This new apron and fence will reduce the need for future maintenance and will improve site safety with little to no environmental impact.

The project will ensure the safety of the local drinking water and continued operation of the tower and pumping facilities.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk to Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

**ACT NO. \_\_\_\_\_ - 2021**

**AN ACT** to increase and improve Westchester County Water District No. 3 facilities to carry out capital project WD309 at a maximum estimated cost of \$9,800,000 in accordance with the recommendation of the District Report of the Department of Environmental Facilities subject to the permission of the Comptroller of the State of New York

**NOW, THEREFORE, BE IT ENACTED** by the members of the Board of Legislators of the County of Westchester as follows:

Section 1. This Board finds, after holding a public hearing pursuant to Section 268 of Article 5-A of the New York County Law, that the proposed increase in improvement to Westchester County Water District No. 3 (“District”), described as capital project WD309 – Water Storage Facilities and Maintenance Program (“WD309”) as set forth in the District Report of the Department of Environmental Facilities dated January 5, 2021 (“District Report”), at a maximum estimated cost of Nine Million Eight Hundred Thousand Dollars (\$9,800,000), is in the public interest as it is necessary and desirable for the proper maintenance and service of District facilities to ensure the District’s continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements.

§2. The County of Westchester (the “County”), on behalf of the District is hereby authorized and empowered to proceed with the increase and improvement for the District substantially in accordance with the District Report and the expense shall be assessed against all of the taxable parcels of the County as the District is wholly County owned, subject to the permission of the Comptroller of the State of New York.

§3. The Clerk of the Board of Legislators shall, within ten (10) days of the enactment of this Act, cause certified copies of this Act to be filed with and recorded in the Office of the County Clerk and shall also file certified copies of this Act with the State Department of Audit and Control in Albany, New York.

§4. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§5. This Act shall take effect immediately.

## **AVERAGE ESTIMATED COSTS FOR COUNTY AND TOWN SPECIAL IMPROVEMENT DISTRICTS**

**(EFFECTIVE FOR PROCEEDINGS FOR WHICH A NOTICE OF HEARING IS PUBLISHED  
FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021)**

The Comptroller's approval is required if debt is proposed to be issued by a town or county and the "cost of the district or extension" to the "typical property" or, if different, the "typical one or two family home" as stated in the notice of hearing, is above the average estimated cost thresholds listed below.<sup>1</sup>

"Costs" include amounts required to be paid for debt service, operation and maintenance and other charges, including user fees, related to the improvement in the first year following formation of the district or extension, or the increase and improvement of facilities in counties (or, if greater, the first year in which both principal and interest and operation and maintenance will be paid). To ensure accurate calculations of estimated costs, towns and counties should not assume the receipt of federal or state aid in the absence of firm commitments from the appropriate agency. In addition, estimated borrowing costs should be based on the proposed maturity of the obligations and interest rate assumptions derived from market surveys or a letter of commitment. Charges imposed by other governmental entities, such as public authorities or other municipalities, should also be included in the computation. Costs, for this purpose, do not include hook-up fees.

### **TOWN DISTRICTS**

The following average estimated costs apply to town special district establishments, extensions or increases in the maximum amount to be expended.<sup>2</sup>

Sewer	\$ 696
Water	\$ 887

### **COUNTY DISTRICT INCREASES AND IMPROVEMENTS**

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<sup>1</sup> For those proceedings that are subject to a permissive referendum requirement, the Comptroller's Office will accept the filing of an application prior to the expiration of the time for filing a petition requesting a referendum or, if a petition is filed, the vote on the proposition. However, no approval order will be granted until after the completion of all such requirements.

<sup>2</sup> The Comptroller's approval, if required in the case of an increase in the maximum amount to be expended, may be given only after a public hearing and, in the case of Article 12-A districts, permissive referendum requirements are met.

The following average estimated cost applies to county special district increases and improvements of facilities. Please note that this figure represents only the increased cost to the typical property as a result of the increase and improvement.

Sewer    \$    11

## **OTHER DISTRICTS**

For county water and sewer establishments, county water increases and improvements and all other types of districts, there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the Comptroller's approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement.

Note that proceedings under Town Law § 202-b to, among other things, repair, improve or replace facilities within an existing town district do not require the Comptroller's consent, except in certain cases within the Adirondack Park (see Town Law § 202-b[5] and Local Finance Law § 104.10[3]).



**County of Westchester**  
**Department of Environmental Facilities**

**Westchester County Water District No. 3**  
**Capital Project WD309**  
**Water Storage Facilities and Maintenance Program**

**DISTRICT REPORT**

**Vincent F. Kopicki, P.E.**  
**Commissioner**

**Dated: January 5, 2021**

## **I. INTRODUCTION**

The Department of Environmental Facilities (the “Department”), on behalf of Westchester County Water District No. 3 (the “District”), previously proposed in its District Report dated August 24, 2015, an increase and improvement of District facilities, which is necessary for the proper maintenance and service of District facilities to ensure the District’s continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. At that time, the County Board of Legislators, by Act No. 193-2015, authorized a bond act of the County in an amount not-to-exceed \$500,000 to finance design and construction management for capital project WD309 (“WD309” or “Project”) described below. The Department at this time, is seeking to increase the authorized bonding amount by \$9,300,000 to finance the construction portion of WD309. This would bring the total authorized not-to-exceed amount of the bond to \$9,800,000 which is the maximum estimated cost of the Project.

### **WD309 – Water Storage Facilities and Maintenance Program**

This capital project provides for maintenance, including but not limited to the inspection, cleaning, repair, recoating and painting of the existing 1.5 million gallon water storage tower for the Grasslands Reservation (“Grasslands”) in the District. In addition to the water storage tower rehabilitation and maintenance, other work shall include but not be limited to, asphalt paving of the existing service roadway and required drainage remediation work, housekeeping site work, electrical improvements, piping and valve work and instrumentation.

## **II. BACKGROUND**

By Act No. 63-1977, the District was duly established pursuant to Article 5-A of the New York County Law (“Article 5-A”). It comprises the territorial limits of the Valhalla Campus at Grasslands. The District provides water to over fifty separate County, State, and private facilities including, but not limited to, the Westchester Medical Center, County Departments of Correction, Public Works and Transportation, Social Services and Emergency Services, the New York Medical College, and the New York State Department of Transportation. The average daily consumption rate for the District is approximately 0.65 million gallons. Consumers of District water are both County and non-County users and are billed for their water consumption and related District costs.

## **III. THE RECOMMENDED PROJECT**

This report recommends approval of the construction portion of WD309, which represents an increase and improvement to the facilities of the District.

In 2015, bonding was authorized for design and construction management costs for rehabilitation and capital maintenance of the existing 1.5 million gallon water storage tower at Grasslands, in and for the District. The design is now complete and, pending bonding approval, it is

anticipated that construction will start in 2021 and will take approximately twelve (12) months to complete.

The current bond authorization request, in the amount of \$9,300,000, will finance the construction component of WD309, including rehabilitation and repainting of the District water tower serving Grasslands. Work will also include paving of the existing service roadway, drainage improvements to the existing roadway, miscellaneous site improvements such as fencing and asphalt, electrical improvements, instrumentation and controls, and piping and valve work.

The existing water storage tower was last recoated in 1997 and at that time a cathodic protection system was installed. The life expectancy of a recoated water storage tower with cathodic protection is approximately twenty (20) years. The Department has advised that the outside of the water tank itself has started to rust. In order to maintain the integrity of the tower, it is necessary to address the rusting of the tank. Further, the County Department of Health has determined that it is imperative that the Department complete this rehabilitation Project.

#### **IV. EFFECT ON COST OF OPERATION**

The Department anticipates that WD309 will involve on-going operating costs above the current operating budget for additional power consumption and regular equipment maintenance. The anticipated additional cost is \$5,000 annually. It should also be noted that additional infrastructure improvements to the District will be necessary in the future to comply with regulations and establish the required redundancy.

The District is not a typical district, as it does not consist of any private one or two family homes. It does not include any property owned by individual private property owners, but rather it is a district substantially owned by the County. Accordingly, the typical District property is owned by the County and district improvements are not taxed to or paid for by private property owners or the "Typical One- or Two-Family Home" as defined in 2 NYCRR Section 85.2. Therefore the cost to the "typical property" must be calculated over all taxable parcels in the County. The Finance Department has advised that debt issuances associated with the District capital expenses are expensed through bills to the County's General Fund and are a contributing factor to the County's tax levy. The District's operating budget is also a contributing factor to the County's tax levy.

The Department, in conjunction with the Finance Department, has calculated that the average cost that will result from the increase and improvement to the facilities of the District in connection with WD309 equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.<sup>1</sup>

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<sup>1</sup> The cost was calculated, per §278 of Article 5-A of the County Law, based on debt service, operation and maintenance ("O&M") and other charges, related to the improvements in the first year in which both principal and interest on any indebtedness and O&M will be paid.

## **V. FINDINGS AND RECOMMENDATIONS**

The Department has carefully reviewed the proposed increase and improvement of District facilities and recommends approval of WD309. The existing 1.5 million gallon water tower and related infrastructure maintenance and improvements are essential for the County to ensure continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. Based on its review, the Department has determined that the proposed Project is the best, most cost effective option available to the County for this purpose.

-----X  
In the Matter of the Application of the  
County of Westchester to the State of New  
York State Comptroller pursuant to Section 268,  
subsection 3, of Article 5-A of the New York  
County Law for permission for an increase and  
improvement of Westchester County Water  
District No. 3 facilities to proceed with capital project  
WD309 (Water Storage Facilities and Maintenance Program)  
as it is necessary and desirable for the proper  
maintenance and service of District facilities and to  
ensure the continued effective operation of the District  
by issuing an amount not-to-exceed \$9,800,000 in bonds,  
notes or other evidences of indebtedness of the County.  
-----X

**VERIFIED  
APPLICATION**

Benjamin Boykin II, being duly sworn, hereby deposes and says:

1. I am the Chairman of the Board of Legislators of Westchester County (the "Board of Legislators") and am making this application to the Comptroller of the State of New York ("State Comptroller") on behalf of Westchester County (the "County") pursuant to Section 268, subsection 3, of the New York County Law for permission for an increase and improvement of Westchester County Water District No. 3 ("Water District No. 3" or the "District") facilities in order to proceed with a capital project identified as WD309 (Water Storage Facilities and Maintenance Program) (hereafter "WD309" or "Project") which is necessary and desirable for the proper maintenance and service of District facilities to ensure the continued effective operation of the District to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements to the District at a total cost not-to-exceed \$9,800,000 in bonds, notes, certificates or other evidences of indebtedness of the County.

I have been directed by Section \_\_\_\_\_ of Act No. \_\_\_\_\_-2021 which was duly adopted on \_\_\_\_\_, 2021 to execute all instruments and take all actions reasonable, necessary and appropriate to petition the State Comptroller pursuant to Section 268 of the New York

County Law for an order approving the issuance of bonds in a maximum amount not-to-exceed \$9,800,000 by the County for the proposed increase and improvement of facilities of Water District No. 3, substantially in accordance with the district report dated January 5, 2021 (the "District Report") submitted by the Westchester County Department of Environmental Facilities ("Environmental Facilities") on behalf of the District. This application is being made in accordance with the regulations of the State Comptroller which are contained in Title 2, Part 85 of the New York Code of Rules and Regulations ("NYCRR"). For convenience, references will be made in brackets at the end of each point in this application to the applicable provision of the State Comptroller's regulations, which that particular point is addressing. A copy of the Committee Report, a certified copy of Resolution No. \_\_\_\_-2021 (which was adopted to set the public hearing required by Section 268 of the New York County Law) and a certified copy of Act No. \_\_\_\_-2021 are annexed hereto and made a part hereof as Exhibit "A". A copy of the District Report for Water District No. 3 is annexed hereto and made a part hereof as Exhibit "B". [Part 85.3]

3. By Act No. \_\_\_\_-2021, the Board of Legislators determined that the proposed increase and improvement of facilities of Water District No. 3 set forth in the District Report is in the public interest, as it is necessary and desirable for the proper maintenance and service of District facilities to ensure the continued effective operation of the District to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements to the District. (See Exhibit "A"). [Part 85.4(a)]

4. Pursuant to a memorandum from the Westchester County Department of Planning ("Planning Department"), and in accordance with SEQRA regulations, the proposed improvements can be classified as an Unlisted Action. The Planning Department prepared a Short Environmental Assessment Form to assist the County Board of Legislators in determining whether the proposed improvements would have a significant impact on the environment. The Board of Legislators determined that the proposed project would not result in a significant impact on the environment. Said memorandum and Resolution No. \_\_\_\_-2021 are annexed hereto and made a part hereof as Exhibit "C". [Part 85.3]

5. By Resolution No. \_\_\_\_-2021, which was duly adopted on \_\_\_\_\_, the Board of Legislators directed that this application be prepared, found that the proposed increase and improvement of facilities of Water District No. 3 is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof, that the cost of the proposed improvements will be assessed against all benefited properties in said District and that no benefited property will be excluded, and that said Board of Legislators believes that the contents of this application are accurate. A certified copy of Resolution No. \_\_\_\_-2021 is annexed hereto and made a part hereof as Exhibit "D" ("State Regulations Resolution"). [Part 85.3(b) (1)]

6. The opinion of legal counsel is annexed hereto and made a part hereof as Exhibit "E". [Part 85.3(b) (2) and Part 85.5]

7. All statements below are made upon information and belief. I believe that the following statements are true based upon the exhibits which are annexed hereto and made a part of this application and upon information provided to me by various County officials, including staff of the County Departments of Environmental Facilities, Planning, Budget and Finance.

8. All documents and information required to be included by Section 268 of the County Law are as follows: the plan of the proposed increase and improvement of District facilities is the District Report for Water District No. 3, (see Exhibit "B"); a certified copy of Resolution No. \_\_\_\_-2021, authorizing the publication of a Notice of Hearing, which is annexed hereto and made a part hereof as Exhibit "F"; a copy of the proof of publication of the Notice of Public Hearing which was published on \_\_\_\_\_, (see also Exhibit "F"); the public hearing was held on \_\_\_\_\_, at \_\_\_\_\_ pm.; and Act No. \_\_\_\_-2021, which notes that a public hearing was held and that the County Board of Legislators found the proposed increase and improvement of facilities is in the public interest and which directs the County Commissioner of Environmental Facilities to proceed with the improvement. (See Exhibit "A"). [Part 85.4 (a)].

9. A description of the proposed improvements is contained in the District Report (See Exhibit "B"). [Part 85.4 (b)].

10. The statement setting forth the maximum cost of the proposed improvements is contained in the District Report (see Exhibit "B"). [Part 85.4 (c)].

11. The statement containing the factors, which the Board of Legislators considered can be found in Act No. \_\_\_\_-2021 and the accompanying Committee Report (see Exhibit "A"), which references the District Report (see Exhibit "B"). The Board of Legislators determined that the proposed improvements are necessary and desirable for the proper maintenance and service of District facilities and to ensure the continued effective operation of the District to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements to the District. [Part 85.4 (d)].

12. The statement describing the proposed manner of financing the cost of the improvement is attached hereto as Exhibit "G". [Part 85.4 (e) (1)]. There is no proposed State or Federal aid in connection with the proposed improvements. [Part 85.4 (e) (2)].

13. An estimate of the cost of operating and maintaining the proposed improvements can be found in Section IV of the District Report (see Exhibit "B"). [Part 85.4 (f)].

14. The statements detailing the manner in which it is proposed to raise the cost of debt service and operation and maintenance is contained in Section IV of the District Report (see Exhibit "B"). [Part 85.4(g)].

(Parts 85.4 (h) and (i) do not apply to this application.)

15. While this application is being made pursuant to Section 268 of the County Law, it is not proposing to establish two or more zones of assessment within the District. [Part 85.4 (j)].



16. A statement of the average full valuation of the taxable real property of the County computed pursuant to the first paragraph of subdivision seven-a of Section 2.00 of the Local Finance Law is annexed hereto and made a part hereof as Exhibit "H". [Part 85.4 (k)].

17. In lieu of the statements required by subdivisions (l) and (m), the County has submitted its most recent Constitutional Debt Statement which is annexed hereto and made a part hereof as Exhibit "I". [Part 85.4 (n)].

18. The current tax rates and assessments applicable to the taxable real property which will bear the cost of the improvements is annexed hereto and made a part hereof as Exhibit "J". [Part 85.4 (o)].

19. The District is not a typical district, as it does not consist of any "typical property" or "typical one or two family homes". Rather, it is a District substantially owned by the County. Accordingly, where District property is owned by the County and district improvements are not taxed to or paid for by "typical property" or "typical one or two family home" owners as defined in 2 N.Y.C.R.R. Section 85.2, the cost of the proposed increase and improvement must be calculated over all taxable parcels in the County as described in the District Report (See Exhibit "B"). [Part 85.4 (p)].

20. The statement setting forth the amount it is estimated that each owner of each taxable parcel in the County will be required to pay in the first year following approval of the application, if granted, for debt service, operation and maintenance and other charges, related to the proposed improvements, together with an explanation of how such costs have been computed, can be found in the District Report (see Exhibit "B"). The average cost that will result from the increase and improvement to the facilities of the District equates to a single year debt payment of approximately \$376,000 which, if distributed over the 256,792 taxable parcels in the County equates to an estimated average increase in tax assessment of \$1.46 per parcel. [Part 85.4 (q)].

21. The maximum amount any real property owner will be required to pay in the first year following approval of the application, if granted, for debt service, operation, maintenance

and other charges related to the improvements is \$12,784. The largest property owner in the County is Consolidated Edison, owns 3.4% of the equalized full value of all property in the County. Please see Exhibit "K" annexed hereto and made a part hereof. [Part 85.4 (r)].

22. Upon information and belief, the only State lands in Water District No. 3 are as set forth in Exhibit "L," which is attached hereto and forms a part hereof. No costs will be borne by the aforementioned State lands, which are exempt. [Part 85.4 (s)].

23. Upon information and belief, there are no areas of the District that are located in an existing or proposed agricultural district. [Part 85.4 (t)].

24. The statement setting forth the population of the County, which will bear the costs of the improvements including the total assessed value thereof is annexed hereto and made a part hereof as Exhibit "M." [Part 85.4 (u)].

25. It has been determined by the governing board that the proposed improvements may benefit vacant land within the District. The status of any proposals for the development of such land was not a factor in the governing board's determination that the cost of the proposed improvements will not constitute an undue burden on the area which will bear the cost of those improvements. That is, that determination is not dependent, in whole or in part, on the development of vacant land. Any such future development will only serve to reduce the cost of the proposed improvements in future years below the maximum cost contained in the District Report (see Exhibit "B"). [Part 85.4 (v)].

(Part 85.4 (w) does not apply to this application.)

(Part 85.4 (x) does not apply to this application.)

26. No other actions have been taken by the Board of Legislators, other than those actions required by the applicable provisions of the New York County Law, to apprise the owners of properties which will bear the cost of the proposed improvements of the cost, including estimated first year costs. [Part 85.4 (y)]

27. Upon information and belief, no objections have been received from the owners of real property that will bear the cost of the proposed improvements relating to such costs. [Part 85.4 (z)]

DRAFT

VERIFICATION

STATE OF NEW YORK        )  
                                      )  
COUNTY OF WESTCHESTER)

Benjamin Boykin II, being duly sworn, deposes and says that he is the Chairman of the County Board of Legislators of the County of Westchester, the applicant named in the above caption; and that he has read the foregoing application and knows the contents thereof; and that the same is true to his own knowledge, except as to those matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

\_\_\_\_\_  
Benjamin Boykin II  
Chairman  
Westchester County Board of Legislators

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

Exhibit "A"

Committee Report  
and  
Certified Copy of Act No. \_\_\_\_\_-2021

DRAFT

**Exhibit "B"**

District Report for Water District No. 3

Attached hereto

DRAFT

**County of Westchester**  
**Department of Environmental Facilities**

**Westchester County Water District No. 3**  
**Capital Project WD309**  
**Water Storage Facilities and Maintenance Program**

**DISTRICT REPORT**

**Vincent F. Kopicki, P.E.**  
**Commissioner**

**Dated: January 5, 2021**

## **I. INTRODUCTION**

The Department of Environmental Facilities (the "Department"), on behalf of Westchester County Water District No. 3 (the "District"), previously proposed in its District Report dated August 24, 2015, an increase and improvement of District facilities, which is necessary for the proper maintenance and service of District facilities to ensure the District's continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. At that time, the County Board of Legislators, by Act No. 193-2015, authorized a bond act of the County in an amount not-to-exceed \$500,000 to finance design and construction management for capital project WD309 ("WD309" or "Project") described below. The Department at this time, is seeking to increase the authorized bonding amount by \$9,300,000 to finance the construction portion of WD309. This would bring the total authorized not-to-exceed amount of the bond to \$9,800,000 which is the maximum estimated cost of the Project.

### **WD309 – Water Storage Facilities and Maintenance Program**

This capital project provides for maintenance, including but not limited to the inspection, cleaning, repair, recoating and painting of the existing 1.5 million gallon water storage tower for the Grasslands Reservation ("Grasslands") in the District. In addition to the water storage tower rehabilitation and maintenance, other work shall include but not be limited to, asphalt paving of the existing service roadway and required drainage remediation work, housekeeping site work, electrical improvements, piping and valve work and instrumentation.

## **II. BACKGROUND**

By Act No. 63-1977, the District was duly established pursuant to Article 5-A of the New York County Law ("Article 5-A"). It comprises the territorial limits of the Valhalla Campus at Grasslands. The District provides water to over fifty separate County, State, and private facilities including, but not limited to, the Westchester Medical Center, County Departments of Correction, Public Works and Transportation, Social Services and Emergency Services, the New York Medical College, and the New York State Department of Transportation. The average daily consumption rate for the District is approximately 0.65 million gallons. Consumers of District water are both County and non-County users and are billed for their water consumption and related District costs.

## **III. THE RECOMMENDED PROJECT**

This report recommends approval of the construction portion of WD309, which represents an increase and improvement to the facilities of the District.

In 2015, bonding was authorized for design and construction management costs for rehabilitation and capital maintenance of the existing 1.5 million gallon water storage tower at Grasslands, in and for the District. The design is now complete and, pending bonding approval, it is



anticipated that construction will start in 2021 and will take approximately twelve (12) months to complete.

The current bond authorization request, in the amount of \$9,300,000, will finance the construction component of WD309, including rehabilitation and repainting of the District water tower serving Grasslands. Work will also include paving of the existing service roadway, drainage improvements to the existing roadway, miscellaneous site improvements such as fencing and asphalt, electrical improvements, instrumentation and controls, and piping and valve work.

The existing water storage tower was last recoated in 1997 and at that time a cathodic protection system was installed. The life expectancy of a recoated water storage tower with cathodic protection is approximately twenty (20) years. The Department has advised that the outside of the water tank itself has started to rust. In order to maintain the integrity of the tower, it is necessary to address the rusting of the tank. Further, the County Department of Health has determined that it is imperative that the Department complete this rehabilitation Project.

#### **IV. EFFECT ON COST OF OPERATION**

The Department anticipates that WD309 will involve on-going operating costs above the current operating budget for additional power consumption and regular equipment maintenance. The anticipated additional cost is \$5,000 annually. It should also be noted that additional infrastructure improvements to the District will be necessary in the future to comply with regulations and establish the required redundancy.

The District is not a typical district, as it does not consist of any private one or two family homes. It does not include any property owned by individual private property owners, but rather it is a district substantially owned by the County. Accordingly, the typical District property is owned by the County and district improvements are not taxed to or paid for by private property owners or the "Typical One- or Two-Family Home" as defined in 2 NYCRR Section 85.2. Therefore the cost to the "typical property" must be calculated over all taxable parcels in the County. The Finance Department has advised that debt issuances associated with the District capital expenses are expensed through bills to the County's General Fund and are a contributing factor to the County's tax levy. The District's operating budget is also a contributing factor to the County's tax levy.

The Department, in conjunction with the Finance Department, has calculated that the average cost that will result from the increase and improvement to the facilities of the District in connection with WD309 equates to a single year debt payment of approximately \$376,000, which, if distributed over the 256,792 taxable parcels in the County, equates to an estimated average increase in tax assessment of \$1.46 per parcel.<sup>1</sup>

---

<sup>1</sup> The cost was calculated, per §278 of Article 5-A of the County Law, based on debt service, operation and maintenance ("O&M") and other charges, related to the improvements in the first year in which both principal and interest on any indebtedness and O&M will be paid.

## **V. FINDINGS AND RECOMMENDATIONS**

The Department has carefully reviewed the proposed increase and improvement of District facilities and recommends approval of WD309. The existing 1.5 million gallon water tower and related infrastructure maintenance and improvements are essential for the County to ensure continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements. Based on its review, the Department has determined that the proposed Project is the best, most cost effective option available to the County for this purpose.

**Exhibit "C"**

SEQRA Memorandum and Short Environmental Assessment Form  
from the County Department of Planning  
and  
Certified Copy of Resolution No. \_\_\_\_-2021

DRAFT

**Exhibit "D"**

Certified copy of Resolution No. \_\_\_\_-2021

[State Regulations Resolution]

DRAFT

**Exhibit "E"**

Opinion of Legal Counsel

To be Attached

DRAFT

**Exhibit "F"**

Certified Copy of Resolution No. \_\_\_\_-2021

[Public Hearing Resolution]

and

Proof of publication of the Notice of Public Hearing

Published on \_\_\_\_\_

DRAFT

**Exhibit "G"**

**Statement Describing the Proposed Manner of Financing**

According to the Westchester County Department of Finance, it is estimated that \$9,800,000 of General Obligation Bonds could be bonded by the County of Westchester over a forty (40) year period of probable usefulness as an anticipated Net Interest cost of 1.15%. It is believed that the proposed financing is reasonable under current market conditions.

**Exhibit "H"**

**Statement of the Full Valuation of the Taxable Real Property of the County**

The average full valuation of the taxable real property of the County computed in accordance the first paragraph of subdivision seven-a of section 2.00 of the Local Finance Law is \$187,487,527,225.

DRAFT



**Exhibit "I"**

**Constitutional Debt Statement**

**Attached Hereto**

DRAFT



George Latimer  
County Executive

Department of Finance

Ann Marie Berg  
Commissioner

September 28, 2020

Ed Burgess  
Office of the State Comptroller  
Division of Local Govt & School Accountability  
110 State Street  
12<sup>th</sup> Floor  
Albany, NY 12236

Re: County of Westchester 2020 Debt

Dear Mr. Burgess,

The County of Westchester intends to price approximately \$126,827,882 of General Obligation Bonds on October 15, 2020. The breakdown is as follows

Series A \$71,865,612 General Obligation  
Series B \$3,757,270 General Obligation (Federally Taxable)  
Series C \$51,205,000 General Obligation-Refunding Bonds (Federally Taxable)

The Series A & B transactions are scheduled to close on October 28. The Series C transaction is scheduled to close on November 5. Please find attached a Debt Statement as of September 30, 2020.

If you have any questions, please call me at 914-995-3670.

Thank you

Sincerely,

Mario Arena  
Director of Fiscal Operations

148 Martine Avenue, Room 720  
White Plains, NY 10601  
Telephone: 914-995-2757 Fax: 914-995-3230



AC 973 (Rev. 7/85)  
Cities under 125,000 population  
Counties  
Towns  
Villages

**STATE OF NEW YORK**  
**OFFICE OF THE STATE COMPTROLLER**

**ALBANY, NEW YORK 12236**

**DEBT STATEMENT  
OF**

**WESTCHESTER COUNTY**  
Name of Municipality

**WESTCHESTER COUNTY, NEW YORK**

**PREPARED AS OF**

**September 30, 2020**

**FORWARD TO: State of New York  
Office of the State Comptroller  
Director, Municipal Research and Statistics  
Alfred E. Smith State Office Building  
Albany, New York 12236**

AC 973 (Rev. 7/85)  
Cities under 125,000 population  
Counties  
Towns  
Villages

**STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER**

This is the official debt statement form prescribed by the State Comptroller pursuant to section 141.00 of the Local Finance Law for use by counties, towns, villages and cities having a population of less than 125,000 inhabitants.

Thomas P. DiNapoli  
State Comptroller

**INSTRUCTIONS**

1. **STATUTORY REFERENCE.** A statutory reference can be found after each item of indebtedness to be included and excluded in the debt statement. For example, §135.00 (a)(1) "means" subdivision 1 of paragraph (a) of section 135.00 of the Local Finance Law". Wherever a reference appears, that section of the Local Finance Law should be consulted.
2. **DATE OF PREPARATION.** This statement must not be prepared more than thirty days previous to the date of sale of bonds. Local Finance Law, section 109.00
3. **FILING.** A debt statement must be filed between three and fifteen days before a municipality sells any bonds which are required to be sold at public sale. The statement must be filed with the State Comptroller and a duplicate copy must be filed with the clerk or corresponding officer of the municipality. It is not necessary to file a copy in the county clerk's office. Local Finance Law, section 109.00.
4. **AVERAGE FULL VALUATION OF TAXABLE REAL ESTATE.** In computing "Average Full Valuation of Taxable Real Estate" on page 3, use last completed assessment roll and four preceding rolls. An assessment roll is one which has been completed, verified and filed by the assessors and for which a state equalization rate has been finalized. The words "For Fiscal Year Ending" refers to the year for which taxes have been or will be extended on the assessment roll rather than the year in which the roll was completed.

The amounts to be used in Column 1 should be the amounts shown on such rolls after the hearing of grievances and the filing of the final completed assessment rolls, regardless of subsequent changes. In Column 1, include the assessed valuations of special franchises but exclude the assessed valuations of all exempt properties to the extent they are exempt from general taxation. Full valuation (Column 3) is determined as follows: Divide the taxable assessed valuations (Column 1) by the final equalization rate (Column 2) established by the State Board of Equalization and Assessment for such valuation. Where boundary changes have occurred and in the case of newly-created municipalities, see section 2.00 (7)(a) of the Local Finance Law. In the case of counties, average full valuation is computed by dividing the taxable assessed valuations on the last completed and four preceding assessment rolls for each of the cities and towns therein by the final equalization rates established for such rolls; provided, however, in a county having a county department of assessment the state equalization rates established for the cities and towns therein on the basis of the county roll shall be applied to the appropriate portions of the county roll. The sum of the quotients thus obtained must then be divided by five.

5. **INCLUSIONS:** Re item 8, Page 4. Include the respective amounts of all several indebtedness and allocated or apportioned joint indebtedness contracted or incurred pursuant to Article II, Title 1-A of the Local Finance Law in relation to a joint service or a joint water, sewage or drainage project. The amount of joint indebtedness to be so included should not exceed the amount of such indebtedness allocated and apportioned to the municipality in the bond or note resolution authorizing such indebtedness to be contracted.

Joint indebtedness to be included arising out of real property liabilities and contract liabilities should not exceed the amount of such indebtedness required to be allocated and apportioned to the municipality in the agreement of the participating municipalities in relation to such joint service or project. Where the agreement does not provide for any such allocation or apportionment, or in the case of involuntary joint indebtedness, the amount to be allocated and apportioned and included in the debt statement of a participating municipality should be in the same proportion as the full valuation of the real estate subject to taxation or assessment by such municipality for such joint service or project bears to the full valuation of the real estate subject to taxation or assessment by all of the participating municipalities for such joint service or project. See Local Finance Law, section 15.10. However, if the State Comptroller has issued a certificate allocating and apportioning such joint indebtedness pursuant to the provisions of section 15.10 of the Local Finance Law, the amounts so allocated and apportioned by the State Comptroller should be included in the debt statements of each respective municipality as indebtedness.

6. **GROSS JOINT INDEBTEDNESS.** The aggregate gross amount of all joint indebtedness including borrowings, real property liabilities, contract liabilities, judgments, claims, awards and determinations contracted or incurred and before any apportionment or allocation should be stated at page 4 of the debt statement.
7. **EXCLUSIONS:**
  - a) Item 1, Page 4. Do not include any tax or revenue obligations, or renewals thereof, which have not been retired within five years after the date such original obligations were issued.
  - b) Item 2, Page 4. Include only obligations issued for objects or purposes other than the financing of capital improvements and contracted to be redeemed in one of the two fiscal years immediately succeeding the year of their issue. Do not include bonds, bond anticipation notes, capital notes, budget notes or obligations which have been issued for the direct financing of improvements or equipment. Do not include serial bonds of an issue having a maximum maturity of more than two years.
  - c) Item 3, Page 4. Do not include joint or several indebtedness contracted pursuant to Article II, Title 1-A of the Local Finance Law to finance a joint water project. Such indebtedness is to be included in Item 14, page 6.
  - d) Items 4 and 5, Page 4. Do not include any indebtedness contracted pursuant to Article II, Title 1-A of the Local Finance Law in relation to a joint service or a joint water, sewage or drainage project. Such indebtedness is to be included in either Item 15 or 16 at page 5.
  - e) Item 13, Page 5. Include city indebtedness for education purposes, if any, allocated to the city school district by the State Comptroller pursuant to section 1 of chapter 831 of the Laws of 1951.
  - f) Item 14, Page 5. State the respective amounts of any several indebtedness and the allocated or apportioned amounts of any joint indebtedness contracted or incurred in relation to the financing of a joint water project pursuant to Article II, Title 1-A of the Local Finance Law.
  - g) Item 15 and 16, Page 5. State the respective amounts of any several indebtedness and allocated or apportioned amounts of any joint indebtedness contracted or incurred in relation to the financing of a joint service and a joint sewage or drainage project pursuant to Article II, Title 1-A of the Local Finance Law and excluded pursuant to the provisions of section 15.20, 123.00 and 124.10 of such law.
- 8) **VERIFICATION.** Page 8. This debt statement must be verified by the chief fiscal officer of the municipality. See definition of the term "chief fiscal officer in the Local Finance Law, section 2.00 (5). If a municipality has no chief fiscal officer, then this statement must be verified by the finance board.

The following is a statement of the County of Westchester, New York, to contract indebtedness, and is prepared as of  
 Sept. 30, 2020  
 , pursuant to Title 8, Article II of the Local Finance Law.

### DEBT LIMIT

Counties (except Nassau), cities, towns and villages ..... \$12,196,586,968  
 Multiply "Average Full Valuation" (Page 4), Line 7 by .07  
 (Nassau County .10)

### TOTAL NET INDEBTEDNESS

Total Inclusions (Page 4) ..... \$1,283,885,958  
 Less: Total Exclusions (Page 5) ..... 393,294,043  
 Total Net Indebtedness ..... \$890,591,915

### NET DEBT-CONTRACTING MARGIN

Debt Limit (Above) ..... 11,789,544,391  
 Less: Total Net Indebtedness (Above) ..... 890,591,915  
 Net Debt-Contracting Margin ..... \$11,305,995,053

### PERCENTAGE OF DEBT-CONTRACTING POWER EXHAUSTED

Divide "Total Net Indebtedness" by "Debt Limit" and enter result here ..... 7.30%

### PROPOSED BOND ISSUE

The amount of bonds and bond anticipation notes proposed to be sold at public sale on October 15, 2020  
 In connection with which this statement is made and filed is ..... \$126,827,882

The amount of bond anticipation notes heretofore issued in anticipation of the sale and issuance of  
 such bonds and notes and included at "Borrowings" at Item 1 of Inclusions at page 4 is ..... \$ .....

### STATEMENT OF TOTAL DEBT

#### AVERAGE FULL VALUATION OF TAXABLE REAL ESTATE

Computation of Average Full Valuation Based on Last Five Completed Assessment Rolls				
Line No.	For Fiscal Year Ending	(1) Taxable Assessed Valuation of Real Estate	(2) Final State Equalization Rate	(3) Full Valuation of Taxable Real Estate (Column 1 ÷ Column 2)
1	2016			163,815,785,746
2	2017			167,758,214,049
3	2018			174,189,428,026
4	2019			180,383,474,053
5	2020			185,037,881,544
6	Total of Lines 1 to 5 Inclusive.....			\$871,184,783,418
7	Average Full Valuation (1/5 of Total of Column 3).....			\$ 174,236,956,684

NOTE: See Instructions 4, Page 1.

# INCLUSIONS

1. Borrowings. §135.00(a)(1). .....	<u>\$1,283,885.958</u>
2. Real Property Liabilities. §135.00(a)(2), §142.00. ....	_____
3. Contract Liabilities. §135.00(a)(3). ....	_____
4. Cities, Towns and Villages: Contract Liabilities: Housing Guarantees; Subsidies. §135.00(a)(4), (a)(4-a), (a)(4-b). ....	_____
5. Cities, Towns and Villages: State Loans to Certain Housing Authorities and Municipalities. §135.00(a)(5). ....	_____
6. Judgments, Claims, Awards and Determination. §135.00(a)(6). ....	_____
7. Cities, Towns, and Villages: Indebtedness Contracted by Certain District Corporations. §135.00(a)(7). ....	_____
8. Indebtedness Contracted or Incurred Pursuant to Article II, Title 1-A of the Local Finance Law in relation to a Joint Service or Joint Water, Sewage or Drainage Project: (See Instruction 5, Page 2.)	
a) Borrowings: Several Indebtedness. ....	_____
b) Borrowings: Allocated or Apportioned Joint Indebtedness, ....	_____
c) Real Property Liabilities. ....	_____
d) Contract Liabilities. ....	_____
e) Judgments, Claims, Awards and Determination. ....	_____
Total Inclusions .....	<u>\$1,283,885.958</u>

## GROSS JOINT INDEBTEDNESS

The aggregate gross amount of all joint indebtedness before apportionment or allocation is ..... \$ \_\_\_\_\_  
(See Instruction 6, page 2.)

## EXCLUSIONS

1. Tax and Revenue Obligations. §136.00(1).....	\$ _____
2. Obligations Issued for other than Capital Improvements. §136.00(1-a)..... (See Instruction 7(b), page 2.)	_____
3. Water Indebtedness. §136.00(2)..... (See Instruction 7(c), page 2.)	<u>22,475,334</u>
4. Indebtedness Contracted for Self-Liquidating Projects. §136.00(3)..... (See Instruction 7(d), page 3.)(See also, if applicable, contract payments (§136.00(3-a))) and rental payments (§136.00 (3-b)(3-c)))	_____
5. Sewer Indebtedness Contracted on or after January 1, 1962, and prior to January 1, 1994. §136.00(4-a) .....	_____
6. Bonds for Pensions. §136.00(4) .....	_____
7. Cities and Villages with Population of 5,000 or More: Indebtedness for Housing and urban Renewal Purposes. §136.00(8)..... (See also, if applicable, indebtedness for housing or urban renewal purposes (§136.00(8-a)).	_____
8. Towns and Villages with Population of Less than 5,000: Subsidies or Guarantees for Housing Purposes. §136.00(9).....	_____
9. Assets of Sinking Funds. §136.00(10).....	_____
10. Refunded and Refunding bonds. §136.00(10-a)(10-b). ....	_____
11. Cash on Hand for Debts. §136.00(11).....	_____
12. Appropriation. §136.00(12).....	<u>32,088,266</u>
13. Cities Only: School Indebtedness. §136.00(13) .....	_____
(See Instruction 7(e), page 2.)	
14. (a) Several Indebtedness Contracted in relation to a Joint Water Project. §15.20..... (a) _____	
(b) Joint Indebtedness Contracted for such Purpose. .... (b) _____	
(See Instruction 7(f), page 2.)	
15. (a) Several Indebtedness Contracted for a Joint Service and Excluded Pursuant to Local ..... Finance Law, §15.20 and §123.00. .... (a) _____	
(b) The Apportioned or Allocated Amount of any such Joint Indebtedness so Excluded. ... (b) _____	
(See Instruction 7(g), page 2.)	
16. (a) Several Indebtedness Contracted for a Joint Sewage and/or Drainage Project and ..... Excluded Pursuant to Local Finance Law, §15.20, §123.00, and §124.10.(a)	<u>338,730,443</u>
(b) The Apportioned or Allocated Amount of any such Joint Indebtedness so Excluded. ... (b) _____	
(See Instruction 7(g), page 2.)	
Total Exclusions .....	<u>\$393,294,043</u>



# SCHEDULE A

PART 1. The following obligations will be sold at the sale in connection with which this debt statement is filed:

Date of Authorization	Type of Obligation	Amount to be Sold		Object or Purpose for which Authorized
Please see attached				
Total.....				

PART 2. The following bond anticipation notes have been issued in anticipation of the bonds listed in PART 1 above, and are now outstanding.

Date of Note	Amount	Object or Purpose for which Authorized
	\$	
Total.....	\$	

*The following symbols may be used: Serial Bond-SB; Statutory Installment Bond-SIB; Anticipation Note BAN; Capital Note-CN; Tax Anticipation Note-TAN; Revenue Anticipation Note-RAN; Budget Note-BN; Certificate of Indebtedness-CI; Sinking Fund Bonds-SFB.*

**PART 1.** The following obligations are authorized, unissued and will be sold prior to the sale of the obligations listed in Schedule A, PART 1.

Date of Authorization	Type of Obligation	Amount to be Issued		Object or Purpose for which Authorized
Total.....		\$		

**PART 2.** The following obligations are authorized, unissued and will not be sold prior to the sale of the obligations listed in Schedule A, PART 1.

Date of Authorization	Type of Obligation	Amount to be Issued		Object or Purpose for which Authorized
		\$		See attached
Total.....		\$		

VERIFICATION BY CHIEF FISCAL OFFICER

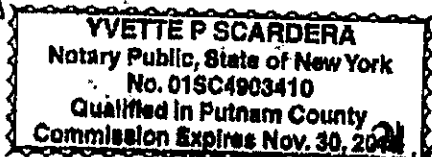
State of New York           )  
                                      ) ss  
County of Westchester       )

Ann Marie Berg being duly sworn, deposes and says: That she is the duly appointed, qualified, and acting chief fiscal officer of the County of Westchester, New York; that she prepared and has read the foregoing debt statement and knows the contents thereof; that the same is true to her own knowledge except as to the matters therein stated to be alleged upon information and belief, and that as to those matters she believes it to be true.

Subscribed and sworn to before me this 28<sup>th</sup> day  
of 2010, September.

[Signature]  
Notary Public

[Signature]  
Ann Marie Berg  
Commissioner of Finance  
Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601



County of Westchester  
Schedule A Part 1  
9/30/2020

Series A page 1 of 2

<u>Date Adopted</u>	<u>Type of Obligation</u>	<u>Ttl Bond</u>	<u>Object or Purpose for which Authorized</u>
5/8/2017	Serial Bond	169,604	BES13-01 Fire Training Site Improvements Phase II
5/8/2017	Serial Bond	2,112,587	BES13-02 Fire Training Yard Building Improvements
6/19/2017	Serial Bond	47,568	BIT34-04 Video Surveillance Security Upgrade
5/20/2019	Serial Bond	296,124	BIT35-05 2019 Appropriation
6/5/2017	Serial Bond	734,647	BIT39-02 Telecom Replace Phase II
4/24/2017	Serial Bond	74,978	BIT3C-01 Replacement or Virtualization of Systems
6/5/2017	Serial Bond	29,879	BIT40-01 Basemap Update Data Access Tools & Software
5/20/2019	Serial Bond	314,569	BIT45-01 Building Access Control & Video Surveillance Systems Upgrade
6/17/2019	Serial Bond	529,123	BIT4C-01 Employee Productivity Systems 2018-2022
9/4/2018	Serial Bond	585,893	BIT6C-04 2019 approp
4/3/2017	Serial Bond	30,640	BIT9A-03 Geographic Info Systems
6/11/2018	Serial Bond	444,490	BPL1A-01 Rt 6 Hidden Meadow at Somers
9/25/2017	Serial Bond	1,123,554	BPL1A-04 1847 Crompond Rd, Peekskill
10/22/2018	Serial Bond	555,266	BPL1A-09 25 S. Regent St, Portchester
7/30/2018	Serial Bond	787,500	BPL30-20 5 Hudson St, Yonkers
8/5/2019	Serial Bond	2,340,000	BPL30-22 645 Main St., Peekskill
3/3/2014	Serial Bond	20,312	BPL40-01 Bronx River Stabilization @ Hamey Rd
6/6/2016	Serial Bond	890,130	BSS14-03 Roof & Facade
3/7/2016	Serial Bond	20,900	BLR09-01 Staff Facilities Rehab
4/23/2019	Serial Bond	99,050	BLR2D-04 2019 Equipment
10/3/2011	Serial Bond	119,068	WCC67-00 Health Science Renovation/Improvements
10/4/2010	Serial Bond	9,000	WCC68-00 Administration Bldg-Renovation
4/16/2018	Serial Bond	807,918	WCC79-03 Roof Replacement - Admin & Tech Bldgs
6/12/2018	Serial Bond	4,276,361	BCR52-01 Jail Kitchen Infrastructure
10/18/2019	Serial Bond	228,640	BCR5D-01 Infrastructure Improvements 2016-20
10/16/2017	Serial Bond	10,280	BDA01-04 DA IT Equipment & Implementation
2/25/2019	Serial Bond	22,128	BDA01-05 DA IT Equipment & Implementation
4/23/2019	Serial Bond	1,241,000	BPS23-07 Police Vehicles & Accessories
1/14/2019	Serial Bond	3,126,419	RBM06-01 Blue Mt Reservation Dam Project
4/5/2012	Serial Bond	7,000	RGC18-01 Cart Path Rehab Maple Moor
7/31/2012	Serial Bond	15,000	RGC18-01 Cart Path Rehab Maple Moor
5/21/2018	Serial Bond	711,579	RGE03-01 George's Island Site Work
9/25/2019	Serial Bond	1,184,240	RGHH1-01 Hudson Hills Improvements
3/28/2011	Serial Bond	10,000	RGI03-01 Glen Island Bridge Rehabilitation II
4/3/2018	Serial Bond	1,113,142	RGI05-01 Glen Island Seawall Reconstruction
5/15/2020	Serial Bond	55,263	RLAS5-01 Main House & Chinese Friendship Pavilion
10/18/2019	Serial Bond	1,724,681	RMS01-01 Merestead Main House Rehab
7/15/2019	Serial Bond	4,103,307	RP006-03 Derby Racer
7/15/2019	Serial Bond	4,105,819	RP006-04 Carousel
5/2/2016	Serial Bond	72,000	RP028-03 Bathrooms
5/2/2016	Serial Bond	108,426	RP040-01 Admin Building Rehab
5/2/2016	Serial Bond	49,286	RP047-01 Playland Parking Lot Improvements
8/6/2020	Serial Bond	592,590	RP053-01 Playland Pool Rehab
1/14/2019	Serial Bond	251,733	RP054-01 Playland Bathhouse Canopy Replacement
10/18/2019	Serial Bond	303,238	RSW01-02 Tot Playground & Pathway Improvement Picnic Pavilion
4/8/2019	Serial Bond	644,806	RSW04-01 Saxon Woods Ballfield Rehab
4/8/2019	Serial Bond	1,837,885	RTB10-01 Tibbetts Brook Ballfield Rehab
3/11/2019	Serial Bond	-	A0118-01 Runway 16/34 Rehab
3/7/2016	Serial Bond	96,609	T0044-01 Dynamometer
7/17/2017	Serial Bond	812,192	T0048-01 Relocation of Overhead Utilities
5/28/2020	Serial Bond	1,094,720	T0050-01 HVAC at CMF
5/2/2016	Serial Bond	247,896	T0051-01 Bus Exhaust System at CMF

County of Westchester  
Schedule A Part 1  
9/30/2020

Series A page 2 of 2

<u>Date Adopted</u>	<u>Type of Obligation</u>	<u>TN Bond</u>	<u>Object or Purpose for which Authorized</u>
11/18/2019	Serial Bond	1,524,428	T0063-01 Bus Voice & Data System
11/1/2016	Serial Bond	28,921	T016B-01 Maintenance & Supervisory Vehicles III
7/16/2018	Serial Bond	185,000	B0081-08 Record Center Renovations
3/18/2014	Serial Bond	101,704	B0086-01 Condensate & Energy Savings Controls
1/29/2013	Serial Bond	1,062,880	BPF32-01 Infrastructure Repairs, Parking Garage, White Plains 2012-16
9/25/2019	Serial Bond	50,840	P0029-01 BRP over Bronx River (N & S of Leewood Dr) Eastchester
6/11/2018	Serial Bond	117,514	RB03C-01 June Rd (Rte124) Over Titicus River, North Salem BIN1037480
4/9/2018	Serial Bond	144,451	RB03D-01 Palmer Road Over Bronx River, Yonkers and Bronxville
9/25/2019	Serial Bond	23,560	RB03Q-01 Grant Ave over Cent. West. Pkwy, White Plains
9/25/2019	Serial Bond	298,665	RB03U-01 Sherwood Ave over Bx River Pkwy, Yonkers
9/25/2019	Serial Bond	941,111	RB03Y-01 Main St over Bronx River, White Plains
7/15/2019	Serial Bond	20,600	RB131-01 Theo Fremd Ave, CR 54, Rye
10/18/2019	Serial Bond	1,745,680	RB133-01 Bedford Rd, CR 27 & 106, Pleasantville
1/14/2019	Serial Bond	1,635,689	RB141-01 Overhead Sign Replacement
6/11/2018	Serial Bond	2,646,422	RB145-01 Guiderail Replacement
6/11/2018	Serial Bond	3,160,502	RB148-01 Columbus Ave, CR 64, Mt Pleasant
7/15/2019	Serial Bond	1,099,003	RB171-01 Main St, CR 37 & 69II, Eastchester
7/15/2019	Serial Bond	81,270	RB172-01 Mamaroneck Ave, CR 8/8D, Mamaroneck
7/15/2019	Serial Bond	34,889	RB173-01 Mamaroneck Ave, CR 8A/8B, Harrison
1/14/2019	Serial Bond	251,265	RB188-01 Seven Bridges Rd, CR 21, New Castle
1/14/2019	Serial Bond	151,233	RB189-01 Westchester Avenue (EB), CR 62 White Plains
1/14/2019	Serial Bond	181,740	RB191-01 Union Avenue, CR 94, Harrison
1/14/2019	Serial Bond	887,405	RB192-01 Long Ridge Rd, CR 3, Pound Ridge
9/4/2018	Serial Bond	500,000	BIT36-03 2018 Approp
5/2/2016	Serial Bond	98,000	BIT38-01 Comm Log System Phase 1
10/30/2017	Serial Bond	251,000	BIT38-02 Comm Log System Phase 2
5/16/2016	Serial Bond	2,000,000	RBR01-05 Green Acres to Crane Rd
5/16/2016	Serial Bond	1,117,000	RBR02-02 Turf Recreation Field
5/6/2019	Serial Bond	70,000	RGP09-07 Vehicle Replacement
2/14/2020	Serial Bond	928,000	B035D-04 Various Equipment
9/18/2018	Serial Bond	1,033,000	RB03M-01 Mamaroneck Ave over M'neck
3/16/2015	Serial Bond	262,000	RB03R-02 Pier Rehab
9/25/2019	Serial Bond	398,000	RB03V-01 Oak St over Bronx River, Yonkers
10/18/19	Serial Bond	5,000,000	P0024 - 02 P0024-02 Bronx River Parkway Rehab Program
10/18/19	Serial Bond	1,000,000	RB03N-01 Rehab of 9 Bridges
05/08/17	Serial Bond	1,585,000	RB03P-01 Old Albany Post over Sprout Brook
01/14/19	Serial Bond	1,000,000	RB141-01 Overhead Signs
06/11/18	Serial Bond	60,000	BPR01-02 Probation vehicles

Total Series A \$ 71,909,716

County of Westchester  
Schedule A Part 1  
9/30/2020

Series B

<u>Date Adopted</u>	<u>Type of Obligation</u>	<u>Ttl Bond</u>	<u>Object or Purpose for which Authorized</u>
12/5/2018	Serial Bond	878,613.99	2019 Tax Certiorari judgements - Due & Payable
4/22/2020	Serial Bond	2,878,656.25	2020 Tax Certiorari judgements - Due & Payable
	Ttl Certs	<u>\$ 3,757,270</u>	

Series C

<u>Date Adopted</u>	<u>Type of Obligation</u>	<u>Ttl Bond</u>	<u>Object or Purpose for which Authorized</u>
4/7/2014	Serial Bond	<u>\$ 51,205,000</u>	refund 2011A, 2011B, 2011C, 2012A, 2013B Authorization

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
10/27/2014	G.O. Bond	40,007,920	SLI01 Reconstruction of Mamaroneck and New Rochelle Waste Water
8/6/2020	G.O. Bond	38,414,000	SY038 Pre-purchase and installation of last two NG/ADG gas fired engine generators at YJWTP
5/28/2020	G.O. Bond	18,700,000	A069A Cost of compliance for Aircraft Deicing System Implementation
6/11/2020	G.O. Bond	18,000,000	SBB07 Cost of process equipment improvements at Blind Brook Waste Water Treatment Plant
8/6/2020	G.O. Bond	17,965,651	RP025 Design & construction of various store fronts along south boardwalk at Playland Park
6/11/2020	G.O. Bond	14,959,000	SNR20 Relining and Reconstruction of Mamaroneck/New Rochelle Twin Sludge Forcemain
4/22/2020	G.O. Bond	13,800,000	SY018 Cost of Sluice Gate replacement at Yonkers Joint Treatment Plant
8/6/2020	G.O. Bond	12,191,000	SY009 Construction associated with odor control and HVAC upgrades at YJWTP
7/23/2020	G.O. Bond	11,250,000	SM002 Rehab of outfall jetty bulkhead from Mamaroneck Wastewater Treatment Plant
10/18/2019	G.O. Bond	10,350,000	SOS95 Pumping Station Improvements - Ossining Sanitary Sewer District
5/28/2020	G.O. Bond	10,304,031	T0050 Replacement of heating units and ventilation fans at Central Maintenance Facility, Yonkers
5/15/2020	G.O. Bond	10,000,000	T001X Acquisition of various buses at Central Maintenance Facility, Yonkers
10/18/2019	G.O. Bond	9,812,654	P0024 Bronx River Pkwy Rehabilitation Program
8/6/2020	G.O. Bond	8,833,354	RP053 Remove 'rehabilitation of brick facade' and 'locker room renovations' from 114-2017
9/25/2019	G.O. Bond	8,700,000	RB03U Reconstruction of Sherwood Ave Bridge over Bronx River Pkwy in City of Yonkers
6/17/2019	G.O. Bond	8,200,000	SNR85 Rehabilitation of Drake Ave and Hudson Park Siphon Chambers
4/22/2020	G.O. Bond	8,172,000	SY024 Rehab of Yonkers Joint Treatment Plant Secondary System
6/11/2018	G.O. Bond	7,826,926	RB148 Rehabilitation of Columbus Ave from Lakeview Ave to Nanny Hagen Road
2/28/2020	G.O. Bond	7,800,000	SY030 Various roof work at Yonkers Joint Water Resource Recovery Facility
7/17/2017	G.O. Bond	7,700,000	SY019 Yonkers Joint Wastewater Treatment Plant Grit Handling Improvements
4/22/2020	G.O. Bond	7,105,000	SM030 Cost of design, construction & roof replacement at Mamaroneck Wastewater Treatment Plant
9/18/2018	G.O. Bond	7,093,377	RB03M Design & construction for replacement of Mamaroneck Avenue bridge over Mamaroneck River
5/28/2020	G.O. Bond	7,020,000	RML03 Cost of reconstruction of three dams at Mountain Lakes Park in North Salem & Lewisboro
4/18/2016	G.O. Bond	6,800,000	SY085 SS Eval Survey & capacity assurance, mgt, operation, rehab work Saw Mill Valley
7/15/2019	G.O. Bond	6,430,000	RB174 Rehabilitation of Mamaroneck Ave, C.R. 8C, White Plains - Bryant Ave to White Plains/Harrison Lin
6/3/2019	G.O. Bond	6,403,003	RD017 Design/construction for leachate collection system at MRF in Yonkers
1/14/2019	G.O. Bond	6,335,894	RB141 Replacement of overhead sign structures on County roadways
9/25/2019	G.O. Bond	6,200,000	BPL32 Hudson River Museum Improvements
9/25/2019	G.O. Bond	6,000,000	RB03V Reconstruction of Oak St Bridge over Bronx River Pkwy in City of Yonkers
7/23/2020	G.O. Bond	5,900,000	SPC38 Rehab of Primary Settling Tank at Port Chester Water Resource Recovery Facility
8/5/2019	G.O. Bond	5,760,000	BPL1A Construction of affordable rental units at 645 Main Street in Peekskill
10/16/2017	G.O. Bond	5,750,000	SY037 Additional Steel Cells for Cellular Bulkhead System at Hudson River Yonkers JWWTP
5/15/2020	G.O. Bond	5,698,000	T001X Acquisition of various buses at Cerrato Bus Garage, Valhalla
3/11/2019	G.O. Bond	5,617,981	A0118 Runway 16/34 Rehabilitation at Westchester County Airport
8/6/2020	G.O. Bond	5,588,818	BPF32 Structural rehabilitation of the parking structure at County's White Plains Complex
9/25/2019	G.O. Bond	5,540,000	RB03Q Reconstruction of Grant Avenue Bridge over Central Westchester Pkwy in City of White Plains

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
4/22/2020	G.O. Bond	5,398,000	RMF02 Portion of the cost of running track and bleacher seating installation at Memorial Field, Mt Vernon
4/22/2020	G.O. Bond	5,398,000	RMF02 Portion of the cost of synthetic turf field installation at Memorial Field, Mt Vernon
4/22/2020	G.O. Bond	5,398,000	RMF02 Portion of the cost of building constructions at Memorial Field, Mt Vernon
5/15/2020	G.O. Bond	5,300,000	RPA03 Rehab of South County Trailway portion
5/2/2016	G.O. Bond	5,248,792	RP047 Playland Parking Lot Imp
6/24/2020	G.O. Bond	5,130,000	RLEN2 Cost of renovating Lenoir Preserve buildings
6/11/2020	G.O. Bond	5,000,000	BPL1A Cost of infrastructure improvements of affordable housing units in Yonkers
4/22/2020	G.O. Bond	5,000,000	BPL1A Cost of infrastructure improvements of affordable housing units in New Rochelle
8/7/2017	G.O. Bond	5,000,000	SSM74 Additional Construction Management and Construction Cost Tarrytown Pump Station
12/12/2013	G.O. Bond	5,000,000	B0095 375 Executive Blvd, Elmsford rehabilitation (2012-2016)
1/14/2019	G.O. Bond	4,949,571	RBM06 Blue Mountain Reservation Dam project - Town of Cortlandt and Peekskill
7/16/2018	G.O. Bond	4,787,286	BIT32 Replacement of mobile (vehicle-mounted) radios used by emergency personnel
3/27/2020	G.O. Bond	4,750,000	BIT50 Cost of acquisition & installation of servers, equipment, software & implementation for DoIT
6/17/2019	G.O. Bond	4,750,000	SY031 Rehabilitation or replacement of combined storm & sewer flow regulators and tide gates
8/6/2020	G.O. Bond	4,743,000	RCP7B Construction for a new beach bathhouse at Croton Point Park
7/16/2018	G.O. Bond	4,725,967	BIT32 Replacement of portable and base station radios used by emergency personnel
5/28/2020	G.O. Bond	4,700,000	RB151 Rehab of 1.23 miles of roadway from Stevens Ave to Liberty Street in Mt Pleasant
10/18/2019	G.O. Bond	4,669,278	RB03N Rehabilitation of various bridges
6/12/2018	G.O. Bond	4,654,842	BCR52 Rehabilitation of the Jail Kitchen at the Correctional Facility in Valhalla
9/25/2019	G.O. Bond	4,610,000	P0029 Reconstruction of Bronx River Pkwy Bridge (North and South of Leewood Drive)
8/6/2020	G.O. Bond	4,550,000	B042B Replacement of roof at Bus Maintenance Facility at Valhalla Campus
10/18/2019	G.O. Bond	4,500,000	SM085 Sewer System Rehabilitation - Mamaroneck Sanitary Sewer District
7/15/2019	G.O. Bond	4,494,061	RP006 Design & construction of the rehabilitation of the Derby Racer Building and associated site work
7/23/2020	G.O. Bond	4,475,000	T003A Purchase of 6 electric transit buses, along with related equipment and services
7/15/2019	G.O. Bond	4,410,000	RB136 Rehabilitation of Midland Ave, C.R. 72 - Playland Parkway to Port Chester/Rye Line
10/22/2018	G.O. Bond	4,400,000	BPL1A Infrastructure associated with affordable housing at 135 S. Lexington Ave in White Plains
6/11/2018	G.O. Bond	4,349,516	RB145 Replacement of ASTM A 588 steel guide rail and related work on various county roads
7/15/2019	G.O. Bond	4,314,741	RP006 Design & construction of the rehabilitation of the Carousel Building and associated site work
3/13/2020	G.O. Bond	4,120,000	P0030 Rehabilitation of roadway from North Broadway to the Grant Ave Bridge
8/7/2017	G.O. Bond	4,108,842	SPS05 Elimination of Various Structural Deficiencies at the North Yonkers Pump Station
2/13/2017	G.O. Bond	4,050,000	RD017 Leachate Collection System - overnight haulage vehicle staging area
4/30/2013	G.O. Bond	4,007,245	A083A Airport terminal systems upgrade
10/18/2019	G.O. Bond	4,000,000	SY041 Yonkers Joint Water Resource Recovery Facility - Plant Wide Flood Mitigation
4/21/2014	G.O. Bond	4,000,000	SY037 Yonkers Joint Wastewater Treatment Plant - Cellular Bulkhead rehabilitation
7/15/2019	G.O. Bond	3,930,000	RB172 Rehabilitation of Mamaroneck Ave, C.R. 8/BD, Mamaroneck- Mamaroneck Ave Bridge to Mt. Pleasant
3/13/2020	G.O. Bond	3,900,000	RB199 Rehab of 1.5 miles of roadway from Cassilis Ave to southbound I87 in Yonkers



County of Westchester  
Schedule A Part 2  
9/30/2020

Date of Authorization	Type of Obligation	Amount to be Issued	Object or Purpose for which Authorized
4/27/2015	G.O. Bond	3,803,610	SPC02 Port Chester wastewater treatment plant rotating biological contractor units
3/2/2015	G.O. Bond	3,797,273	A095B Design contruction and contruction management of baggage screening area
10/18/2019	G.O. Bond	3,765,058	RMS01 Restoration of Merestead Site Development/Buildings - Restoration of Main House
10/18/2019	G.O. Bond	3,750,000	SPC41 Port Chester Water Recovery Facility - Plant Wide Flood Mitigation
4/8/2019	G.O. Bond	3,714,307	RTB10 Rehabilitation of Tibbetts Brooks Park Ballfield in Yonkers
5/9/2011	G.O. Bond	3,710,000	BPL10 Acq. of land in Mt Vernon for Fair and Affordable Housing Units
3/31/2014	G.O. Bond	3,705,520	RB01Q Ashford Avenue Bridge over I-87 and Saw Mill River Parkway
4/9/2018	G.O. Bond	3,600,000	T001S Acquisition of various articulated buses for the Central Ave routes
5/15/2020	G.O. Bond	3,554,588	RLAS6 Rehab Main House at Lasdon Park & Arboretum, Somers
10/25/2019	G.O. Bond	3,508,407	RP031 Replacement of Playland Switchgear Bldg and Mechanisms
9/24/2018	G.O. Bond	3,500,000	SSM02 Design & construction mgmt of new trunk sewer extension in the Saw Mill Sewer District
9/21/2015	G.O. Bond	3,375,222	A0120 Ground support equipment facility hangar C-1 Westchester County Airport
4/24/2017	G.O. Bond	3,328,000	SY025 Construction Management Cost for Thickeners and Sludge Handling Equipment
4/3/2018	G.O. Bond	3,325,978	RG105 Reconstruction of the seawall at Glen Island Park
5/2/2016	G.O. Bond	3,310,145	RP028 Food Structures - Playland
9/25/2019	G.O. Bond	3,240,090	RB03Y Reconstruction of Main St Bridge over Bronx River Pkwy in City of White Plains
7/15/2019	G.O. Bond	3,070,000	RB173 Rehab of Mamaroneck Ave, C.R. 8A/8B, Harrison - White Plains/Harrison Line to Mamaroneck Ave
12/14/2015	G.O. Bond	3,038,213	RKD05 Kensico Dam Plaza reflecting pool restoration
7/17/2013	G.O. Bond	3,037,000	SY009 Yonkers Joint Treatment plant - odor control and HVAC upgrades
8/6/2020	G.O. Bond	3,028,000	BEL01 Purchase of voting machines
10/22/2012	G.O. Bond	3,025,700	RD075 Construction costs for rehabilitation of pumping stations at Croton Point Park
10/18/2019	G.O. Bond	2,965,462	RB133 Construction and rehabilitation of Bedford Road, C.R. 27 and 106, Pleasantville
11/1/2016	G.O. Bond	2,900,000	SPK14 Peekskill WWTP Secondary Process & Heating upgrades
7/17/2013	G.O. Bond	2,900,000	SPK12 Peekskill wastewater treatment plant mechanical, sludge handling upgrade
7/16/2018	G.O. Bond	2,847,668	BIT32 Integrate Trunked Radio System with Transportation Communication system
4/21/2014	G.O. Bond	2,832,000	SOS09 Ossining WWTP Boiler and Generator Replacement
7/15/2019	G.O. Bond	2,772,460	BIT32 Replacement of Trunked Radio System for emergency service communication
8/21/2012	G.O. Bond	2,750,000	BPL01 Cost of acquisition of Larkin Plaza supporting Warburton Riverview Affordable Housing
5/2/2016	G.O. Bond	2,705,257	RP040 Rehab Admin Bldg at Playland
7/16/2018	G.O. Bond	2,640,170	BIT32 Replacement of County's wireless radio system for fire, EMS, police, and other emergency personnel
3/13/2020	G.O. Bond	2,625,000	BES18 Renovations to Fire Training Yard at Dept of Emergency Services Fire Training Center in Valhalla
7/17/2017	G.O. Bond	2,600,000	BPL30 Acquisition of Land Located on Route 22 in Lewisboro
6/28/2011	G.O. Bond	2,550,000	SY085 Design/constr mgmt. -perm. slope stabiliz'n No. Yonkers Trunk Sewer
9/25/2019	G.O. Bond	2,544,721	RGHH1 Construction improvements of the Hudson Hills Golf Course
3/12/2012	G.O. Bond	2,512,792	RB2KK Partial reconstruction Warburton Ave over Factory Lane
3/27/2020	G.O. Bond	2,500,000	BIT41 Cost of services & equipment for renovations at Guard Hill radio site in Bedford

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be issued</u>	<u>Object or Purpose for which Authorized</u>
10/25/2019	G.O. Bond	2,500,000	SY085 Refining of various city-owned sewer lines - Yonkers Joint Treatment Plant
9/25/2019	G.O. Bond	2,500,000	BPL1A Construction of affordable rental units at 11 Graden Street, New Rochelle
5/6/2013	G.O. Bond	2,500,000	A0097 Domestic water system improvements at County Airport
9/15/2014	G.O. Bond	2,468,838	B077C Reconstruction of Mt Vernon office and Mt Vernon Annex building
6/11/2020	G.O. Bond	2,450,000	RD019 Cost of constructing food scrap composting and education facility in Valhalla
4/22/2020	G.O. Bond	2,450,000	SW011 Rehab of DEF Yorktown maintenance facility
5/16/2016	G.O. Bond	2,443,310	RBR01 Portion of Bronx River Reservation Pathway
3/30/2015	G.O. Bond	2,430,964	SBB06 Blind Brook WWTP - Performance maintenance
3/13/2020	G.O. Bond	2,400,000	RB183 Rehab of 1.12 miles of roadway from West Street to Route 127
9/26/2016	G.O. Bond	2,400,000	RGSL2 Sprain Lake Fairways - golfcourse renovations
5/6/2019	G.O. Bond	2,389,086	BCR58 Rehabilitation of Inmate Showers and Floors at Westchester County Jail in Valhalla
3/13/2020	G.O. Bond	2,370,000	RB175 Rehab of .46 miles of roadway from the New Rochelle/Pelham Line to First Avenue
3/16/2015	G.O. Bond	2,342,192	RB03R Pier rehabilitation, Ashford Avenue Bridge, Ardsley/Dobbs Ferry
8/5/2019	G.O. Bond	2,340,000	BPL30 Purchase of real property located at 645 Main Street in Peekskill, for Fair Housing
5/8/2017	G.O. Bond	2,334,763	BES13 Fire Training Yard Renovation and Alteration
4/21/2014	G.O. Bond	2,300,000	SM075 Pump station rehabilitation program - Mamaroneck SSD
7/15/2019	G.O. Bond	2,265,000	RB131 Rehabilitation of Theodore Fremd Avenue, C.R. 54 - North Street to Purchase Street
6/2/2014	G.O. Bond	2,263,276	A066C Miscellaneous restoration and rehabilitation (2011 - 2015)
7/15/2019	G.O. Bond	2,214,086	BIT32 Replacement of voice radio paging system used to dispatch fire departments & EMS agencies
4/22/2020	G.O. Bond	2,190,000	SPK30 Cost of roof replacement of various buildings at Peekskill Wastewater Treatment Plant
4/21/2014	G.O. Bond	2,150,000	SPC03 Port Chester WWTP - Electrical System upgrade
3/31/2014	G.O. Bond	2,150,000	B0094 Passenger Elevator rehabilitation, Mount Vernon District Office
5/2/2016	G.O. Bond	2,125,585	RP028 Restrooms - Playland
3/13/2020	G.O. Bond	2,100,000	RB203 Rehab of .94 miles of roadway from Highland Ave to Cortlandt/Peekskill Line in Peekskill
11/27/2017	G.O. Bond	2,020,210	WD305 Design Construction and management of Eastview Pumping Station and Transmission Main
4/26/2011	G.O. Bond	2,014,639	RPL02 Constr & Repairs for Pocantico Lake Dam with NYDEC order
4/22/2020	G.O. Bond	2,000,000	SY028 Cost of design and construction of electric & lighting systems of Yonkers Joint Treatment Plant
10/18/2019	G.O. Bond	2,000,000	BCR5D Improvements to the County Correctional Facility Valhalla Campus
10/18/2019	G.O. Bond	2,000,000	SOS41 Ossining Water Resource Recovery Facility - Plant Wide Flood Mitigation
7/27/2015	G.O. Bond	1,938,310	SBB85 Sewer system rehabilitation - Blind Brook SSD
9/25/2017	G.O. Bond	1,880,085	BPL1A Construction of Infrastructure improvements to 1847 Crompond Road Peekskill
6/28/2011	G.O. Bond	1,872,340	RD004 Final closure - open areas Sprout Brook Disposal Facility
11/18/2019	G.O. Bond	1,872,332	T0063 New voice and data communications system for the Bee-Line bus system
5/15/2020	G.O. Bond	1,860,000	RKD04 Fire Training Yard Renovation and Alteration
1/14/2019	G.O. Bond	1,800,000	RB189 Rehab of roadway - Anderson Hill Road to Corporate Park Drive
6/19/2017	G.O. Bond	1,800,000	B0103 Cost of Planning Improvements to the Woodfield Cottage Detention Center at Valhalla

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
5/16/2016	G.O. Bond	1,790,203	RBR02 Bronx River Reservation - Scout Field
4/26/2011	G.O. Bond	1,773,174	RTL01 Construction of Twin Lakes Dam thru NYSDEC Order
7/15/2019	G.O. Bond	1,725,000	RB171 Rehabilitation of Main Street, C.R. 37 & C.R. 69II, Eastchester - various sections
10/25/2019	G.O. Bond	1,720,347	RP033 Imp/Repair Fire Suppression Systems at Playland
10/18/2019	G.O. Bond	1,700,000	SPK41 Peekskill Water Resource Recovery Facility - Plant Wide Flood Mitigation
12/3/2014	G.O. Bond	1,672,419	B042B Roof replacement program (2012 - 2017) Norwood E Jackson Correctional Center
3/13/2020	G.O. Bond	1,650,000	RB178 Rehab of .64 miles of roadway from Harrison Ave to Boston Post Road
3/13/2020	G.O. Bond	1,650,000	RB204 Rehab of .86 miles of roadway from NYS Rt 120 to Airport entrance in North Castle
3/13/2020	G.O. Bond	1,635,000	RB164 Rehab of roadway on Westchester Ave from South Kensico Ave to Main Street in White Plains
4/9/2018	G.O. Bond	1,611,197	RB020 Reconstruction of Warburton Ave from Hastings/Yonkers Line to Broadway in Hastings
5/21/2018	G.O. Bond	1,602,860	RGE03 Rehabilitation of various sections of George's Island Park
5/8/2017	G.O. Bond	1,585,992	RB03P Replacement Bridge Over Sprout Brook on Old Albany Post Rd
9/25/2019	G.O. Bond	1,550,000	P0028 Planning construction of Bronx River Pkwy Bridge
8/21/2012	G.O. Bond	1,536,937	SPK20 Forcemain replacement and installation for Peekskill Sanitary Sewer District
6/6/2016	G.O. Bond	1,533,446	BSS14 Coachman Family Center White Plains Improvements
6/20/2016	G.O. Bond	1,530,000	SY009 Yonkers Joint Treatment Plant Odor Control HVAC Upgrades Design, Conts, Phase III LEED
8/6/2020	G.O. Bond	1,524,000	BEL01 Purchase of equipment necessary to facilitate voting - poll pad units, print tablets, & accessories
6/11/2018	G.O. Bond	1,515,390	BPL1A Construction of certain public infrastructure improvements in support of Hidden Meadows developm
5/21/2018	G.O. Bond	1,510,563	RPA01 Improvements to the Playland pathway
6/11/2020	G.O. Bond	1,500,000	SSM21 Cost of new relief sewer for section of Saw Mill Section B sanitary trunk sewer in New Castle
2/26/2018	G.O. Bond	1,500,000	SM016 Upgrade to Mamaroneck Wastewater treatment plant
3/16/2015	G.O. Bond	1,500,000	RB03K Access ramp to the Northbound Saw Mill River Parkway Ashford Avenue Bridge
5/2/2016	G.O. Bond	1,484,176	RP028 Gaming Structures - Playland
7/15/2019	G.O. Bond	1,455,000	RB146 Rehabilitation of South Broadway & Post Road, C.R. 108 - Main Street to Mamaroneck Ave
3/13/2020	G.O. Bond	1,450,000	RB185 Rehab of roadway from Charles Point Ave to Route 9/9A
5/21/2013	G.O. Bond	1,447,954	A083A Cost to upgrade County Airport terminal systems
5/2/2016	G.O. Bond	1,443,845	RP042 site improvements at Playland
4/23/2019	G.O. Bond	1,439,931	BPS23 Replacement of various vehicles and equipment for the Department of Public Safety
7/16/2018	G.O. Bond	1,414,532	B0081 Renov conf rm, kitchen, restroom, exterior facade, warehouse, loading dock floor rehab and related
3/13/2020	G.O. Bond	1,400,000	RB201 Rehab .7 miles of roadway from King Street to Putnam Ave in Port Chester
9/25/2019	G.O. Bond	1,400,000	RB202 Construction rehabilitation of roadway from Farragut Pkwy to Hillside Ave, Hastings on Hudson
9/25/2019	G.O. Bond	1,375,000	BPL30 Property Acquisition
4/7/2014	G.O. Bond	1,342,489	B014C Exterior infrastructure repairs, White Plains (2011 - 2015)
5/2/2016	G.O. Bond	1,327,321	RP028 Playland Employee Areas
6/11/2020	G.O. Bond	1,300,000	T034A Cost of replacing underground diesel tanks with above ground tanks in Valhalla
10/22/2018	G.O. Bond	1,272,813	BPL1A Infrastructure associated with construction of affordable units at 25 Sout Regent St in Port Chester

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
1/14/2019	G.O. Bond	1,250,000	RB192 Rehab of roadway - Pine Brook Road to Fox Hill Road
6/15/2015	G.O. Bond	1,250,000	SPK14 Peekskill wastewater treatment plant - secondary process and heating systems upgrade
12/6/2010	G.O. Bond	1,215,585	RGIP9 Improvements to Blue Mountain Reservation, George Island Park + Gorge Prk
7/15/2019	G.O. Bond	1,205,000	RB137 Rehabilitation of Pelham Parkway, C.R. 70 - Fulton Ave Bridge to Boston Post Road
9/25/2019	G.O. Bond	1,200,000	P0027 Planning construction of Bronx River Pkwy Bridge (North of Greenacres Ave) over Bronx River Pkw
7/15/2019	G.O. Bond	1,200,000	RG103 Design of rehabilitation of below deck elements of Glen Island Bridge
6/19/2017	G.O. Bond	1,200,000	SM095 Design Contruction Management of Rehabilitation Fenimore Rd and Weaver St Pumping
1/14/2013	G.O. Bond	1,197,838	RP010 Playland storm reconstructionH
4/27/2015	G.O. Bond	1,172,584	T0047 Replacement HVAC system at Cerrato maintenance facility
7/15/2019	G.O. Bond	1,170,546	BIT32 Replacement of radio dispatch & communication systems used by County Police
5/23/2011	G.O. Bond	1,153,969	RB107 Repair to NorthSt White Plains from Hutch Pkwy to W.P. Rd
8/17/2017	G.O. Bond	1,150,000	BSS15 Construction Upgrades to North Wing of County Owned Voulunteers of America Shelter Valhalla
3/27/2013	G.O. Bond	1,140,000	BPL10 Land acqusition at 150 Lake Street, White Plains for Fair Affordable Housing
4/8/2019	G.O. Bond	1,100,000	BES05 Final phase of rehabilitation of the Westchester County Dept of Emerg Serv Main Facility
6/2/2014	G.O. Bond	1,098,530	BIT31 Health inspections system replacement at Department of Health
5/5/2014	G.O. Bond	1,098,458	X10-19 Clean Air Quality Service Inc & West Fair Elec. Contractors settlement
9/19/2011	G.O. Bond	1,086,000	SY037 Repair of additional steel cells for bulkhead sys. on Hudson River at Yonkers Joint Treatment Plant
12/3/2014	G.O. Bond	1,077,781	B042A Roof replacement program (2007 - 2011) Norwood E Jackson Correctional Center
4/8/2019	G.O. Bond	1,075,242	RSW04 Replacement of the wearing surface of existing ballfield at Saxon Woods Park in White Plains
11/9/2015	G.O. Bond	1,072,507	RB123 Reconstruction of access road
7/15/2019	G.O. Bond	1,050,000	RG104 Design of rehabilitation of above deck elements of Glen Island Bridge
8/1/2016	G.O. Bond	1,050,000	BLR07 HVAC System Upgrade at Labs & Research Building Equipment Upgrade
6/20/2016	G.O. Bond	1,030,000	RB03L Pondfield Road Bridge Planning Reconstructions
7/15/2019	G.O. Bond	1,005,000	RB132 Rehabilitation of Highland Road, C.R. 308 - East Purchase Street to Harrison/Rye Town Line
5/28/2020	G.O. Bond	1,000,000	BPF39 Installation of Electric vehicle charging stations across county
4/22/2020	G.O. Bond	1,000,000	A042C Cost of planning storm water management in Westchester County Airport
2/14/2020	G.O. Bond	1,000,000	B035D Acquisition of various equipment associated with maintenance of County roadway system & facilities
12/17/2019	G.O. Bond	1,000,000	SBB85 Sewer System Rehabilitation - Blind Brook Sanitary Sewer District
12/3/2019	G.O. Bond	1,000,000	BPL26 Reconstruct the Hillside Avenue bridge in the Village of Mamaroneck
10/18/2019	G.O. Bond	1,000,000	SNR41 New Rochelle Water Resource Recovery Facility - Plant Wide Flood Mitigation
10/18/2019	G.O. Bond	1,000,000	SOS95 Pumping Station Improvements - Ossining Sanitary Sewer District
10/18/2019	G.O. Bond	1,000,000	SY095 Rehabilitation of pump stations - Main St Pumping Station, Ludlow Street Pumping Station
9/25/2019	G.O. Bond	1,000,000	RB03T Construction of new Greenwich Road bridge over Mianus River in Town of Bedford
5/2/2016	G.O. Bond	1,000,000	RP23F Structural Rehab of Historic Towers at Playland
10/22/2012	G.O. Bond	1,000,000	SM085 Construction and repair costs to Mamaroneck's sanitary sewer district
5/28/2020	G.O. Bond	980,000	BIT3C Acqisltion of computer equipment, hardware and software For DoIT

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
11/23/2015	G.O. Bond	975,829	RKP01 Kingsland Point Park infrastructure
10/18/2019	G.O. Bond	950,000	BCR53 Partial reconstruction of existing maintenance garage on Valhalla WCC campus
9/4/2018	G.O. Bond	950,000	BLR10 Design, construction & construction mgmt for rehab of loading dock, lobby, & reception area
7/17/2017	G.O. Bond	947,685	T0048 Cost of Relocation of Overhead Utilities at the Bus Maintenance in Yonkers Facility
8/7/2017	G.O. Bond	940,000	RGIP3 Improvements to General Maintenance Facility for Parks Thompson St in Crestwood
2/14/2020	G.O. Bond	925,000	RB04B Design for replacement of the existing Boston Post Road bridge over Playland Parkway
9/17/2018	G.O. Bond	918,154	RPA03 Construction of improvements to the North County Trailway
12/10/2012	G.O. Bond	905,456	SW005 System-wide Post Storm Reconstruction and Rehabilitation
4/22/2020	G.O. Bond	900,000	SBB30 Cost of design, construction & roof replacement at Blind Brook Wastewater Treatment Plant
4/22/2020	G.O. Bond	900,000	SPS30 Cost of design, construction & roof replacement at North Yonkers Pump Station
7/17/2017	G.O. Bond	900,000	SNY95 Rehabilitation of Hastings Pumping Station
6/15/2015	G.O. Bond	900,000	SM075 Pump station rehabilitation program - sewer district
6/6/2016	G.O. Bond	893,030	BM045 Putnam Right-of-Way/ South County Trailway Pedestrian and bicycle pathway
2/14/2020	G.O. Bond	875,000	RB03X Design for reconstruction of the Louisa Street Bridge in Peekskill
6/5/2017	G.O. Bond	867,136	BIT39 Purchase of Equipment to Replace Telephones and Associated Equipment
9/12/2016	G.O. Bond	860,000	BPL50 Property acquisition
6/17/2019	G.O. Bond	850,180	BIT4C Acquisition and installation of software and appliances for IT
3/13/2020	G.O. Bond	850,000	RB194 Rehab of .42 miles of roadway from Buchanan/Peekskill line to Louisa Street in Peekskill
3/13/2020	G.O. Bond	850,000	RB196 Rehab of .36 miles of roadway from Sunnysbrook Road to BRP Entrance Ramp in Yonkers
4/18/2016	G.O. Bond	850,000	S0S91 Design & Construction Crotonville Pump Station
10/18/2019	G.O. Bond	845,000	SPK85 Sewer System Rehabilitation - Peekskill Sanitary Sewer District
5/20/2019	G.O. Bond	831,423	BIT6C Purchase of equipment and related services for overhaul of storage system
5/16/2016	G.O. Bond	825,000	RWW04 Planning recreational area improvements to WW parks in Mount Vernon
5/20/2019	G.O. Bond	822,247	BIT45 Purchase of equipment and other services for upgrade of surveillance systems at WC office building
4/16/2018	G.O. Bond	821,954	WCC79 Roof Replacement Various Buildings - WCC
4/20/2015	G.O. Bond	815,000	BES14 Equipment storage building for DES
10/25/2019	G.O. Bond	800,000	SNY95 Design and construction - Dobbs Ferry Pumping Station in North Yonkers Sanitary Sewer District
5/28/2013	G.O. Bond	800,000	SW023 Prelim.: improvements to Briarcliff Pump Stn.
7/30/2018	G.O. Bond	787,500	BPL30 Purchase property at 5 Hudson Street in Yonkers to preserve affordable AFFH rental units
5/9/2011	G.O. Bond	784,000	BPL01 Mt Vernon - La Porte
6/6/2016	G.O. Bond	782,420	BPL50 98 Washington Avenue Village of Pleasantville - Development Cost
6/15/2015	G.O. Bond	769,701	SW070 Flow Monitoring Program
7/11/2011	G.O. Bond	755,328	RB2YY Rehabilitation of bridge located on Old Post Road over Playland Parkway
10/18/2019	G.O. Bond	750,000	SM041 Mamaroneck Water Resource Recovery Facility - Plant Wide Flood Mitigation
12/12/2011	G.O. Bond	750,000	BLA01 Improvements to 4th St Playground in Mount Vernon
5/23/2011	G.O. Bond	750,000	B014B White Plains complex bldg exteriors rehab & repairs 2006-2010

County of Westchester  
Schedule A Part 2  
9/30/2020

Date of Authorization	Type of Obligation	Amount to be Issued	Object or Purpose for which Authorized
3/13/2020	G.O. Bond	725,000	RB206 Rehab of .4 miles of roadway from NYS Rt 22 to Kensico Park entrance in North Castle
1/14/2019	G.O. Bond	718,570	BPL40 Stormwater Management- Various County Facilities II
1/22/2013	G.O. Bond	703,886	RWPR1 Replacement-Pleasantville Road Bridge over Pocantico River
4/16/2013	G.O. Bond	700,000	SBB85 Sewer system rehabilitation - Blind Brook sanitary sewer district
11/24/2014	G.O. Bond	694,237	BPL50 Construction and improvements to 54 Hunts Place, New Castle
4/20/2015	G.O. Bond	690,000	BES15 FTC instructor & locker facilities additions
11/9/2015	G.O. Bond	688,410	BSS15 Infrastructure improvements to shelter facilities - Volunteers of America shelter
8/7/2017	G.O. Bond	685,000	BPS26 Roof Replacement of the Special Operations Division Garage at Valhalla Campus
1/14/2019	G.O. Bond	681,149	RP054 Replacement of existing canopy system on Playland Bathhouse
6/24/2020	G.O. Bond	675,000	B0121 Rehab and improvements of Hilltop Hanover Farm in Yorktown Heights
6/5/2017	G.O. Bond	670,000	BLR10 Cost of Partial Reconstruction of the Dept of Labs and Research Facility
3/11/2013	G.O. Bond	662,909	BCR24 Installation of tele-corrections video visitation systems and associated equipment
6/4/2018	G.O. Bond	657,000	BPL30 Purchase of land located at 65 Lake Street in White Plains for Fair Housing
6/28/2011	G.O. Bond	651,425	SY016 Yonkers Joint wastewater treatment plant - additional water service
6/24/2020	G.O. Bond	650,000	BIT47 Cost of network & security infrastructure upgrades in various county department's locations
6/4/2018	G.O. Bond	650,000	BPF33 Design in connection with replacement of existing fire suppression system
12/12/2013	G.O. Bond	650,000	RBR04 Bronx River reservation pathway - preparation and design
10/3/2011	G.O. Bond	649,417	RB110 Improvements to East Main Street in the city of Peekskill, CR 25I and 25
6/17/2014	G.O. Bond	639,020	RB127 Fort Hill Road (C.R. 142) rehabilitation in City of Yonkers
6/27/2011	G.O. Bond	632,521	B0101 Replacement of cooling tower and piping at New Jail Valhalla Campus
7/27/2015	G.O. Bond	625,000	RCC14 County Center Robfs
9/4/2018	G.O. Bond	602,337	BIT36 DOIT fund acquisition of equipment, software & implementation for business & disaster recovery
8/6/2020	G.O. Bond	600,000	BLR10 Humidity control in the microbiology division at the Dept of Labs & Research facility in Valhalla
11/1/2016	G.O. Bond	600,000	RLAS6 Lasdon Infrastructure/Site work II
6/6/2016	G.O. Bond	600,000	SW022 Sewer District Heavy Equipment Replacement
6/2/2014	G.O. Bond	600,000	SOS85 Sewer System Rehabilitation - Ossining Sanitary Sewer District
5/7/2013	G.O. Bond	600,000	BCR50 Infirmary / Suicide Prevention Area facility at Westchester County Corrections facility
6/28/2011	G.O. Bond	580,000	BLA01 Columbus Park, Port Chester
4/24/2012	G.O. Bond	579,686	P0022
7/17/2013	G.O. Bond	569,718	SPS07 Repairs and upgrade of the Alexander Street Influent Structure
6/11/2020	G.O. Bond	561,000	SNR20 Cost of reconstruction of two forcemains from Mamaroneck WWTP to New Rochelle WWP
7/17/2017	G.O. Bond	560,440	BPS29 New Vehicle Storage Facility for Special Operations Division Valhalla
5/6/2019	G.O. Bond	560,000	BIT43 Purchase of equipment to upgrade the Repository for Integrated Criminal Information
6/11/2013	G.O. Bond	544,097	SNY20 Relocation of Hastings Forcemain, North Yonkers Sewer District
4/30/2013	G.O. Bond	542,800	SW006 Vulnerability assessment studies
9/18/2018	G.O. Bond	539,776	RB134 Rehab of roadway from Welcher Ave to South St - milling, resurfacing, curbing, sidewalk ramps, etc..

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
4/22/2020	G.O. Bond	525,000	RMF02 Portion of the cost of skate park installation at Memorial Field, Mt Vernon
12/7/2018	G.O. Bond	520,373	WCC93 Design & construction associated with replacement of AC system at WCC Library
11/1/2016	G.O. Bond	519,982	B077E Infrastructure rehab Mt Kisco Dist Office
6/24/2020	G.O. Bond	500,000	BIT4C Cost of purchasing and installing software and appliances for employee productivity systems
6/24/2020	G.O. Bond	500,000	BIT6C Cost of purchasing equipments & services for overhauling the data storage systems
2/28/2020	G.O. Bond	500,000	BDA02 First phase of upgrades to technology equipment, software, and systems for DA's Office
10/18/2019	G.O. Bond	500,000	WCC76 WCC Technology Upgrades (new kiosk PC's, PC, laptop, MAC replacements, phones, routers)
6/6/2016	G.O. Bond	500,000	SW014 Studies to Evaluate Design of Cap Imprv at Wastewater Treatment Plants or other for Transp
4/18/2016	G.O. Bond	500,000	SPC37 Design & c/m Rehab of Steel and Stone Bulkheads along Byram Riv - Portchester
4/4/2016	G.O. Bond	500,000	BIT30 E911 replacement equipment phase II
10/19/2015	G.O. Bond	500,000	WD309 Water storage facilities and maintenance program
6/27/2011	G.O. Bond	500,000	RGI11 Improvements and repair to dam at Woodlands Lake at VE Macy Park
4/9/2018	G.O. Bond	490,083	RB03D Cost of design of improvements to Palmer Road over Bronx River Parkway in Yonkers
1/23/2017	G.O. Bond	472,636	BPL26 County portion of flood mitigation project in County (ammended)
4/19/2012	G.O. Bond	460,000	RBM04 Partial reconstruction of buildings at Blue Mountain Reservation in City of Peekskill and Cortlandt
6/6/2011	G.O. Bond	452,955	BPL01 Infrastructure Impr - Fair & Affordable Housing - Heritage Homes
10/15/2013	G.O. Bond	450,000	RBM03 Blue Mountain reservation site work in Town of Cortlandt and Peekskill
1/22/2013	G.O. Bond	450,000	RB03F Rehabilitation of bridges over Ardsley Road over Bronx River and Bronx River Parkway over Scarsc
6/8/2015	G.O. Bond	445,965	BLA01 Property Aquisition
2/18/2014	G.O. Bond	443,471	SY020 Replacement of Tarrytown forcemain for sewage system
5/20/2019	G.O. Bond	442,029	BIT35 IT upgrade and replacement of obsolete network, security, software, and hardware components
10/8/2010	G.O. Bond	433,000	WCC56 Improv to Phys Ed fields
2/28/2020	G.O. Bond	425,000	SPC11 Design, construction management, & costs for replacement of roofs - Port Chester WWTP
10/18/2019	G.O. Bond	425,000	B015D Interior Infrastructer Repairs, White Plains Complex - 112 East Post Road & 85 Court Street
6/15/2015	G.O. Bond	425,000	SPC11 Port Chester Wastewater treatment plant - roof replacements
5/15/2020	G.O. Bond	423,000	RGP09 Acquisition of vehicles & equipment for Parks Dept
6/15/2015	G.O. Bond	420,000	SW020 Forcemain replacement, various districts
10/19/2015	G.O. Bond	417,890	BES11 Emergency communications center renovations
6/3/2019	G.O. Bond	415,626	T009G Purchase of replacement paratransit vehicles and associated equipment
4/24/2017	G.O. Bond	413,137	BIT3C Acquisition of Computer Server Equipment
12/3/2014	G.O. Bond	408,947	B042B Roof replacement program (2012 - 2017) Valhalla Campus Mount Pleasant
10/18/2019	G.O. Bond	400,000	RSW01 Recreational area improvements to the County's Saxon Woods Park
9/25/2019	G.O. Bond	400,000	BPL40 Stormwater Management
11/27/2017	G.O. Bond	400,000	BPL13 Preparation of Surmeys Preliminary and Detailed Plans Tarrytown Kensico Trailway/Bikeway
6/19/2017	G.O. Bond	400,000	RGP11 Cost of Planning Salt Storage Facilities For Dept of Parks
6/9/2014	G.O. Bond	400,000	BPS15 Renovations to Public Safety headquarters

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
12/12/2013	G.O. Bond	400,000	RWW03 Wilson's Woods, Mount Vernon site work
4/19/2012	G.O. Bond	400,000	RBM05 Blue Mountain Sports Center rehabilitation located in Cortlandt
6/13/2011	G.O. Bond	399,083	RML01 Emergency Electric & Pool Rehab
4/16/2018	G.O. Bond	393,000	WCC83 Infrastructure Upgrade Various Buildings - WCC
3/7/2016	G.O. Bond	385,000	BPL30 164 Phyllis Court, Yorktown - Cost of acquisition
4/21/2014	G.O. Bond	384,688	SW022 Sewer district heavy equipment replacement
11/1/2016	G.O. Bond	381,000	BPL50 Rehab 10 West Main Hastings
3/13/2020	G.O. Bond	380,000	BLR2D New and replacement equipment for Labs - public health, forensic, toxicology, medical examiner lab
3/13/2020	G.O. Bond	380,000	RB198 Rehab of .25 miles of roadway from Route 22 to Byram Lake Road in North Castle
1/14/2019	G.O. Bond	375,000	RB188 Rehab of roadway - Cedar Lane to McKesson Hill Road
3/31/2014	G.O. Bond	375,000	RMS02 Merestead Park / Site Development in Town of Bedford
5/22/2017	G.O. Bond	370,000	RKP02 Cost of Planning Recreational Area Improvements at Kingsland Point Park - Tarry Town
5/5/2014	G.O. Bond	369,991	B015C Interior infrastructure repairs, White Plains Complex (2011-2015)
6/11/2018	G.O. Bond	365,430	RB03C Rehabilitation of bridge fascia - June Road Over Titicus River
4/22/2020	G.O. Bond	365,000	RMF02 Cost of tennis courts construction at Memorial Field, Mt Vernon
9/10/2012	G.O. Bond	363,769	BIT28 Cost of new computerized probation criminal court offender management system
7/22/2014	G.O. Bond	354,887	RB140 Reconstruction of Bloomer Road, CR 39, North Salem
6/11/2020	G.O. Bond	350,000	SNR95 Cost to repair & replace electrical duct banks that serves Glen Island Pumping Station, New Rochell
2/14/2020	G.O. Bond	350,000	T0069 Purchase and installation of new diesel exhaust storage tank dispenser system at Cerrato bus garage
1/14/2019	G.O. Bond	350,000	B0108 Improvements to Christopher Ridley Plaza at 85 Court Street in White Plains
4/4/2016	G.O. Bond	350,000	BIT37 Replacement of mental health case management billing system
3/23/2015	G.O. Bond	350,000	RGM01 Mohansic maintenance facility
4/9/2013	G.O. Bond	350,000	RGC12 Dunwoodie Golf course, Yonkers facility improvements
3/27/2013	G.O. Bond	350,000	RGP04 County-wide boiler replacement
9/16/2014	G.O. Bond	343,934	SY024 Yonkers Joint Wastewater treatment plant - secondary system rehab
4/23/2019	G.O. Bond	340,743	BLR2D Acquisition of new and replacement equipment for the Department of Labs and Research
3/31/2014	G.O. Bond	340,000	RM101 Nature Center renovations at Marshlands Building
12/12/2013	G.O. Bond	340,000	RCL01 Cranberry Lake - Nature Center and other associated site work
8/8/2011	G.O. Bond	334,974	RB03E Design constructions management for Greenacres Avenue over Bronx River
7/18/2016	G.O. Bond	334,443	T0040 County-owned transit facilities and passengers on transit vehicles Security and Safety Imprv
6/23/2014	G.O. Bond	325,000	BIT33 Radio Site infrastructure improvements at various WC facilities
6/2/2014	G.O. Bond	320,737	RGIP5 General Infrastructure - roofing systems at various Parks locations
4/7/2014	G.O. Bond	320,000	B077A Mount Vernon District Office building - partial reconstruction
2/8/2013	G.O. Bond	320,000	RB03B Butlerville Road over Croton River, Somers
9/19/2011	G.O. Bond	313,423	WCC65 Partial reconstruction of various buildings at WCC
7/17/2017	G.O. Bond	310,000	BCR55 Replacement of the Security Window and Associated Masonry and Façade in the G Block of Jail



County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
11/14/2016	G.O. Bond	310,000	RMAC3 Planning Recreational Area Improvements
9/8/2014	G.O. Bond	309,832	B0109 Salt storage shed at Public Works Operations are in Valhalla
9/14/2014	G.O. Bond	308,392	RCC10 County Center Site Work - Preliminary/ detailed plans and survey preparations
9/25/2019	G.O. Bond	306,000	BPL30 Finance the purchase of real property, including three unit rental building at 162 Lincoln
10/7/2014	G.O. Bond	301,640	BPL50 Construction and improvements for 425 Saw Mill River Road
10/18/2019	G.O. Bond	301,000	WCC79 WCC roof replacements - various locations
5/28/2020	G.O. Bond	300,000	RD017 Cost of study to evaluate all building systems and equipments at Material Recovery Facility, Yonker
10/18/2019	G.O. Bond	300,000	SNR85 Sewer System Rehabilitation - New Rochelle Sanitary Sewer District
6/3/2019	G.O. Bond	300,000	BPL26 Initial design of project to mitigate flooding along the Hutchinson River
3/23/2015	G.O. Bond	300,000	RB03W Quaker Bridge Road over Croton River
10/15/2014	G.O. Bond	300,000	RGI11 General Infrastructure - Parks Dams & Bridges II
9/21/2015	G.O. Bond	298,562	B0082 Low rise building renovation, White Plains
4/21/2014	G.O. Bond	298,000	SM016 Mamaroneck Wastewater treatment plant, primary, secondary, heating and chemical handling upgrd
3/26/2012	G.O. Bond	296,352	B014C Finance cost of farade repairs at MOB in WP
3/23/2015	G.O. Bond	280,000	RB03I Tuckahoe Road bridge over Bronx River, Yonkers and Tuckahoe
9/25/2017	G.O. Bond	278,671	BPS27 Roof Replacement and Exterior Improvements of the Automotive Garage at Hawthorne
5/21/2018	G.O. Bond	277,553	RGC02 Maple Moor Golf Course - construction of new maintenance facility
11/30/2015	G.O. Bond	275,967	RB03S Fulton Ave Bridge
12/12/2013	G.O. Bond	275,934	RBR02 Scout Field recreational improvements on Bronx River reservation in Mount Vernon and Yonkers
1/14/2019	G.O. Bond	275,000	RB191 Rehab of roadway - Mamaroneck Ave to West Street
12/12/2011	G.O. Bond	270,490	RMUS6 Muscoot Farm, Somers area improvements for planning recreational area
1/23/2017	G.O. Bond	269,183	RLEN1 Contrsuction Improvement to Lenoir Preserve
2/28/2020	G.O. Bond	268,000	SOS85 Design, construction management, & costs for sewer lines & manholes in Ossining Sewer District
6/6/2016	G.O. Bond	266,273	BPL50 22 Pierce Street Town of Cortlandt - Acquisition
4/7/2014	G.O. Bond	265,890	B077A Peekskill District Office building - partial reconstruction
7/17/2017	G.O. Bond	265,000	BPS28 Replacement of Emergency Generator and Associated Work for Dpt of Public Safety
10/18/2019	G.O. Bond	263,973	RWW03 Design in connection with planning playground improvements to Willson's Woods Park
5/2/2016	G.O. Bond	256,049	T0051 New Bus Exhaust System
10/30/2017	G.O. Bond	255,940	BIT38 Acquisition of Capital Improvements for The Country's Critical Communication Logging System
5/20/2013	G.O. Bond	255,449	BPL50 Infrastructure Route 6 & Clayton - Somers
9/21/2015	G.O. Bond	253,541	BIT33 Radio site infractructure
6/24/2020	G.O. Bond	250,000	BIT36 Cost of purchasing equipments & software necessary for data storage and backup system
5/28/2020	G.O. Bond	250,000	RD019 Acquisition of custom-designed tractor trailer for food scrap recovery
5/28/2020	G.O. Bond	250,000	RGP12 Cost of feasibility study of automated parking payment system for Parks Dept
3/13/2020	G.O. Bond	250,000	RB205 Rehab of .11 miles of roadway from east end of I684 bridge overpass to Daniel Road in North Salen
5/6/2019	G.O. Bond	250,000	BIT36 Purchasing necessary software for Department of Information technology

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
6/19/2017	G.O. Bond	250,000	BIT34 Cost of Phase IV of The Video Surveillance Equipment Upgrade Program
6/5/2017	G.O. Bond	250,000	RCL02 Cost of Planning Recreational Area Improvements to Cranberry Lake Preserve, North White Plains
9/12/2016	G.O. Bond	250,000	BPL50 41,42 Old Bedford Rd Lewisboro
9/21/2015	G.O. Bond	250,000	B0104 Low rise building improvements, White Plains (2015-2019)
11/9/2015	G.O. Bond	249,624	RB123 Roadway lightning
12/2/2011	G.O. Bond	245,156	SM087 North Castle Quarry Heights sewer system design and construction management
8/7/2017	G.O. Bond	241,575	BLR2D Acquisition of Lab Equipment for Department of Labs and Research
4/9/2018	G.O. Bond	237,226	RB150 Harding Avenue - Cost of design, construction management, and construction for rehab
8/31/2015	G.O. Bond	228,764	RB160 Additional funding for Willmot Road CR 113, Eastchester
9/23/2013	G.O. Bond	228,401	BPL01 Winbrook Phase I Affordable Housing Development in White Plains
6/1/2015	G.O. Bond	227,595	RCC12 County Center seating
5/22/2017	G.O. Bond	225,000	RGE04 Cost of Preparation for Water and Electric Upgrades at Georges Island
5/22/2017	G.O. Bond	225,000	RWPR4 Cost of Planning Recreational Area Improvements at Ward Pound Ridge Reservation
11/18/2019	G.O. Bond	223,054	WCC82 WCC construction of parking lot facilities and related site improvements
4/24/2012	G.O. Bond	222,859	SH075 Pump station rehabilitation program for Hutchinson Sewer District
8/1/2016	G.O. Bond	220,000	BLR11 Alternative Energy Systems - Design w/ Installation of Internal Heat Recovery System at Labs & Re:
4/18/2016	G.O. Bond	219,050	BPL30 18 Minkel Rd Ossining
5/23/2011	G.O. Bond	211,715	RKL01 Design & Rehab of Tarrytown Lighthouse
10/30/2017	G.O. Bond	209,658	BIT30 Acquisition of E-911 Replacement Equipment
1/14/2019	G.O. Bond	209,353	RB193 Rehab of roadway - Orchard Drive to Beech Street
7/17/2013	G.O. Bond	201,985	BIT29 Data Center upgrades - for County's two primary data centers
6/24/2020	G.O. Bond	200,000	B0121 Cost of study to evaluate long term needs of Hilltop Hanover Farm, Yorktown Heights
9/4/2018	G.O. Bond	200,000	BIT9A DOIT enterprise GIS hardware & software, consulting, data development, mobile tech & applications
9/25/2017	G.O. Bond	200,000	BPS30 Cost of Improvements at Public Safety HQ in Hawthorne
6/6/2016	G.O. Bond	200,000	SY028 Yonkers Joint Treatment Plant - Evaluation of Plant Electric and Lighting Systems
3/7/2016	G.O. Bond	200,000	BLR09 Rehabilitation of staff lounge facility
9/16/2015	G.O. Bond	200,000	BPL50 FAH 19 Park Avenue, Goldens Bridge in Town of Lewisboro
4/28/2014	G.O. Bond	200,000	SW007 Aerial photos and digital mapping - NYS Capacity Assurance, Management, Operation & Maint. Pro
5/2/2018	G.O. Bond	197,811	RGC18 Maple Moor Golf Course - construction of complete rehabilitation of the cart path system
12/11/2017	G.O. Bond	196,820	RB128 Improvements to Pleasantville Rd and Adjacent Turn Lane Enhancements
3/3/2014	G.O. Bond	187,813	BPL40 Stormwater management - both sides of Bronx River by Town of Eastchester and City of Yonkers
10/15/2012	G.O. Bond	184,651	BIT27 Upgrade for the computerized jail management system
10/17/2016	G.O. Bond	180,000	BPL50 2906 Old Yorktown Rd, Yorktown
10/17/2011	G.O. Bond	179,719	BLR2B Labs and Research equipment acquisition for forensic and toxicology labs (2006-2010)
7/15/2019	G.O. Bond	175,000	BCC07 Acquisition of a community outreach mobile office truck for use by County Clerk
6/2/2014	G.O. Bond	173,990	A066C Msc Airport rehab

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
3/3/2014	G.O. Bond	173,150	BPL23 Stormwater management - restoration of floodplain and wetlands in Mamaroneck and Harrison
12/16/2013	G.O. Bond	169,771	RB121 Broad Street Viaduct, CR 132, Yonkers roadway rehabilitation and bridge improvements
8/7/2017	G.O. Bond	162,301	RSP03 Construction of Main Pool (Pool#2) at Sprain Ridge Facility
2/8/2013	G.O. Bond	161,996	P0023 BRP Service bridge over Bronx River, Yonkers
4/3/2017	G.O. Bond	160,840	BIT9A GIS Hardware, Software, Consulting, and Data Products
3/23/2015	G.O. Bond	160,000	RMUS7 Muscoot Farm site work
4/27/2015	G.O. Bond	159,771	WD103 County water district no. 1 improvements
7/18/2016	G.O. Bond	159,361	RB124 North Street and Hammond Rd CR73 Harrison and Rye Rehabilitation
8/14/2014	G.O. Bond	155,657	RB142 Reconstruction of South Division Street - Crompond Road CR 24, Peekskill
5/11/2015	G.O. Bond	155,141	BES05 DES - Main Facility Renovation located in Valhalla
6/8/2015	G.O. Bond	153,997	T035A Maintenance equipment upgrades II
5/21/2018	G.O. Bond	150,018	RGC17 Design, Construction & Rehab at Maple Moor Golf Course
5/2/2016	G.O. Bond	150,000	BIT7A Computer Hardware & Software
2/11/2014	G.O. Bond	150,000	BIT7A Global positioning systems - Phase II - including automated vehicle locator
6/11/2013	G.O. Bond	150,000	RKD02 Kensico Dam Plaza - new maintenance building and outside storage area
11/17/2010	G.O. Bond	149,940	BPL10 Fair and Affordable Housing in Cortlandt
4/18/2016	G.O. Bond	148,554	BPL40 Restore Waterway & Banks-Confluence of Brx Riv & Sprain Br in Bnxsille & Yonk
6/8/2015	G.O. Bond	145,000	T034A Maintenance facility upgrades II
8/22/2011	G.O. Bond	141,934	T001T Acquisition of equipment for rehabilitation of central bus maint. Facil. In Yonkers
7/28/2014	G.O. Bond	141,469	RMAC3 V.E. Macy Park Site Work
7/14/2014	G.O. Bond	140,858	RB122 Reconstruction of West Lake Drive, C.R. 144, Mount Pleasant
5/21/2018	G.O. Bond	140,252	RGC14 Planning and Construction of a new water irrigation system at Maple Moor Golf Course
5/21/2018	G.O. Bond	138,969	RGMM1 Rehabilitation of the maintenance garage at Maple Moor Golf Course
11/14/2016	G.O. Bond	137,957	WCC76 Tech Upgrade Phase III
2/23/2015	G.O. Bond	137,736	RWW02 Wilson's Woods Pool Modernization, Mt Vernon
11/1/2016	G.O. Bond	137,344	B077B Security Upgrades - Peekskill D.O.
4/4/2016	G.O. Bond	136,023	BIT34 Video surveillance security upgrade
9/25/2017	G.O. Bond	134,343	T001W Acquisition of Hydride Energy Storage System for Hybrid Buses
3/23/2015	G.O. Bond	131,716	RB165 Union Avenue, CR 94, Harrison
2/9/2015	G.O. Bond	128,742	BPL10 Land acquisition 125-129 5th St. for affordable housing
2/25/2019	G.O. Bond	127,291	RMH01 Construction associated with restoration of the farmhouse & other structures at Miller House
7/17/2017	G.O. Bond	125,000	T034A Reconstruction of the Floor in the Central Maintenance Facility in Yonkers
3/7/2016	G.O. Bond	124,909	T0044 Dynamometer
10/3/2011	G.O. Bond	124,546	WCC67 Health Sciences building renovations and improvements for partial reconstruction
5/27/2015	G.O. Bond	124,527	BIT30 E911 Replacement equipment phase II
2/25/2019	G.O. Bond	123,656	BDA01 Technology upgrades for the District Attorney's Office at various locations

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
10/17/2016	G.O. Bond	120,000	BPL50 41 Church St Bedford
3/11/2013	G.O. Bond	118,948	BCR24 Telecorrections Video
4/27/2015	G.O. Bond	118,854	SY030 Yonkers joint treatment plant - roof replacement
9/10/2012	G.O. Bond	118,678	RGIP7 Recreational area improvements to Wilson Woods Park in Mount Vernon
9/26/2011	G.O. Bond	117,222	SY030 Yonkers Joint treatment plant roof repairs and replacement
10/19/2015	G.O. Bond	116,836	WD001 Eastview distribution chamber
9/24/2012	G.O. Bond	115,875	RKD01 Kensico Dam Plaza recreational area improvements - electrical infrastructure
11/29/2010	G.O. Bond	114,337	BPL01 Infrastructure Improvements for State Street affordable housing in Ossining
7/17/2017	G.O. Bond	112,304	T0066 Acquisition of Portable Bus Lifts
6/11/2018	G.O. Bond	109,468	BES16 Replacement supervisory vehicles for Department of Emergency Services
4/21/2014	G.O. Bond	108,477	SBB30 Blind Brook Wastewater Treatment Plant - roof replacements
6/5/2017	G.O. Bond	108,217	BIT40 Update County Wide Digital Base Map
6/15/2015	G.O. Bond	107,777	SM003 Structural rehabilitation of administration building roof and tower
5/2/2016	G.O. Bond	107,095	BIT38 Acquire capital Improvements - logging System
11/1/2016	G.O. Bond	106,540	T016B Maintenance & Supervisory Vehicles III
6/11/2018	G.O. Bond	105,000	BPR01 Replacement supervisory vehicles for Department of Emergency Services
5/22/2017	G.O. Bond	104,583	RSP01 Cost of Recreation Area Improvement to Sprain Ridge Park - Yonkers
3/18/2014	G.O. Bond	104,493	B0086 Equipment and control systems upgrades, central heating plant, Valhalla Campus
10/17/2011	G.O. Bond	103,066	BPL12 Recreational area improvements for new Tarrytown-Kensico trailway in Mount Pleasant and Greenb
6/29/2015	G.O. Bond	100,000	SW013 Energy Management Program for DEF Facilities
3/27/2013	G.O. Bond	100,000	RMUS3 Preparation of surveys and preliminary plans for Muscoot Farm infrastructure
1/22/2013	G.O. Bond	100,000	BIT15 E-911 emergency communication system equipment and software
9/26/2011	G.O. Bond	100,000	SPC37 Preliminary costs for Byram River study
9/26/2011	G.O. Bond	100,000	SPS37 Preliminary costs for reconstruction along Hudson River behind North Yonkers pump station
2/19/2014	G.O. Bond	96,804	B0011 Replacement of Gas Mains, Valhalla campus
11/8/2010	G.O. Bond	91,313	RGIP8 Bridge Repair in Kingsland Point Park, Ward Pound Ridge and Maple Moor
5/21/2013	G.O. Bond	90,476	SY075 Replacement costs of internal piping and station forcemain at Ludlow Street Pumping Station in Saw Mill SSD
4/18/2016	G.O. Bond	89,903	BPL10 land 57 Route 6 Baldwin Place 10.54 acres
8/6/2012	G.O. Bond	87,546	RGC20 Golf Course rehabilitation for Mohansic in Yorktown, Sprain in Yonkers and Dunwoodie in Yonkers
8/4/2014	G.O. Bond	86,394	RB169 Bridge and Road Urgent Rehabilitation Program (2014 - 2018)
4/27/2015	G.O. Bond	82,017	BLR08 Uninterrupted power supply unit
6/19/2017	G.O. Bond	80,069	SW015 Upgrade the Alarm Notification System at Wastewater Pumping and Retention Facility No Yonkers
8/21/2012	G.O. Bond	80,000	SPK08 Highland Avenue pump station rehabilitation and upgrading for Peekskill sanitary sewer district
5/6/2012	G.O. Bond	80,000	BSS13 Planning for partial reconstruction of Vaughn Glanton employment residence at Vernon Plaza
4/5/2012	G.O. Bond	76,011	RGC05 Mohansic golf course rehabilitation - design of bathroom facility and new cart storage building
7/14/2014	G.O. Bond	74,960	RB139 Reconstruction of Tuckahoe Road, CR 36, Yonkers

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
11/29/2010	G.O. Bond	72,643	BPL10 Affordable Housing in Ossining / New Homes Land Acquisition
5/2/2016	G.O. Bond	72,416	RP028 Arcades at Playland
5/6/2019	G.O. Bond	72,241	RGP09 General Infrastructure Vehicle Acquisition for Parks
2/24/2014	G.O. Bond	71,022	RB03K Access ramp to the Northbound Saw Mill River Parkway at Ashford Avenue Bridge, Ardsley
10/9/2018	G.O. Bond	70,000	BPL26 Funding for an engineering study to develop a solution for flooding in Rye Brook, Avon Circle area
11/13/2012	G.O. Bond	67,908	BIT4A Employee Productivity Systems 2008 - 2012 for Countywide software upgrades
1/14/2019	G.O. Bond	67,616	RB187 Rehab of roadway - Grasslands Rd to Saw Mill Parkway southbound entrance ramp
6/11/2018	G.O. Bond	66,683	T034A Upgrade public address system at Cerrato garage in Valhalla
11/14/2016	G.O. Bond	65,967	WD104 County Water District #1 Shaft 22 & Kensico Dam Performance Maintenance
12/6/2010	G.O. Bond	65,132	RB162 Improvements to Ashford Avenue in Village of Dobbs Ferry
6/3/2019	G.O. Bond	65,000	T034A Various improvements at CMF in Yonkers and Bus Facility at Valhalla campus
3/4/2016	G.O. Bond	62,268	BPL30 104 Pine Street, Cortlandt- Cost of acquisition
5/16/2016	G.O. Bond	60,874	TD09G Acquisition of Paratransit Vehicles and Associated Equipment For Use County Wide
10/30/2017	G.O. Bond	59,897	RD016 Design Construction of Gas Collector and Storm Water Trench Croton Point
11/9/2015	G.O. Bond	56,631	RCC13 County Center informational boards
4/16/2013	G.O. Bond	53,564	BIT7A Global positioning systems - Phase II
5/2/2016	G.O. Bond	53,514	T0058 Fire Detection System Central Maint Yonkers
4/23/2018	G.O. Bond	52,985	B0098 Mechanical equipment upgrade, White Plains Complex
1/11/2011	G.O. Bond	52,647	BPL10 New Homes land Acquisition Palmer Ave in Village of Larchmont
5/11/2015	G.O. Bond	51,411	BPS23 Vehicle acquisition and replacement
10/18/2019	G.O. Bond	50,000	WCC75 WCC Technology Upgrades (PCs, Laptops, printers, scanners and phone replacements)
2/19/2014	G.O. Bond	48,046	BPS22 Emergency Response Vehicle for Hazardous Devices Unit
6/3/2013	G.O. Bond	46,883	BPS11 Firearms training simulator and a personnel transport vehicle for Dept. Public Safety
9/25/2017	G.O. Bond	45,525	T034A Diesel Exhaust Fuel Storage Tank and Dispenser at Central Maintenance Facility in Yonkers
9/18/2018	G.O. Bond	45,292	RGP09 Acquisition of existing heavy equipment including pickup trucks, sanitation vehicles, tractors etc
12/14/2015	G.O. Bond	44,566	BPL50 Rehabilitation cost of 437 Saw Mill River Road, Millwood
4/4/2016	G.O. Bond	44,369	WCC76 Technology upgrade on campus - 2011/12-2015/16
4/16/2018	G.O. Bond	43,794	WCC76 Technology Upgrade on Campus - WCC
11/5/2018	G.O. Bond	43,355	BCR51 Replacement of aging motor pool vehicles with excessive mileage/rust/deterioration
5/21/2018	G.O. Bond	42,694	BLR2D Acquisition of new and replacement equipment for Dept of Labs & Research
12/12/2011	G.O. Bond	41,205	BLA01 Acquisition of Golbert Property in towns of Yorktown and New Castle under Westchester Legacy prc
10/16/2017	G.O. Bond	40,040	BDA01 Acquisition of Information Technology Equipment, Software and Systems for DA's Office
5/16/2016	G.O. Bond	40,000	BPL50 3271 Lincoln Drive Yorktown
4/22/2014	G.O. Bond	39,915	SW010 Asset Management Program for DEF Facilities
6/11/2018	G.O. Bond	39,201	T034A Relacement of the computer room HVAC system at Cerrato garage in Valhalla
1/22/2013	G.O. Bond	39,086	BCR5B Design & construct Infrastructure improvmts. at Corrections

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
6/11/2018	G.O. Bond	37,786	T009G Purchase of replacement paratransit vehicles and associated equipment
4/18/2016	G.O. Bond	34,991	BPL50 Property Aquisition
12/12/2013	G.O. Bond	32,859	RGC14 Dunwoodie Golf Course water irrigation system replacement
4/27/2015	G.O. Bond	31,456	WCC79 Roof replacement various buildings for WCC (phase I & II)
4/16/2018	G.O. Bond	31,132	WCC73 Technology Infrastructure Improvements - WCC
11/27/2017	G.O. Bond	30,601	WCC75 Phase IV of Technology Upgrade Program at Westchester Community College-Off Campus
7/17/2017	G.O. Bond	29,994	T035A Acquisition of Bus Jack Stands
12/10/2013	G.O. Bond	29,603	RPA01 Pathways and trails rehab. including Saxon Woods, Twin Lakes Park, and Nature Study Woods
5/16/2016	G.O. Bond	29,400	BPL50 5 Liberty Way
6/20/2016	G.O. Bond	29,330	RB163 Harney Road (CR 2) Eastchester Rehabilitation Amending Bond Act (198-2013)
6/19/2017	G.O. Bond	28,575	B035D Acquisition of Equipment for Dept of Public Works and Transportation
8/1/2016	G.O. Bond	28,000	BPL50 3841 Valleyview Street North Castle - PMC
10/17/2016	G.O. Bond	27,479	BPL50 108 Nottingham Rd, Unit G, Bedford Acquisition and Settlement Cost
11/27/2017	G.O. Bond	27,467	BPR01 Acquisition of Vehicles for the Department of Probation
9/12/2016	G.O. Bond	27,200	BPL50 Property Aquisition
5/8/2017	G.O. Bond	27,080	RSW01 Saxon Woods Park Site Work - Playground and Safety Surface
5/6/2013	G.O. Bond	27,064	BIT6B Purchase of computer equipment 2011-2015
6/6/2016	G.O. Bond	26,000	BPL50 3758 Old Jefferson Valley Road Town of Yorktown - Settlement & Property Management Cost
2/13/2012	G.O. Bond	25,315	BPS11 Acquisition of new Patrol Boat for Pub. Safety
5/16/2016	G.O. Bond	24,300	BPL50 3271 Lincoln Drive Yorktown
8/1/2016	G.O. Bond	24,150	BPL50 142 Stone Meadow Court North Castle - PMC
10/17/2016	G.O. Bond	24,100	BPL50 41 Church St Bedford
6/6/2016	G.O. Bond	24,000	BPL50 1633 Strawberry Road Town of Yorktown - Marketing & Property Mgmt
11/9/2015	G.O. Bond	23,314	BPL50 Construction improvements 80 Bowman Avenue, Village of Rye Brook
11/14/2016	G.O. Bond	23,043	BCR54 Laundry Equipment - Corrections
9/16/2016	G.O. Bond	22,776	BPL50 Property Aquisition
12/8/2014	G.O. Bond	22,689	B042B Roof replacement program (2012 - 2017)
1/9/2017	G.O. Bond	22,652	BDA01 IT Upgrade to District Attorney's Office
8/1/2016	G.O. Bond	22,600	BPL50 3 Maryland Avenue North Castle Property Mngmt Cost
6/6/2016	G.O. Bond	22,100	BPL50 23 General Health Avenue Town of North Castle - Settlement & Property Management Cost
9/3/2013	G.O. Bond	22,024	B035C Heavy equipment replacement program (2012 - 2016)
10/17/2016	G.O. Bond	22,000	BPL50 280 Bleakley, Buchanan
6/6/2016	G.O. Bond	22,000	BPL50 914 Wynnewood Road Village of Pelham Manor - Settlement & Property Management Cost
2/24/2014	G.O. Bond	21,916	BLR2C Labs and Research Equipment Acquisition (2011 - 2015)
3/7/2016	G.O. Bond	21,825	BPL50 104 Pine Street, Cortlandt - Property management, maintenance and utilities
4/27/2015	G.O. Bond	21,804	BLR2C Labs and Research equipment acquisition (2011-2015)

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
4/9/2018	G.O. Bond	21,696	P0025 Rehabilitation of Bronx River Parkway Northbound Ramp over BRP to Cross County Parkway West
4/18/2016	G.O. Bond	21,588	BPL50 17 Broadway Unit 2c Harrison
7/31/2012	G.O. Bond	21,579	RGC18 Maple Moor Golf Course - construction of complete rehabilitation of the cart path system
4/18/2016	G.O. Bond	21,513	BPL30 112 Village Rd Yorktown
12/6/2010	G.O. Bond	21,109	WD103 County District #1 Feasability Stuy
2/25/2013	G.O. Bond	21,005	BPL23 Stormwater management - restoration of wetland and river bank in Town of Greenburgh
10/17/2016	G.O. Bond	21,000	BPL50 208 Centre St, Buchanan
10/17/2016	G.O. Bond	21,000	BPL50 108 Nottingham Rd, Unit G, Bedford Marketing and Management Cost
4/18/2016	G.O. Bond	20,806	BPL50 Property Aquisition
5/11/2015	G.O. Bond	20,382	BIT6B Purchase of computer equipment (2011 - 2015)
11/9/2015	G.O. Bond	20,358	BPL50 Acquisition of 580 Bedford Road, Pleasantville
5/2/2016	G.O. Bond	20,233	T0064 In Ground Bus Lifts
6/6/2016	G.O. Bond	20,000	BPL50 7 Ridge Street Town of Bedford - Marketing & Property Mgmt
11/9/2015	G.O. Bond	20,000	BPL50 Acquisition of 580 Bedford Road, Pleasantville
4/18/2016	G.O. Bond	19,711	BPL50 Property Aquisition
3/7/2016	G.O. Bond	19,320	BPL50 164 Phyllis Court, Yorktown - Property management, maintenance and utilities
7/18/2016	G.O. Bond	19,000	BPL50 Acquisition at 124 Lake Kitchawan Drive Lewisboro Settlement & Property Management Cost
5/6/2013	G.O. Bond	18,950	BIT4B Employee productivity systems 2013-2017 - acquisition of reusable software components
3/7/2016	G.O. Bond	18,306	BPL50 27 Walden Court, Unit #M Yorktown - Property management, maintenance and utilities
2/19/2014	G.O. Bond	18,247	BPS18 Armory/Public Safety Academy upgrade
4/22/2013	G.O. Bond	17,523	RLAS3 New maintenance facility at Lasdon Park and Aboretum
11/9/2015	G.O. Bond	17,468	BSS14 Infrastructure improvements to shelter facilities - Coachman family center
9/26/2016	G.O. Bond	17,320	BES16 Replacement Vehicles for DES
9/12/2016	G.O. Bond	16,600	BPL50 6 Myrtle Drive Somers
11/9/2015	G.O. Bond	16,211	BPL50 Acquisition of 25 Oak Street, Montrose, Town of Cortlandt
4/21/2015	G.O. Bond	16,002	BES05 DES main facility rehabilitation
3/21/2016	G.O. Bond	15,930	BIT4B Employee productivity systems 2013 - 2017
6/6/2016	G.O. Bond	15,200	BPL50 194 Ketchum Avenue Village of Buchanan - Marketing & Property Mgmt
10/18/2010	G.O. Bond	15,000	BLA01 Conservation Easement-600 Milton Rd, Rye - Bird Homestead
9/12/2016	G.O. Bond	14,000	BPL50 Property Aquisition
3/24/2014	G.O. Bond	13,941	B035C Heavy equipment replacement program (2012-2016)
1/5/2015	G.O. Bond	13,825	RGP09 General Infrastructure Vehicle Replacment II
5/16/2016	G.O. Bond	13,815	BPL50 3271 Lincoln Drive Yorktown
4/4/2016	G.O. Bond	13,252	BIT6C Purchase of computer equipment (2016 - 2020)
6/6/2016	G.O. Bond	13,000	BPL50 22 Pierce Street Town of Cortlandt - Property Mgmt Cost
5/16/2016	G.O. Bond	12,500	BPL50 Property Aquisition

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
5/6/2013	G.O. Bond	12,488	BIT3B Desktop / laptop systems 2012-2016
1/14/2019	G.O. Bond	12,290	RB03H Rehab of Bridge- Midland Avenue over Bronx River Parkway, Yonkers
6/6/2016	G.O. Bond	12,261	BPL50 3 Fowler Avenue Town of Cortlandt - Construction Rehab
10/27/2014	G.O. Bond	12,137	RB167 Halstead Avenue, CR80A Harrison
8/6/2012	G.O. Bond	12,019	RB03R Construction and construction management to surrounding structures at Ashford Avenue Bridge
9/26/2016	G.O. Bond	12,017	BCR51 Fleet Vehicle Replacement
7/17/2017	G.O. Bond	11,968	BCR51 Cost of Replacement of Motor Pool Vehicles for Corrections Department
4/18/2016	G.O. Bond	11,679	BPL30 9 Watson St-Cortlandt
7/17/2017	G.O. Bond	11,217	T009G Acquisition of Paratransit Vehicles and Associated Equipment
11/9/2015	G.O. Bond	10,706	RGP09 General Infrastructure vehicle replacement II
5/28/2013	G.O. Bond	10,529	SSM74 Pump station rehabilitation - Saw Mill SSD
3/28/2011	G.O. Bond	10,174	RG103 Glen Island bridge rehab & construction management for Bridge repair
5/8/2017	G.O. Bond	10,088	BES16 Vehicle Replacement Dpt Emergency Services
8/1/2016	G.O. Bond	10,000	BPL50 3841 Valleyview Street North Castle - Settlement Construction
6/20/2016	G.O. Bond	10,000	BPL30 200 Reader's Digest Road Chappaqua Affirmatively Furthering Affordable Housing Amend
5/16/2016	G.O. Bond	10,000	BPL50 Property Acquisition
11/9/2015	G.O. Bond	10,000	BPL30 Acquisition of 80 Bowman Avenue, Village of Rye Brook
11/24/2014	G.O. Bond	10,000	BPL50 Acquisition and improvements to 54 Hunts Place, New Castle
4/28/2014	G.O. Bond	9,973	BIT32 Radio system replacement - Phase I & II of County Wireless system
2/24/2014	G.O. Bond	9,575	BIT17 Network Infrastructure Upgrade - acquisition and installation of network equipment
11/9/2015	G.O. Bond	9,462	BPL50 Acquisition of 11 Westview Avenue, North Salem
7/18/2016	G.O. Bond	9,411	T0045 Installation of a Bus Wash System at Cerrato Maintenance Facility
5/5/2014	G.O. Bond	9,179	BIT4B Employee Productivity Systems - 2013 - 2017
7/17/2017	G.O. Bond	9,089	BPS25 Cost of Installation of New Building Management System for Public Safety
10/4/2010	G.O. Bond	9,062	WCC68 Admin Bldg Renovation for WCC
5/6/2013	G.O. Bond	8,861	BIT17 Network Infrastructure upgrade - including network equipment , management and security software
4/4/2016	G.O. Bond	8,652	BIT9A Geographic information systems (2015 - 2019)
5/11/2015	G.O. Bond	8,630	BIT35 Network infrastructure upgrade (2015 - 2019)
5/11/2015	G.O. Bond	8,408	BIT34 Video surveillance security upgrade
4/27/2015	G.O. Bond	8,270	RB03S Fulton Avenue Bridge Span Drives, power and control system upgrades
6/6/2016	G.O. Bond	8,011	BIT39 Telephone & Associated Equipment - Acquisition
7/18/2016	G.O. Bond	7,615	BPL50 Acquisition at 124 Lake Kitchawan Drive Lewisboro
8/31/2015	G.O. Bond	7,496	RB128 Pleasantville Road, C.R. 40I, 40II and 106, Briarcliff Manor, Mount Pleasant and Pleasantville
9/4/2018	G.O. Bond	7,439	BIT42 DOJ purchase & installation of new and replacement equipment for print/mailling system
6/6/2011	G.O. Bond	7,154	BPL10 Acquisition of 7 rental apartments at 37 Wildwid Road Hamlet Katonah
4/5/2012	G.O. Bond	7,110	RGC18 Design - Rehabilitation of cart paths at Maple Moor golf course



County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
11/3/2014	G.O. Bond	6,992	B077D Infrastructure rehabilitation Valhalla campus (2014 - 2018)
3/12/2012	G.O. Bond	6,959	BPL50 Infrastructure only 445 North State Rd Village of Briarcliff Manor
8/21/2012	G.O. Bond	6,800	SM075 East Basin, West Basin and Edgewater Point pump for Mamaroneck Sanitary Sewer District
5/7/2013	G.O. Bond	6,787	BIT15 E-911 emergency communication system equipment and software
2/22/2016	G.O. Bond	6,775	BLR2D Labs and Resaearch equipment acquisition (2016 - 2020)
9/4/2018	G.O. Bond	6,709	BIT35 DOIT fund network equipment & wiring, implementation services, network mgmt & security software
10/15/2012	G.O. Bond	6,263	BIT3B Cost of desktop and laptop computers in District Attorney's Office
5/14/2018	G.O. Bond	5,992	B0118 Replacement of aging motor pool vehicles with excessive mileage/rust/deterioration
3/21/2013	G.O. Bond	5,706	BCR5B Video conference
11/25/2013	G.O. Bond	5,589	RB117 Design and construction of Mill Road, CR, 82, Eastchester and New Rochelle
10/19/2015	G.O. Bond	5,494	BPL1A 147, 165 and 175 Railroad Avenue, Bedford Hills infrastructure improvements
3/7/2016	G.O. Bond	5,341	BPL30 27 Walden Court, Unit #M Yorktown - Cost of acquisition
9/26/2016	G.O. Bond	5,316	B077C Upgrade door hardware at MV DO
11/9/2015	G.O. Bond	5,165	BPL50 Acquisition of 25 Oak Street, Montrose, Town of Cortlandt
5/16/2016	G.O. Bond	5,000	BPL50 Property Aquisition
8/4/2014	G.O. Bond	4,917	RB111 Reconstruction of North Division Street, CR 63II, Peekskill
4/16/2012	G.O. Bond	4,845	BIT17 Computer network replacements, implementation services, and network management / security soft
11/9/2015	G.O. Bond	4,642	BPL50 Acquisition of 580 Bedford Road, Pleasantville
4/7/2014	G.O. Bond	4,429	B0085 Rehabilitation of MOB Elevator Infrastructure
4/20/2015	G.O. Bond	4,320	B035C Heavy equipment replacement program (2012-2016)
8/1/2016	G.O. Bond	4,260	BPL50 142 Stone Meadow Court North Castle - Acquisition
6/3/2013	G.O. Bond	4,037	BPS21 Acquisition of replacement patrol vehicles as well as in-car computer/video systems
12/12/2013	G.O. Bond	4,005	RLEN1 Lenox Preserve, Yonkers infrastructure and site work improvements
4/4/2016	G.O. Bond	3,992	WCC75 Technology upgrade off campus - 2011/12-2015/16
9/18/2012	G.O. Bond	3,913	BPL50 Property Aquisition
3/12/2018	G.O. Bond	3,833	BPS22 Acquisition Tactical Rook Ballistic Barrier Shield Pub Safety
4/16/2012	G.O. Bond	3,676	BIT6B Installation of countywide computer equipment
6/1/2015	G.O. Bond	3,626	T0059 Replace three sets of Steril-Koni portable lifts
6/6/2016	G.O. Bond	3,338	BPL50 3758 Old Jefferson Valley Road Town of Yorktown - Acquisition
6/2/2014	G.O. Bond	3,320	BIT3B Desktop Systems 2012 - 2016
11/14/2016	G.O. Bond	3,265	BPL50 214 Hillside Place Eastchester
11/1/2016	G.O. Bond	3,201	BPL50 10 West Main Hastings
11/13/2012	G.O. Bond	3,171	RGIP5 General Infrastructure - Roof replacement/construction at various locations
11/29/2012	G.O. Bond	2,967	RLAS1 Lasdon infrastructure and site work - Lasdon Park and arboretum in Town of Somers
1/10/2013	G.O. Bond	2,925	BCR49 Repair and reconstruction of roads and fencing at County Corrections facility, Valhalla campus
5/5/2014	G.O. Bond	2,914	B015C Interior infrastructure repairs, White Plains Complex

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
6/8/2015	G.O. Bond	2,830	T0049 Replacement of body shop / paint booth air control systems
6/13/2016	G.O. Bond	2,481	BPL50 256 Westchester Avenue Town of Pound Ridge - Acquisition
6/1/2015	G.O. Bond	2,394	B0107 Fleet vehicle replacement - acquisition
6/6/2016	G.O. Bond	2,247	BPL50 23 General Health Avenue Town of North Castle - Acquisition
6/6/2016	G.O. Bond	2,238	BPL50 7 Ridge Street Town of Bedford - Acquisition
10/17/2016	G.O. Bond	2,095	BPL50 2906 Old Yorktown Rd, Yorktown
11/10/2014	G.O. Bond	2,001	B0107 Fleet vehicle replacement
2/25/2019	G.O. Bond	1,933	B035D Equipment Replacement Program under Department of Public Works and Transportation
10/21/2014	G.O. Bond	1,891	T0054 On-board passenger counters for Bee-Line buses
9/12/2016	G.O. Bond	1,881	BPL50 70 West St Unit A8 Harrison
9/10/2012	G.O. Bond	1,859	B035B Heavy Equipment Replacement Program (2006 - 2010) - replacement of two dump trucks
7/18/2016	G.O. Bond	1,859	B035C Heavy Equipment Replacement - Acquisition
5/27/2015	G.O. Bond	1,830	BCR51 Fleet Vehicle Replacement
5/22/2017	G.O. Bond	1,784	RGP09 Acquisition of vehicles & equipment for Parks Dept
6/6/2016	G.O. Bond	1,615	BPL50 914 Wynnewood Road Village of Pelham Manor - Acquisition
3/11/2014	G.O. Bond	1,558	BDA01 Information Technology installation and improvements for DA Office facilities
5/2/2016	G.O. Bond	1,539	T0057 Install new centralized Vacuum System
9/12/2016	G.O. Bond	1,511	BPL50 30 Grove Rd N W.P.
4/18/2016	G.O. Bond	1,510	BPL50 Acquisition and financing of 72 Croton Ave Cortlandt
10/19/2015	G.O. Bond	1,054	BCC05 Licensing division IT upgrades
8/31/2015	G.O. Bond	1,032	BDA01 Information Technology upgrades at District Attorney's Office
10/17/2016	G.O. Bond	1,026	BPL50 280 Bleakley, Buchanan
4/18/2016	G.O. Bond	1,001	BPL50 17 Broadway Unit 2c Harrison
4/18/2016	G.O. Bond	1,001	BPL50 FAH 491 Franklin Street, Village of Rye Brook
4/18/2016	G.O. Bond	1,001	BPL50 Land acquisition at 240 Halstead Ave, Town/Village of Harrison
5/2/2016	G.O. Bond	1,001	BPL50 20 Oregon Ave, Bronxville
4/18/2016	G.O. Bond	1,001	BPL50 Acquisition and financing of 208 Harrison Road, Bedford Hills, in Town of Bedford
4/18/2016	G.O. Bond	1,000	BPL50 106 Lake Kitchawan Dr, Lewisboro
4/18/2016	G.O. Bond	1,000	BPL50 Acquisition and financing of 60 Oregon Avenue, Town of Eastchester
4/18/2016	G.O. Bond	1,000	BPL50 Property Acquisition
8/1/2016	G.O. Bond	1,000	BPL50 Improvements for a Project Located at 57 Route 6 Baldwin Place
6/6/2016	G.O. Bond	1,000	BPL50 734 Warren Avenue Town of Mount Pleasant - Acquisition
6/6/2016	G.O. Bond	1,000	BPL50 1633 Strawberry Road Town of Yorktown - Acquisition
5/16/2016	G.O. Bond	1,000	BPL50 20 Tigh Rd Somers
4/18/2016	G.O. Bond	1,000	BPL50 Unit A-17 70 West Street Harrison
4/18/2016	G.O. Bond	1,000	BPL50 Acquisition of 176 Henry Street, Village of Buchanan

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
4/18/2016	G.O. Bond	1,000	BPL50 Acquisition of 106 Nottingham Road, Unit #B, Bedford Hills
12/14/2015	G.O. Bond	1,000	BPL50 Acquisition and settlement cost of 437 Saw Mill River Road, Millwood
11/9/2015	G.O. Bond	1,000	BPL50 Acquisition of 11 Westview Avenue, North Salem
9/8/2015	G.O. Bond	1,000	BPL50 Acquisition and financing of 100 Cedar Street in Village of Dobbs Ferry
8/3/2015	G.O. Bond	1,000	BPL50 Land acquisition and financing at 300 King St Town of New Castle
6/2/2014	G.O. Bond	1,000	WCC78 Safety and security improvements - Campus Wide Phase III - WCC
12/10/2012	G.O. Bond	999	SY043 Reconstruction and Rehabilitation
8/1/2016	G.O. Bond	982	BPL50 3 Maryland Avenue North Castle Acquisition
9/10/2012	G.O. Bond	936	B035C Skid-Steer and Plow Truck
5/12/2014	G.O. Bond	921	BES13 Fire training site improvements phase II
10/9/2018	G.O. Bond	872	BIT46 Purchase of software, hardware, network, and other services needed to upgrade POS system at Pla
4/23/2018	G.O. Bond	837	B035D Acquisition of equipment associated with maintenance of roads
5/23/2011	G.O. Bond	703	B014C White Plains Complex Bldg exterior rehab and repairs 2011-2015
2/9/2015	G.O. Bond	648	RCC11 County Center Interior rehabilitation - City of White Plains
4/10/2012	G.O. Bond	566	BIT3A Desktop Systems 2007 - 2011
9/12/2016	G.O. Bond	531	BPL50 Property Acquisition
6/2/2014	G.O. Bond	525	WCC76 Technology upgrade on Campus (Phase 1) WCC
9/18/2018	G.O. Bond	503	RB143 Design & construction for rehab of roadway from Grandview Ave to Greeley Ave
6/5/2017	G.O. Bond	500	BES17 Cost of Acquisition of a Rescue Pumper Vehicle for Emergency Services
4/18/2016	G.O. Bond	500	BPL50 34 Lockwood Rd, Cortlandt
4/27/2015	G.O. Bond	481	RB2UU Fulton Avenue Bridge over Hutchinson River, Mount Vernon and Pelham Manor
4/3/2017	G.O. Bond	458	BIT35 Purchase & Installation of Network Equipment
4/24/2017	G.O. Bond	453	BIT4B Employee Productivity Systems 2013-2017
3/7/2016	G.O. Bond	425	BIT3B Desktop Systems - 2012 - 2016
10/15/2012	G.O. Bond	416	BPL50 Cost of acquisition for land improvements at 525 Ellendale Avenue in Village of Rye Brook
1/23/2017	G.O. Bond	377	B0107 Replacement Vehicles for Motor Pool
5/5/2014	G.O. Bond	375	BPS23 ACCESSORIES INCL 8 IN CAR COMPUTER/VIDEO SYSTEMS
4/9/2018	G.O. Bond	368	T001S Acquisition of various articulated buses for the Non-Central Ave routes
4/18/2016	G.O. Bond	280	BPL50 106 Lake Kitchawan Dr, Lewisboro
5/16/2016	G.O. Bond	279	BPL50 Property Acquisition
9/19/2011	G.O. Bond	270	WCC78 Phase 2 costs of security improvements at WCC
3/10/2014	G.O. Bond	264	BIT34 Video surveillance equipment for various county facilities
10/3/2011	G.O. Bond	240	WCC63 Improvements at WCC including parking walkways and kiosks
5/5/2014	G.O. Bond	231	BPS23 Vehicle Acquisition and replacement for Dept of Public Safety
5/14/2018	G.O. Bond	216	B0107 Replacement of aging motor pool vehicles with excessive mileage/rust/deterioration
7/15/2019	G.O. Bond	197	RP008 Rehab historical sites

County of Westchester  
Schedule A Part 2  
9/30/2020

<u>Date of Authorization</u>	<u>Type of Obligation</u>	<u>Amount to be Issued</u>	<u>Object or Purpose for which Authorized</u>
9/14/2014	G.O. Bond	196	RCC10 County Center Site Work - Construction
3/3/2014	G.O. Bond	164	BIT6B Purchase of Computer Equipment - 2011-2015
5/6/2013	G.O. Bond	148	BES12 County public access - automated external defibrillation (AED) equipment
1/23/2013	G.O. Bond	143	BIT6B Purchase of computer equipment - 2011-2015
10/20/2014	G.O. Bond	130	BES10 Smoke House repairs for DES in Grasslands
3/20/2012	G.O. Bond	128	RB108 Improvements to CR #87, North Broadway, White Plains
8/22/2011	G.O. Bond	125	T0034 Lift System improvements to central bus - maintenance facilities infrastructure
6/2/2014	G.O. Bond	85	WCC75 Technology upgrade Off Campus 2011/12-2015/16 - WCC
6/20/2016	G.O. Bond	81	RB03J Halstead Avenue Bridge Mamroneck Reconstruction Amending Bond Act (214-2013)
4/4/2016	G.O. Bond	74	BIT35 Network infrastructure upgrade (2015 - 2019)
5/16/2016	G.O. Bond	72	BPL50 5 Liberty Way-Somers
10/22/2012	G.O. Bond	57	RD016 Study and design for existing gas extration wells at Croton Point Park
5/11/2015	G.O. Bond	40	BIT9A Geographic information systems (2015 - 2019)
9/26/2016	G.O. Bond	28	RGSL1 Replace Irrigation - Sprain Lake Golf
6/7/2011	G.O. Bond	27	RMH01 Capital Projects for Miller Farmhouse
7/17/2017	G.O. Bond	17	BPS24 Acquisition of Body Cameras for County Police
8/31/2015	G.O. Bond	16	T009G ParaTransit vehicles
5/11/2015	G.O. Bond	4	BES05 DES main facility rehabilitation - partial reconstruction
6/27/2011	G.O. Bond	4	BIT26 Improvements of existing County wide digital base map
9/26/2016	G.O. Bond	1	BPS23 Vehicle Aquisition & Replacement
9/26/2016	G.O. Bond	1	RGP09 General Infrastructure Vehicle Replacement II
11/9/2015	G.O. Bond	1	BPL50 Construction improvements of 200 Reader's Digest Road, Chappaqua

**Exhibit "J"**

DRAFT

# 2020 City and Town Tax Rates

7/8/2020

Municipality	SWIS Code	Parcels	Unincorporated Taxable Assessed Value	Unincorporated Tax Rate Per \$1,000	General Taxable Assessed Value	General Tax Rate per \$1,000
City of Mount Vernon	5 5 0 8 0 0	11,189			\$148,153,163	410.799620
City of New Rochelle	5 5 1 0 0 0	15,762			\$264,405,752	235.432000
City of Peekskill*	5 5 1 2 0 0	6,418			\$63,069,658	273.665670
* There is also a Library Tax		6,418			\$67,033,536	17.573290
City of Rye	5 5 1 4 0 0	4,947			\$140,700,295	180.060000
City of White Plains	5 5 1 7 0 0	14,075			\$283,769,745	224.520000
City of Yonkers	5 5 1 8 0 0	34,619			\$456,610,034	300.860000
Town of Bedford	5 5 2 0 0 0	6,296			\$591,460,491	39.467600
Town of Cortlandt**	5 5 2 2 0 0	15,364	\$81,703,141	183.83000	\$109,364,779	31.200000
** There is also a town library tax, which applies to the entire town except Village of Croton-on-Hudson		12,065			\$88,633,512	7.170000
Town of Eastchester	5 5 2 4 0 0	9,329	\$54,416,150	306.29990	\$101,100,414	36.885100
Town of Greenburgh	5 5 2 6 0 0	29,104	\$10,442,661,606	6.12112	\$20,593,448,296	0.452432
Town of Harrison	5 5 2 8 0 0	7,030			\$128,671,768	370.782747
Town of Lewisboro	5 5 3 0 0 0	5,870			\$294,084,865	23.940000
Town of Mamaroneck	5 5 3 2 0 0	8,981	\$4,294,625,309	2.30231	\$9,749,092,921	0.493872
Town of Mount Kisco	5 5 5 6 0 0	2,797	See Village Tax Rate Table	See Village Tax Rate Table	See Village Tax Rate Table	See Village Tax Rate Table
Town of Mount Pleasant	5 5 3 4 0 0	14,291	\$105,528,963	79.208125	\$143,637,384	8.796471
Town of New Castle	5 5 3 6 0 0	6,732			\$1,065,217,953	15.708382
Town of North Castle	5 5 3 8 0 0	4,815			\$120,980,532	171.840284
Town of North Salem	5 5 4 0 0 0	2,461			\$1,392,891,115	4.615451
Town of Ossining	5 5 4 2 0 0	10,176	\$963,603,662	5.442916	\$5,000,985,062	0.759922

Town of Pelham – Homestead	5 5 4 4 0 0	3,254			\$2,972,608,121	0.453680
Town of Pelham – Non-Homestead	5 5 4 4 0 0	450			\$464,063,307	0.611000
Town of Pound Ridge	5 5 4 6 0 0	2,488			\$376,543,750	14.739500
Town of Rye – Homestead	5 5 4 8 0 0	9,535			\$5,620,203,088	0.092613
Town of Rye – Non-Homestead	5 5 4 8 0 0	1,781			\$1,734,613,493	0.140742
Town of Scarsdale	5 5 5 0 0 0	5,949	<i>See Village Tax Rate Table</i>	<i>See Village Tax Rate Table</i>	<i>See Village Tax Rate Table</i>	<i>See Village Tax Rates</i>
Town of Somers	5 5 5 2 0 0	9,323			\$498,912,953	15.139732
Town of Yorktown	5 5 5 4 0 0	14,403			\$129,403,013	168.347881

Please note that the general town tax rate is charged throughout a town including villages, if any. The unincorporated tax rate is charged in town areas outside of villages in towns that have villages. Therefore, if you live in the unincorporated area of a town that has villages you must add the two rates together to compute your total tax rate. In Greenburgh the general town rate is charged only in the villages and the unincorporated rate is charged only outside the villages.

## 2020 Municipal County Tax Rates for the County General Levy

6/9/2020

Municipality	SWIS Code	Parcels	Taxable Assessed Value	Tax Rate Per \$1,000
City of Mount Vernon	5 5 0 8 0 0	11,189	\$147,436,643	121.011096
City of New Rochelle	5 5 1 0 0 0	16,085	\$264,529,775	125.986000
City of Peekskill	5 5 1 2 0 0	6,418	\$63,101,258	96.796500
City of Rye	5 5 1 4 0 0	4,947	\$140,622,000	198.249207
City of White Plains	5 5 1 7 0 0	14,066	\$283,769,745	122.080000
City of Yonkers	5 5 1 8 0 0	36,542	\$462,713,772	136.760000
Town of Bedford	5 5 2 0 0 0	6,296	\$591,129,291	27.818698
Town of Cortlandt	5 5 2 2 0 0	15,364	\$109,397,076	200.190000
Town of Eastchester	5 5 2 4 0 0	9,329	\$101,100,414	278.700300
Town of Green burgh	5 5 2 6 0 0	29,104	\$20,637,704,296	3.095230
Town of Harrison	5 5 2 8 0 0	7,030	\$126,907,207	215.448859
Town of Lewisboro	5 5 3 0 0 0	5,870	\$294,084,865	32.157616
Town of Mamaroneck	5 5 3 2 0 0	8,981	\$9,748,244,585	3.093281
Town of Mount Kisco	5 5 5 6 0 0	2,797	\$291,695,578	19.668388
Town of Mount Pleasant	5 5 3 4 0 0	14,291	\$143,297,178	220.468468
Town of New Castle	5 5 3 6 0 0	6,732	\$1,065,080,953	16.214100
Town of North Castle	5 5 3 8 0 0	4,815	\$120,858,834	134.191722
Town of North Salem	5 5 4 0 0 0	2,461	\$1,392,500,525	3.082666
Town of Ossining	5 5 4 2 0 0	10,176	\$4,975,664,841	3.087031
Town of Pelham	5 5 4 4 0 0	3,704	\$3,407,480,398	2.923780
Town of Pound Ridge	5 5 4 6 0 0	2,488	\$376,543,750	16.732800
Town of Rye	5 5 4 8 0 0	11,316	\$7,311,347,727	3.174954
Town of Scarsdale	5 5 5 0 0 0	5,949	\$8,910,902,479	3.332113
Town of Somers	5 5 5 2 0 0	9,323	\$498,694,818	25.712603
Town of Yorktown	5 5 5 4 0 0	14,403	\$129,602,228	137.998854



## 2020/2021 Village Tax Rates

Town	Village	S W I S Code	Total Parcels	Taxable Assessed Value	Tax Rate per \$1,000
Town of Cortlandt	Village of Buchanan	5 5 2 2 0 1	836	\$7,145,444	449.50
	Village of Croton-on-Hudson	5 5 2 2 0 3	3,311	\$45,062,239	264.731
Town of Eastchester	Village of Bronxville	5 5 2 4 0 1	1,728	\$3,124,976,279	3.3907
	Village of Tuckahoe	5 5 2 4 0 3	1,996	\$14,344,503	580.262600
Town of Green burgh	Village of Ardsley	5 5 2 6 0 1	1,684	\$1,124,335,968	9.941855
	Village of Dobbs Ferry	5 5 2 6 0 3	2,894	\$2,084,100,419	6.915010
	Village of Elmsford	5 5 2 6 0 5	1,460	\$956,647,805	10.832000
	Village of Hastings on Hudson	5 5 2 6 0 7	2,688	\$1,921,047,085	6.034394
	Village of Irvington	5 5 2 6 0 9	1,992	\$1,932,772,659	7.814700
	Village of Tarrytown	5 5 2 6 1 1	3,421	\$2,153,947,713	8.295400
Town/Village of Harrison	Village of Harrison	5 5 2 8 0 0	7,035	\$128,671,768	370.78275
Town of Mamaroneck (Village of Mamaroneck is also partially in Town of Rye)	Village of Larchmont	5 5 3 2 0 1	1,851	\$2,835,706,221	5.280000
	Village of Mamaroneck - Library	5 5 3 2 0 3	5,289	\$4,281,920,577	0.665300
	Village of Mamaroneck - Village	5 5 3 2 0 3	5,289	\$4,281,920,577	6.119520
Town/Village of Mount Kisco	Village of Mount Kisco	5 5 5 6 0 1	2,797	\$291,702,898	105.0675
Town of Mount Pleasant	Village of Briarcliff Manor	5 5 3 4 0 5	264	\$2,557,081	393.080800
	Village of Pleasantville	5 5 3 4 0 3	2,605	\$120,468,208	96.7924
	Village of Sleepy Hollow (Homestead)	5 5 3 4 0 1	1,542	\$209,468,424	35.632600
	Village of Sleepy Hollow (Non-Homestead)	5 5 3 4 0 1	416	\$57,371,012	88.496600
Town of Ossining	Village of Briarcliff Manor	5 5 4 2 0 1	2,531	\$1,928,481,955	5.503100

<b>Town of Ossining (Continued)</b>	Village of Ossining	5 5 4 2 0 3	5,469	\$2,109,379,276	10.849200
<b>Town of Pelham</b>	Village of Pelham (Homestead)	5 5 4 4 0 3	1,689	\$1,356,301,962	7.1126
	Village of Pelham (Non-Homestead)	5 5 4 4 0 3	225	\$197,920,006	9.8831
	Village of Pelham Manor (Homestead)	5 5 4 4 0 5	1,565	\$1,623,751,325	6.5532
	Village of Pelham Manor (Non-Homestead)	5 5 4 4 0 5	225	\$266,398,725	9.4659
<b>Town of Rye</b>	Village of Mamaroneck	See Under "Town of Mamaroneck"			
	Village of Port Chester (Homestead)	5 5 4 8 0 1	4,306	\$1,844,742,217	8.431205
	Village of Port Chester (Non-Homestead)	5 5 4 8 0 1	1,149	\$1,121,720,632	11.31964
	Village of Rye Brook (Homestead)	5 5 4 8 0 5	3,217	\$2,475,749,184	5.361105
	Village of Rye Brook (Non-Homestead)	5 5 4 8 0 5	238	\$472,788,999	8.530673
<b>Town/Village of Scarsdale</b>	Village of Scarsdale	5 5 5 0 0 0	5,949	\$8,877,795,415	4.709486

## 2020 Special District Tax Rates (Cities and Towns)

Municipality	District Code	Special District name	Parcels	Taxable Assessed Value (\$) or Units	Tax Rate Per \$1,000 or charge per Unit
City of Mount Vernon	CS001	Hutchinson Valley County Sewer District	8,541	149,242,961	Unable to Obtain
	CS002	Bronx River County Sewer District	2,632	41,060,165	Unable to Obtain
	RF001	County Refuse Disposal District #1	11,173	155,690,866	9.920000
City of New Rochelle	CR001	County Refuse District	16,069	285,212,028	10.572000
	CS000	New Rochelle Sewer District	11,819	252,471,725	51.214000
	CS001	Mamaroneck Sewer District	1,789	32,849,305	23.729000
	CS002	Hutchinson Valley Sewer District	2,462	38,199,941	17.012000
	BID01	Business Improvement District	554	13,678,275	19.023000
City of Peekskill	SD001	Peekskill County Sewer District	6,363	122,524,371	21.447330
	CW001	County Refuse Disposal District #1	6,249	70,231,367	8.107960
	PP002	parking District 2 (BID)	158	388,077	25.719660
City of Rye	TXREF	County Refuse Disposal District #1	4,941	141,975,369	16.590533
	TXBBS	Blind Brook County Sewer District	4,331	141,438,611	34.870280
	TXMVS	Mamaroneck Valley County Sewer District	610	19,635,808	37.163940
City of White Plains	GA174	County Refuse Disposal District #1	14,073	290,764,400	9.590000
	SB171	Bronx Valley County Sewer District	8,235	225,766,960	16.510000
	SM172	Mamaroneck Valley County Sewer District	5,866	171,604,697	21.600000
City of Yonkers	CW001	County Refuse Disposal District #1	35,912	543,367,636	11.330000
	CS001	Bronx Valley Sewer District #1	19,521	371,040,383	19.510000
	CS002	South Yonkers County Sewer District #2	3,614	87,644,179	13.190000
	CS003	Central Yonkers Sewer District #3	3,598	70,855,389	13.590000
	CS004	North Yonkers County Sewer District #4	4,074	66,789,591	23.250000
	CS005	Saw Mill Valley County Sewer District #5	5,158	85,007,913	21.800000
Town of Bedford	AM001	Paramedic District No. 1	6,258	596,344,597	0.572395
	FD030	Bedford Village Fire District	2,065	231,690,592	4.377825
	PD011	Bedford Village Park District	2,068	232,047,945	3.458409
	LT010	Bedford Village Lighting Dist.	502	42,365,627	0.361557

Town of Bedford (Continued)	FD031	Bedford Hills Fire District	1,968	176,762,543	12.762008
	PD012	Bedford Hills Park District	2,035	191,644,112	4.227716
	LT011	Bedford Hills Light	941	49,029,662	0.732068
	FD032	Katonah Fire District	2,225	172,777,160	7.710369
	PD013	Katonah Park District	2,225	172,785,000	4.375534
	LT012	Katonah Light District	937	52,443,850	0.562335
	WD039	Cedar Downs Water District	91	3,432,104	5.472736
	WD040	Consolidated Water District	2,463	131,372,980	9.262702
	WD042	Farms Water District (Cap)	106	6,424,374	0.000000
	WD041	Farms Water District (O&M)	102	5,573,360	0.000000
	WD043	Old Post Road Water District	83	6,048,422	5.129437
	FD033	Fire Protection District No. 1	90	15,252,355	7.385911
Town of Cortlandt	SD472	Ossining Sanitary Sewer	2,676	18,732,494	47.710000
	SD473	Peekskill Sanitary Sewer	1,555	14,830,571	44.400000
	CW495	County Refuse Disposal #1	14,824	113,861,451	16.560000
	FD411	Montrose Fire District	1,880	16,336,816	49.270000
	FD412	Verplank Fire District	860	4,306,682	50.310000
	FD413	Mohegan Fire District	6,652	48,112,535	94.720000
	WD430	Montrose Water District	865	5,681,844	26.930000
	PK481	Cortlandt Cont. Village Park	252	1,336,290	42.680000
	FD415	Furnace Dock Road Fire Protection	164	1,353,573	40.970000
	FD416	Mt. Airy Quaker Br. Rd. Fire Protection	655	6,632,679	62.360000
	FD418	Continental Village Fire Protection	605	3,142,997	54.540000
	WD457	Cortlandt Consolidated Water District	9,148	65,583,111	15.500000
	LT460	Montrose Lighting District	865	5,715,029	14.010000
	LT 461	Verplank Lighting District	853	3,786,157	7.930000
	LT462	North Cortlandt Lighting District	20	895,599	0.000000
	SD470	Fawn Ridge Sewer District	264	3,865,569	2.590000
	SD478	Skytop Sewer District	98	284,614	7.030000
	SD477	Conklin Park Sewer District	38	167,166	5.990000
	SD498	Lafayette Sewer District	145	1,166,997	7.290000
	SD496	Country Woods Sewer District	56	421,212	3.570000

Town of Cortlandt (Continued)	SD493	Waterbury Manor Sewer District	178	1,081,639	1.850000
	SD492	Hollowbrook Sewer District	51	205,939	14.570000
	SD480	Conklin Park East Sewer District	100	462,070	6.500000
	SD501	Red Oaks Sewer District	83	942,087	26.540000
	SD482	Emery Ridge Sewer District	64	587,774	17.020000
	DD475	Washington Acres Drainage	47	469,205	6.400000
	PK490	Mohegan Lake Improvement	261	1,516,302	11.380000
	DD485	Ridgevale Drainage	38	501,686	19.940000
	DD486	Westchester Mall Drain.	11	1,764,642	5.670000
	DD497	Lafayette Drainage	144	1,156,305	1.300000
	DD491	Hollowbrook Drainage	43	131,622	22.800000
	DD509	Sunset Ridge Drainage	6	54,350	9.200000
	AD 499	Cortlandt Ambulance	2,851	24,193,766	12.610000
	AD501	Cortlandt A.L.S. #2	1,451	6,925,100	12.570000
	AD502	Cortlandt A.L.S. #3	6,646	47,801,736	8.370000
Town of Eastchester	BV024	Bronx Valley Sanitary Sewer District	6,535	88,833,266	40.161200
	HV024	Hutchinson Valley Sanitary Sewer District	2,919	32,973,748	37.466900
	CW024	County Refuse District #1	9,329	102,879,379	23.291600
	TS024	Town Sewer District (Town Outside)	5,554	55,383,052	7.262800
	FD024	Eastchester Fire District (Town Wide)	9,324	102,515,854	172.612400
	GR024	Garth Road Parking District	66	3,757,550	50.002600
Town of Green burgh	FD010	Chauncey Fire Protection District	18	13,831,614	1.843603
	FD006	Donald Park Fire Protection District	479	233,587,210	2.482647
	FD002	East Irvington Fire Protection District	524	245,476,220	0.481920
	FD004	Glenville Fire Protection District	648	407,383,869	0.900625
	FD003	North Elmsford Fire Protection District	1,168	1,255,757,025	0.692859
	FD007	South Ardsley Fire Protection District	719	465,567,905	1.065580
	FD005	West Elmsford Fire Protection District	339	344,567,651	0.769950
	FD701	Fairview Fire District	4,305	2,833,203,738	4.869795
	FD009	Greenville Fire District	2,585	2,655,549,709	3.687584
	FD008	Hartsdale Fire District	3,721	2,208,432,639	5.558349
	WR001	Refuse Disposal District #1	28,223	21,101,582,200	0.258550

Town of Green burgh (Continued)	BV001	Bronx Valley County Sewer District	11,051	8,753,687,736	0.446447
	NY001	North Yonkers County Sewer District	6,003	5,885,645,481	0.530641
	SM001	Saw Mill Valley County Sewer District	12,679	9,376,381,067	0.497381
	CM001	Consolidated Sewer Maintenance	12,846	9,034,539,200	0.231070
	PD001	Greenridge Park District	124	122,031,105	0.003483
	PD002	Consolidated Cotwold Park District	180	230,107,900	0.040416
	SD069	F.A. #4 Sprn. Valley Rd-High Pt.	86	82.40 units	124.745146
	SD070	F.A. #7 South Ardsley	67	66.10 units	49.773071
	SD031	F.A. #9 Orchard Hill	95	95 units	62.263158
	SD071	F.A. #11 Ardsley Rd/Sprn Rd	52	50.20 units	31.414343
	SD029	F.A. # 17 Blueberry Hill Road	8	8.00 units	80.875000
	SD823	F.A. # 18 Hartsdale Lawns-Milt	8	8.00 units	39.625000
	SD091	Sheldon Brook Drainage Dist.	1,326	417.47 units	8.285625
Town of Harrison	CS282	Mamaroneck Valley County Sewer District	6,000	111,665,845	40.183791
	CS281	Blind Brook County Sewer District	880	32,765,782	38.267117
	CS283	Upper Bronx Valley County Sewer District	49	429,142	28.787674
	DD281	County Refuse Disposal Dist. No. 1	7,012	129,532,344	18.021939
	SF281	Water #1 F.P.	1,932	25,191,788	37.038498
	SF282	Water #2 F.P.	3,837	62,988,161	81.507412
	SF283	Water #3 F.P.	142	3,649,480	8.843178
	SF285	Water #5 F.P.	108	1,010,268	38.180958
	SF284	Fire Dist. #4	885	39,887,977	47.693118
	SP027	Meadow Lane Drainage	9	361,470	88.015603

Town of Harrison (Continued)	SP030	Pilgrim Road Drainage	22	677,590	57.105329
	SP031	Lincoln Lane Drainage	10	651,950	47.385536
		Pleasant Ridge Road Sewer #5	3	Special Assessment	107.666667
		Old Well Rd Sewer	17	Special Assessment	1,359.882352
		Century Trail Sewer	2	Special Assessment	3,847.500000
		Woods End Sewer	6	Special Assessment	4,387.000000
Town of Lewisboro	A	Goldens Bridge Fire District	1,358	74,448,403	13.710000
	C	South Salem Fire District	2,671	154,018,058	4.830000
	D	Vista Fire District	1,828	70,441,641	14.160000
	B	Wild Oaks Fire Zone	329	7,614,200	0.590000
	B	Wild Oaks Lighting	329	7,667,796	1.880000
	B	Wild Oaks Sewer District	329	7,921,996	17.670000
	E	Oakridge Sewer District (Operational)	430	6,734,600	33.570000
	E	Oakridge Sewer District (Bond)	430	6,734,600	40.520000
Town of Mamaroneck	SW322	Mamaroneck Valley Sewer	6,168	6,963,868,618	0.579330
	SW323	New Rochelle Sewer	2,810	3,468,474,489	1.253286
	AD001	Ambulance District	8,981	9,836,668,541	0.060958
	FD321	Fire District #1	4,019	4,327,051,466	0.961555
	GB321	Garbage District #1	4,019	4,327,051,466	0.508453
	LT321	Street Lighting District #1	4,019	4,327,051,466	0.070319

Town of Mamaroneck (Continued)	RF321	County Refuse Disposal District #1	8,981	9,846,289,733	0.258713
Town of Mount Kisco	DD561	County Refuse District	2,777	297,608,515	1.644341
Town of Mount Pleasant	FD026	So. Hardscrabble Fire Protection District	158	1,850,223	40.113003
	FD013	Bear Ridge Fire Protection District	185	1,721,444	39.649852
	FD024	W. Pleasantville Fire Protection District #1	90	506,527	39.024573
	FD025	W. Pleasantville Fire Protection District #2	28	74,632	35.065388
	FD018	E. Bear Ridge Fire Protection District	157	2,052,442	39.662997
	FD010	No. East Briarcliff Fire Protection District	165	2,424,107	28.943854
	FD012	E. Briarcliff Fire Protection District	72	703,061	44.442801
	FD011	Hardscrabble Fire Protection District	298	4,442,675	19.811938
	FD016	King Street Fire Protection District	69	731,314	74.010617
	FD017	Mt. Pleasant #7 Fire Protection District	79	426,570	145.120379
	FD014	Thornwood Fire Protection District #1	2,153	684,136	39.939427
	AD001	Valhalla Ambulance	1,924	35,529,371	8.705220
	AD002	Pleasantville Ambulance	6,819	64,043,382	10.204692
	AD003	Mt. Pleasant West	274	5,098,916	10.783468
	AD004	Hawthorne Ambulance	1,857	20,047,915	7.608322
	AD005	Sleepy Hollow Ambulance	1,806	16,184,150	7.903226
	WD016	Meadowbrook Water	34	180,590	76.875796
	WD015	Old Farm Hill Water	544	7,392,133	85.414724



Town of Mount Pleasant (Continued)	WD018	Pocantico Hills Water Capital	150	3,110,052	115.119297
	WD025	Pocantico Hills Water O&M	106	1,731,885	155.640242
	WD017	Apple Hill Water	70	316,747	116.547276
	WD019	Pleasantville Ext. 1	25	124,919	85.319287
	WD021	Pleasant Ridge Water	39	175,287	98.575479
	WD022	Northeast Pleasantville Water	37	186,981	25.836850
	WD024	Mill River Water	40	224,743	110.917804
	WD026	Kensico Water O&M	5,745	60,419,832	56.099264
	WD027	Kensico Water Capital	29	3,442,910	60.687592
	FD028	Thornwood Fire District	46	18,813,804	41.191863
	FD020	Pocantico Hills Fire District	326	4,289,377	79.131147
	FD015	Hawthorne Fire District	1,857	19,904,446	99.243734
	FD023	Valhalla Fire District	1,919	35,175,879	39.822226
	FD021	Scarborough Fire District	158	2,917,996	73.906887
	FD019	Pleasantville Fire District	3,750	31,481,711	35.954828
	FD027	New Castle Fire District #1	54	334,584	34.105038
	GB001	Valhalla Refuse District	1,718	18,584,147	26.486715
	GB002	Mount Pleasant Refuse District	7,083	89,390,904	21.510332
	LB001	Mount Pleasant Special Library District	8,788	107,978,989	17.493672

Town of Mount Pleasant (Continued)	LT005	Mount Pleasant Special Consolidated Lighting	8,786	107,965,889	6.244250
	CW004	Refuse Disposal District #1	13,378	147,374,515	18.432990
	SD005	Saw Mill Sewer	10,629	153,462,125	35.557392
	SD007	Saw Mill Sewer-Briar Manor	209	2,656,795	42.810605
	SD008	Ossining Sewer	86	969,472	57.977951
	SD010	Upper Bronx Valley Sewer	2,321	29,498,191	29.815794
Town of New Castle	SW004	Saw Mill Sanitary Sewer	1,982	283,295,320	2.609344
	SW008	Ossining Sewer	1	517,875	3.902486
	ALS01	Advanced Life Support (ALS)	5,967	1,013,344,091	0.326776
	OVAC1	Ossining Ambulance	685	87,406,642	0.613146
	DR002	Brevoort Drainage	65	5,589,930	1.821848
	FD005	New Castle Fire	3,156	546,686,556	2.588160
	FD006	Millwood Fire	2,011	313,544,829	5.688434
	FD007	Northern Fire	1,385	208,617,238	4.075919
	LT004	Consolidated Lighting	2,953	498,080,591	0.200771
	PK002	New Castle Parking	55	8,584,142	15.516985
	SW001	Sewer District 1 Maintenance	113	14,147,617	4.387382
	SW002	Sewer District 2 Maintenance	219	13,485,050	1.125469
	SW003	Sewer District 3	104	17,489,807	1.188692

Town of New Castle (Continued)	SW005	Sewer District 2 Maintenance-Ext	167	15,603,091	1.328262
	WD008	Two Castles Water	23	4,932,520	2.175561
	WK361	Sidewalk District #1 - King Street	444	75,113,002	0.399398
	WD010	New Castle Stanwood Water	6,111	999,896,729	0.991841
	WD019	High Ridge Water	34	5,220,337	2.858053
	DD361	New Castle Refuse	5,693	5622.5 units	440.000000
	CR001	Commercial Refuse District	14	2,585,575	0.000000
	CR002	So. Greeley Comm. Refuse Dist.	12	3,430,910	1.224165
	KG001	King/Greeley Improv - L	403	611.6 units	42.280482
	KG002	King/Greeley Improv and Mnt - I	385	3049 units	21.428910
	KG003	King/Greeley Cap Improv - L	22	164.5 units	22.445494
	KG004	King-Greeley Cap.Improv - I	18	310 units	12.163384
Town of North Castle	AD381	Advanced Life Support #1	884	15,396,600	6.949586
	AD382	Advanced Life Support #2	3,912	114,039,956	2.240960
	CS381	Upper Bronx Valley Sewer	818	14,525,186	18.149000
	CS382	Mamaroneck Valley Sewer	59	300,094	25.112132
	CS383	Blind Brook Sewer	27	4,442,040	23.572953
	FD381	Fire District #1	882	14,719,192	40.695169
	FD382	Fire District #2	3,012	89,907,729	18.345920

Town of North Castle (Continued)	FD383	Fire Protection #3 Banksville	912	24,187,208	19.811919
	LT381	Light District #1 NWP	843	14,516,470	4.436340
	LT382	Light District #2 Armonk	1,177	32,245,020	2.738407
	LT383	Light District #3 King Street	29	2,008,864	1.742278
	SD380	Sewer District #2 Lot A IBM		user units	all IBM charge
	SD380	Sewer District #2 Lot B IBM		user units	all IBM charge
	SD381	Sewer District #1 NWP	767	13,410,158	7.009686
	S381B	Sewer District #1 Quarry Heights	79	457,659	51.348000
	SD382	Sewer District #2 O & M		1367.06 units	307.110000
	SD382	Sewer District #2 Capital Bond	749	24,823,373	9.891900
	SD382	Sewer District #2 Zoning Units		1442.56 units	167.851000
	SD383	Sewer District #3 Rte. 120	15	By Units	464.330756
	SD385	Sewer District #4 Orchard Street	12	1,135,117	20.965200
	WD381	Special Tax Levy Cap Project #1 NWP	756	8,676,350	18.563790
	WD382	Special Tax Levy Cap Project #2 ARM	388	391 units	1,829.173913
	WD385	Water District #4 Cap	429	19,294,820	
	WD386	Water District #5 Debt Service	116	116 parcels	282.720000
	WD386	Water District #5 New Castle		17 parcels	282.710000
	WD388	Water District #7 Mac & Wampus	46	By units	Charge by unit

Town of North Salem	LT015	Croton Falls Lighting District	218	72,168,027	0.110853
	LT016	Purdys Lighting District	113	136,927,938	0.029213
	FD035	Croton Falls Fire District	2,436	1,483,003,249	0.898468
	FD036	Goldens Bridge Fire District	38	8,041,751	1.161941
	WD045	Croton Falls Water District	102	29,477,684	1.933667
	WD046	Sunset Ridge Water District-users	98	53,107,718	1.237972
	WD047	Sunset Ridge Water District-non-users	24	2,489,061	0.123800
	WD048	Candlewood Park Water District-users	55	23,719,500	1.508335
	WD049	Candlewood Park Water District-non-users	12	1,478,825	0.150834
	SD001	Peach Lake Sewer District	386	771	varies by number of bedrooms
	PD100	Candlewood Park Improvement District	55	23,719,500	0.269821
Town of Ossining	AD001	Ambulance District	7,322	3,176,196,335	0.210429
	TD001	Refuse/Light/Fire	2,120	973,241,735	1.518174
	WD100	Townwide Water	2,156	1,076,640,435	0.031102
	SD100	Townwide Sewer	1,600	922,347,925	0.304104
	SD072	No. State Rd. Sewer	138	144,315,110	0.275467
	SD057	Ossining Sewer-Oss	7,180	3,281,423,535	0.730160
	SD056	Saw Mill Sewer-Oss	130	107,592,800	0.535073
	SD058	Ossining Sewer-BM	976	811,153,496	0.624881
	SD059	Saw Mill Sewer-BM	1,272	950,905,704	0.624881

<b>Town of Ossining (Continued)</b>	CW002	Westchester County Solid Waste	9,741	5,093,261,525	0.258273
<b>Town of Pelham</b>	CW003	Refuse Disposal District #1	3,703	3,434,657,638	0.257850
	SW001	Hutch. Valley Sanitary Sewer Dist.	2,765	3,572,598,212	0.638250
	SW002	New Rochelle Sanitary Sewer Dist.	962	3,572,598,212	0.638250
<b>Town of Pound Ridge</b>	FD004	Fire District	2,485	381,350,268	2.121500
	LB001	Library District	2,485	381,350,268	2.030400
	PK001	Parking District	23	2,398,500	18.307300
<b>Town of Rye</b>	SW481	County Refuse Disposal District #1	11,070	7,707,883,796	0.264324
	CS481	Blind Brook County Sewer	3,257	3,063,233,388	0.573843
	CS483	Mamaroneck Valley County Sewer District	2,232	1,723,593,345	0.563738
	CS482	Port Chester County Sewer District	5,720	3,366,019,063	0.901822
<b>Town of Scarsdale</b>	BS501	Bronx Valley County Sewer District	3,627	6,142,706,505	0.472562
	CW501	County Refuse Disposal District #1	5,947	8,988,920,848	0.273947
	HS501	Hutchinson Valley County Sewer District	300	259,274,852	0.437408
	MS501	Scarsdale Mamaroneck Valley Sewer	2,067	3,321,010,789	0.613690
<b>Town of Somers</b>	FR001	Somers Fire District	9,315	508,211,924	6.135673
	LT001	Shenorock Lights	807	27,105,963	0.774184
	LT002	Croton Falls Lights	22	838,527	2.259916
	FR002	Goldens Bridge Fire	17	1,327,100	10.966017
	WT001	Amawalk/Shenorock WT	1,173	61,688,589	6.446565
	WT005	Route 6/EXT #1	10	1,850,400	3.713792

Town of Somers (Continued)	WT008	Horton Estates/EXT # 4	54	2,335,400	12.666667
	SW002	Peekskill Sewer Dist # 1	324	29,054,990	5.676650
	SW004	Act 14 2010 Peekskill	8	37,800	1.000000
	SW005	Act 185 2015 Peekskill	45	8,027	1.000000
Town of Yorktown	G0084	Westchester County Garbage	13,841	132,446,805	11.034709
	F0062	Yorktown Heights Fire District	7,258	79,863,656	18.036527
	F0061	Mohegan Lake Fire District	6,604	52,668,699	65.943246
	K0072	Amazon Park District	50	350,150	34.268027
	K0078	Bethel Acres Park	17	195,900	10.209290
	K0071	Mohegan Beach Park District	308	2,039,822	26.963137
	K0077	Mohegan Highland Improvement District	82	543,950	53.313724
	K0073	Shrub Oak Community Association	104	696,350	91.333381
	K0070	Shrub Oak Lake Estates	143	881,545	9.642162
	K0075	Mohegan Lake Improvement District	1,546	7,851,719	9.492571
	G0083	Yorktown Refuse	12,139	11193.44 units	381.714320
	P0065	Emergency Medical Services	13,843	132,212,578	4.813082
	S0058	Westchester County Peekskill Sewer	5,933	52,848,486	27.052052
	S004Q	WC Peekskill Sewer Act 205-2009	2	18,600	14.569892
	S004S	WC Peekskill Sewer Act 129-2010	2	12,800	12.890625

Town of Yorktown (Continued)	S004T	WC Peekskill Sewer Act 101-2011	1	11,850	15.021097
	S004U	WC Peekskill Sewer Act 132-2011	1	8,450	15.029586
	S004V	WC Peekskill Sewer Act 125-2014	2	5,050	5.346535
	S004W	WC Peekskill Sewer Act 189-2014	1	12,700	18.425197
	S004X	WC Peekskill Sewer Act 269-2015	14	15,648	1.000000
	S004Y	WC Peekskill Sewer Act 34-2017	12	96,900	32.714138
	W0019	Kitchawan Water District	68	2,033,157	2.705153
	W0100	Yorktown Consolidated Water	12,712	112,738,864	14.692886
	S0091	Hallock Mill Sewage Treatment	3,694	4164 units	573.148175
	S0042	Hunterbrook Sewer	378	877.10 units	0.000000
	S0046	Hunterbrook Sewer	245	863.77 units	0.000000
	S0038	Osceola/Lateral Sewage Operating	2,644	2649.19 units	15.193450
	S0043	Bonnie & Jill Sewer District	30	61.42 units	240.149788
	S0064	Clover Road Sewer District	31	0	0.000000
	S0060	Mohegan East Sewer District	416	647.46 units	349.674111
	S0030	Mohegan West Sewer District	159	318.32 units	195.322317
	S0044	Oakside Sewer	107	221.8 units	261.045987
	S0048	Hunterbrook Sewer 202 Ext	35	444.37 units	6.976169
	S0051	Suncrest Sewer	29	58.37 units	752.526986



Town of Yorktown (Continued)	S0047	Gomer Street Sewer	38	83.87 units	472.612376
	S0050	Overlook Sewer	69	135.38 units	593.071355

## 2020/2021 School District Tax Rates

10/20/2020

MUNICIPALITY	SCHOOL DISTRICT S W I S CODE	SCHOOL DISTRICT NAME	NUMBER OF PARCELS	TAXABLE ASSESSED VALUE	TAX RATE PER \$1,000
City of Mount Vernon	5 5 0 8 0 0	Mount Vernon City School District	11,189	197,500,203	910.646659
	5 5 0 8 0 0	Mount Vernon Library	11,189	197,500,203	33.217300
City of New Rochelle	5 5 1 0 0 0	New Rochelle City School District	16,090	264,854,215	806.186000
	5 5 1 0 0 0	New Rochelle Library	16,090	264,854,215	21.448000
City of Peekskill	5 5 1 2 0 0	Peekskill City School District	6,058	57,614,768	734.670200
	5 5 2 2 0 3	Hendrick Hudson CSD	360	6,035,665	531.327900
	5 5 2 2 0 3	Hendrick Hudson Library	360	6,065,095	12.352300
City of Rye	5 5 1 4 0 0	Rye City School District	4,507	128,814,207	652.477201
	5 5 4 8 0 1	Rye Neck UFSD - Homestead	415	11,686,765	1,014.732563
	5 5 4 8 0 1	Rye Neck UFSD - Non-Homestead	25	278,660	1,293.518984
City of White Plains	5 5 1 7 0 0	White Plains City School District	13,667	285,199,084	683.170000
City of Yonkers	5 5 1 8 0 0	Yonkers City School District	36,504	459,794,925	551.610000
Town of Bedford	5 5 2 0 0 2	Bedford CSD	4,208	464,515,826	143.128700
	5 5 2 0 0 1	Katonah-Lewisboro UFSD	2,048	194,228,641	183.171800
	5 5 3 8 0 1	Byram Hills CSD	40	3,153,864	146.108100
Town of Cortlandt	5 5 2 2 0 2	Croton-Harmon SD	3,828	31,922,960	1,233.220000
	5 5 2 2 0 2	Croton-Harmon Library	3,808	32,067,215	22.870000
	5 5 2 2 0 3	Hendrick Hudson CSD	5,313	39,823,870	1,082.950000
	5 5 2 2 0 3	Hendrick Hudson Library	5,266	40,085,780	25.620000
	5 5 5 4 0 1	Lakeland CSD	5,592	35,336,534	1,490.610000
	5 5 2 8 0 3	Putnam Valley CSD	510	2,486,702	1,641.230000
	5 5 5 4 0 2	Yorktown CSD	120	1,081,930	1,423.510000
Town of Eastchester	5 5 2 4 0 1	Eastchester UFSD	5288	50,045,400	1,525.991000
	5 5 2 4 0 2	Tuckahoe UFSD	2349	18,220,835	1,596.334200
	5 5 2 4 0 3	Bronxville UFSD	1,704	3,129,288,025	14.012900
Town of Greenburgh	5 5 2 6 0 1	UFSD of the Tarrytowns	3,234	1,681,540,953	21.851500
	5 5 2 6 0 2	Irvington UFSD	2,918	2,911,332,632	20.098500
	5 5 2 6 0 3	Dobbs Ferry UFSD	2,540	1,793,835,643	22.189500
	5 5 2 6 0 4	Hastings-On-Hudson UFSD	3,009	2,050,664,459	21.377100
	5 5 2 6 0 5	Ardsley UFSD	3,903	2,625,599,225	22.210200
	5 5 2 6 0 6	Edgemont UFSD	2,506	2,666,841,175	20.608100
	5 5 2 6 0 7	Greenburgh Central 7 SD	6,856	3,870,827,028	15.928700
	5 5 2 6 0 9	Elmsford UFSD	2,746	1,588,065,570	20.454000
	5 5 3 4 0 2	Pocantico Hills CSD	571	1,052,745,465	9.240700
Town of Harrison	5 5 2 8 0 1	Harrison CSD	7,030	128,916,315	838.282374
	5 5 3 0 0 0	Katonah-Lewisboro UFSD	5,870	295,440,058	211.225426
Town of Mamaroneck	5 5 3 2 0 1	Mamaroneck UFSD	8714	9,378,795,165	13.757288
	5 5 5 0 0 1	Scarsdale UFSD	269	404,935,212	15.371024
Town of Mount Kisco	5 5 6 0 0 0	Bedford CSD	2,797	115,188,836	101.083400
Town of Mount Pleasant	5 5 2 6 0 1	UFSD of the Tarrytowns	1,912	15,256,121	1,561.330000
	5 5 3 4 0 1	Mount Pleasant CSD	4,762	40,346,837	1,388.830000
	5 5 3 4 0 2	Pocantico Hills CSD	622	23,843,390	660.020000
	5 5 3 4 0 5	Valhalla UFSD	1,501	14,803,875	1,444.180000

Town of Mount Pleasant (Continued)	5 5 3 4 0 9	Pleasantville UFSD	3,395	25,147,879	1,522.690000
	5 5 3 6 0 4	Chappaqua CSD	536	6,771,381	1,561.800000
	5 5 3 6 0 4	Chappaqua Library	536	6,771,381	44.540000
	5 5 3 8 0 1	Bryam Hills CSD	790	9,695,574	1,155.270000
	5 5 4 2 0 2	Briarcliff Manor UFSD	765	8,000,959	1,528.890000
Town of New Castle	5 5 3 6 0 4	Chappaqua CSD	5553	909,266,667	111.502027
	5 5 3 6 0 4	Chappaqua Library	5553	909,266,667	3.276329
	5 5 2 0 0 2	Bedford CSD	394	69,452,978	83.205765
	5 5 4 2 0 1	Ossining UFSD	626	68,931,800	132.198515
	5 5 4 2 0 1	Ossining Library	626	68,931,800	5.327719
	5 5 5 4 0 2	Yorktown CSD	111	11,035,287	116.570960
	5 5 3 8 0 1	Byram Hills CSD	44	5,383,425	84.903941
	5 5 3 4 0 9	Pleasantville CSD	6	448,443	111.911659
Town of North Castle	5 5 2 0 0 2	Bedford CSD	215	4,013,310	689.160800
	5 5 3 8 0 1	Byram Hills CSD	3,699	101,928,754	703.226700
	5 5 3 4 0 5	Valhalla CSD	880	13,899,295	879.210000
	5 5 2 8 0 1	Harrison CSD	9	45,363	549.658561
	5 5 3 4 0 1	Mount Pleasant CSD	15	1,406,709	845.560000
Town of North Salem	5 5 2 0 0 1	Katonah-Lewisboro UFSD	139	47,926,710	20.274400
	5 5 4 0 0 1	North Salem CSD	2,322	1,349,865,969	20.676748
Town of Ossining	5 5 4 2 0 1	Ossining CSD	8,434	3,608,666	25.184193
	5 5 4 2 0 1	Ossining Library	8,434	3,608,666	1.014945
	5 5 4 2 0 2	Briarcliff Manor UFSD	1,742	1,439,981,975	21.404648
Town of Pelham	5 5 4 4 0 1	Pelham UFSD - Homestead	3,254	2,976,677,575	18.220111
	5 5 4 4 0 1	Pelham UFSD -Non- Homestead	450	464,124,700	24.590000
Town of Pound Ridge	5 5 2 0 0 2	Bedford CSD	2,342	358,036,850	85.865100
	5 5 2 0 0 1	Katonah-Lewisboro UFSD	146	19,281,562	109.844400
Town of Rye	5 5 4 8 0 5	Blind Brook Rye UFSD - Homestead	2,396	2,076,063,158	17.995779
	5 5 4 8 0 5	Blind Brook Rye UFSD - Non-Homestead	90	225,414,525	29.584546
	5 5 4 8 0 1	Port Chester UFSD - Homestead	5,127	2,270,865,895	16.377604
	5 5 4 8 0 1	Port Chester UFSD -Non- Homestead	1,385	1,358,951,818	22.928148
	5 5 4 8 0 3	Rye Neck UFSD - Homestead	1,973	1,491,263,130	16.014530
	5 5 4 8 0 3	Rye Neck UFSD - Non- Homestead	271	192,458,106	20.194818
	5 5 2 8 0 1	Harrison CSD	12	10,968,739	12.642148
Town of Scarsdale	5 5 5 0 0 1	Scarsdale UFSD	5,948	8,995,454,490	16.222717
Town of Somers	5 5 5 2 0 1	Somers CSD	8,929	478,020,792	169.617977
	5 5 4 0 0 1	North Salem CSD	342	20,940,428	173.067135
	5 5 5 4 0 1	Lakeland CSD	52	4,207,949	193.410376
Town of Yorktown	5 5 5 4 0 2	Yorktown CSD	7,474	77,750,723	991.373299
	5 5 5 4 0 1	Lakeland CSD	6,634	48,874,923	1,033.596861
	5 5 4 2 0 1	Ossining UFSD	149	3,608,840,166	1,124.297615
	5 5 4 2 0 1	Ossining Library	149	3,608,840,166	45.310194
	5 5 2 2 0 2	Croton-Harmon SD	148	1,450,441	859.377000
	5 5 2 2 0 2	Croton-Harmon Library	148	1,451,441	18.298252

\*Note: Bronxville school district taxes are levied on the Bronxville Village roll. All other school taxes are levied on the appropriate City or Town assessment roll.

Exhibit "K"

DRAFT

**WESTCHESTER COUNTY**  
**TOP TEN PROPERTY TAXPAYERS**

**Fiscal Year 2001**

<u>Taxpayer</u>	<u>Equalized Full Value</u>	<u>Percentage of County Equalized Full Value</u>
Con Edison	\$ 3,696,933,233	4.41%
City of New York Water	717,100,565	0.86%
New York Telephone	394,018,783	0.47%
IBM	360,474,920	0.43%
Cali/Robert Martin	283,965,120	0.34%
Eastridge Properties	188,868,444	0.23%
Pepsico	183,241,843	0.22%
Fashion Mall Partners	154,330,413	0.21%
Marx Realty & Improvement	128,490,113	0.15%
Metropolitan Life Ins.	103,382,979	0.12%
<b>Total:</b>	<b>\$ 6,210,806,413</b>	<b>7.44%</b>
Westchester County	\$ 83,791,204,647	100%

**Fiscal Year 2002**

<u>Taxpayer</u>	<u>Equalized Full Value</u>	<u>Percentage of County Equalized Full Value</u>
Con Edison	\$ 4,009,440,416	4.37%
City of New York Water	851,501,993	0.93%
Cali/Robert Martin	670,625,532	0.73%
NY Telephone/Verizon/NYNEX	320,829,133	0.36%
Reckson Operating	299,271,541	0.34%
Westchester Mall LLC	257,409,428	0.28%
NYC Aqueduct	254,009,692	0.28%
White Plains Galleria LP	241,055,289	0.26%
Brooks Shopping Center	234,816,154	0.26%
United Water of New Rochelle	214,339,492	0.23%
<b>Total:</b>	<b>\$ 7,353,298,670</b>	<b>8.01%</b>
Westchester County	\$ 91,745,357,988	100%

**Exhibit "L"**

**State Lands of the County**

DRAFT

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
1		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
2		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
3		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
4		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
5	385	Grassy Sprain	Yonkers	385 East Grassy Sprain Rd	YONKERS	10710	State Of New York
6		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
7	974	Grassy Sprain	Yonkers	974 East Grassy Sprain Rd	YONKERS	10710	State Of New York
8	56	Tuckahoe	Yonkers	56 Tuckahoe Rd	YONKERS	10710	New York State
9	1131	Saw Mill Rvr	Yonkers	1131 Saw Mill Rvr Rd	YONKERS	10710	State Of New York
10		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
11		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
12	50	Tuckahoe	Yonkers	50 Tuckahoe Rd	YONKERS	10710	New York State - D.o.t.
13		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
14		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
15		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
16		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
17	19	Quincy	Yonkers	19 Quincy Pl	YONKERS	10701	State Of New York
18	17	Quincy	Yonkers	17 Quincy Pl	YONKERS	10701	State Of New York
19		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
20		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
21		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
22		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
23		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
24	196	Riverdale	Yonkers	196 Riverdale Ave	YONKERS	10705	State Of New York
25		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
26		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
27		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
28		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
29		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
30		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
31		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
32		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
33		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
34		Central Park	Yonkers	Central Park Ave	BRONXVILLE	10708	State Of New York
35		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
36		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
37	2	Moore	Yonkers	2 Moore Rd	BRONXVILLE	10708	State Of New York
38		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
39		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
40		Palmer	Yonkers	Palmer Rd	YONKERS	10701	State Of New York
41	200	Riverdale	Yonkers	200 Riverdale Ave	YONKERS	10705	N.Y.S. Dot
42		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
43	136	Warburton	Yonkers	136 Warburton Ave	YONKERS	10701	State Of New York
44		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
45	116	Warburton	Yonkers	116 Warburton Ave	YONKERS	10701	State Of New York
46		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
47		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
48		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
49		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
50		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
51		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
52		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
53		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
54		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
55	279	Riverdale	Yonkers	279 Riverdale Ave	YONKERS	10705	N.Y.S. Dot
56	63	Yonkers	Yonkers	63 Yonkers Ave.	YONKERS	10701	State Of New York
57	341	Riverdale	Yonkers	341 Riverdale Ave	YONKERS	10705	State Of New York
58	130	Warburton	Yonkers	130 Warburton Ave	YONKERS	10701	State Of New York
59		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
60	99	Summit	Yonkers	99 Summit St	YONKERS	10701	State Of New York
61		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
62		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
63		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
64		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
65		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
66		Bronx River	Yonkers	Bronx River Pkwy	BRONXVILLE	10708	State Of New York
67		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
68		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
69		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
70		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
71	311	Riverdale	Yonkers	311 Riverdale Ave	YONKERS	10705	New York State
72		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
73	204	Riverdale	Yonkers	204 Riverdale Ave	YONKERS	10705	State Of New York
74	232	Riverdale	Yonkers	232 Riverdale Ave	YONKERS	10705	N.Y.S. Dot
75	285	Riverdale	Yonkers	285 Riverdale Ave	YONKERS	10705	State Of New York
76		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
77		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
78		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
79		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
80		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
81		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
82		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
83		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
84		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
85		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
86		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
87		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
88		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
89		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
90		GRACE CHURCH	Rye City	GRACE CHURCH ST	PORT CHESTER	10573	ST NY THRUWAY AUTHORITY
91	362	MAMARONECK	Scarsdale	362 MAMARONECK RD	SCARSDALE	10583	STATE OF NEW YORK -
92		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	PELHAM	10803	STATE OF NEW YORK



Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
93		EUCLID	Mount Vernon	EUCLID AV	MOUNT VERNON	10552	STATE OF NEW YORK
94		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	MOUNT VERNON	10552	STATE OF NEW YORK
95		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	PELHAM	10803	STATE OF NEW YORK
96		HUTCHINSON	Mount Vernon	HUTCHINSON AV	MOUNT VERNON	10553	STATE OF NEW YORK
97		HIGHLAND	Mount Vernon	HIGHLAND AV	MOUNT VERNON	10553	STATE OF NEW YORK
98		PENNSYLVANIA	Mount Vernon	PENNSYLVANIA AV	MOUNT VERNON	10552	STATE OF NEW YORK
99		BUCKHOUT	Briarcliff Manor	BUCKHOUT RD	BRIARCLIFF MANOR	10510	STATE OF NY
100		PLEASANTVILLE	Briarcliff Manor	PLEASANTVILLE RD	BRIARCLIFF MANOR	10510	STATE OF NY
101 200		BRADHURST	Mount Pleasant	200 BRADHURST AVE	HAWTHORNE	10532	NYS DEPT OF TRANS
102		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	HAWTHORNE	10532	STATE OF NY
103		COMMERCE	Mount Pleasant	COMMERCE ST	HAWTHORNE	10532	STATE OF NY
104		BROADWAY	Mount Pleasant	BROADWAY	BRIARCLIFF MANOR	10510	STATE OF NY
105			Mount Pleasant		BRIARCLIFF MANOR	10510	STATE OF NY
106		BEDFORD	Pleasantville	BEDFORD RD	PLEASANTVILLE	10570	STATE OF NY
107 21		Sickles	New Rochelle	21 Sickles Ave	NEW ROCHELLE	10801	New York State Of -
108		Main	New Rochelle	Main St	NEW ROCHELLE	10805	New York State Of -
109 1		Lexington	Mount Kisco	1 Lexington Ave	MOUNT KISCO	10549	People Of The State of NY
110		Burling La.	New Rochelle	Burling La.	NEW ROCHELLE	10801	New York State- Dept of Trans -
111		& Burling La.	New Rochelle	North & Burling La.	NEW ROCHELLE	10801	New York State Dept of Trans -
112		of River	Pelham	Northwest of River Ave	MOUNT VERNON	10552	New York State -
113		Mill To Wilnot Rds.	New Rochelle	Mill To Wilnot Rds.	NEW ROCHELLE	10804	New York State Of -
114		Palmer Ave. Ext.	New Rochelle	Palmer Ave. Ext.	NEW ROCHELLE	10801	New York State Of -
115		PKWY West Of Chestnut	Pelham	PKWY West Of Chestnut Ave	PELHAM	10803	New York State -
116		PKWY 1st	Pelham	PKWY 1st Ave	PELHAM	10803	New York State -
117		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State -
118		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
119 1181		Saw Mill Rvr	Yonkers	1181 Saw Mill Rvr Rd	YONKERS	10710	State Of New York
120		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
121		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
122		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
123		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
124		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
125 333		Riverdale	Yonkers	333 Riverdale Ave	YONKERS	10705	New York State
126		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
127		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
128		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
129		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
130		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
131		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
132 69		Desmond	Yonkers	69 Desmond Ave	BRONXVILLE	10708	State Of New York
133		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
134 1313		Central Park	Yonkers	1313 Central Park Ave	YONKERS	10710	State Of New York
135		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
136		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
137		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
138		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
139		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
140		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
141		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
142		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
143		Woodruff	Yonkers	Woodruff Ave	BRONXVILLE	10708	State Of New York
144		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
145		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
146		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
147		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
148		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
149 315		Riverdale	Yonkers	315 Riverdale Ave	YONKERS	10705	State Of New York
150		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
151		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
152		Midland	Yonkers	Midland Ave	BRONXVILLE	10708	State Of New York
153 35		Illinois	Yonkers	35 Illinois Ave	BRONXVILLE	10708	State Of New York
154 126		Warburton	Yonkers	126 Warburton Ave	YONKERS	10701	State Of New York
155		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
156		Desmond	Yonkers	Desmond Ave	BRONXVILLE	10708	State Of New York
157		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
158		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
159		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10701	N.Y.S. Dot
160		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
161		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
162		Yonkers	Yonkers	Yonkers Ave	YONKERS	10701	State Of New York
163		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
164		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
165		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
166 263		Riverdale	Yonkers	263 Riverdale Ave	YONKERS	10705	State Of New York
167		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
168		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
169 218		Riverdale	Yonkers	218 Riverdale Ave	YONKERS	10705	New York State
170		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
171 228		Riverdale	Yonkers	228 Riverdale Ave	YONKERS	10705	State Of New York
172		Yonkers	Yonkers	Yonkers Ave	YONKERS	10704	State Of Ny
173		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
174		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
175 222		Riverdale	Yonkers	222 Riverdale Ave	YONKERS	10705	State Of New York
176 230		Riverdale	Yonkers	230 Riverdale Ave	YONKERS	10705	New York State
177 244		Riverdale	Yonkers	244 Riverdale Ave	YONKERS	10705	State Of New York
178 291		Riverdale	Yonkers	291 Riverdale Ave	YONKERS	10705	State Of New York
179		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
180		Old Croton	Yonkers	Old Croton Trl	YONKERS	10705	State Of New York
181 367		Riverdale	Yonkers	367 Riverdale Ave	YONKERS	10705	State Of New York
182		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
183 183		Forest	Yonkers	183 Forest Ave	YONKERS	10705	State Of New York
184		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
185		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
186		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
187		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
188		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
189		FORSTER	Mount Vernon	FORSTER PKY	MOUNT VERNON	10552	STATE OF NEW YORK
190		STUYVESANT	Mount Vernon	STUYVESANT PLAZA	MOUNT VERNON	10552	STATE OF NEW YORK
191		HILLCREST	Mount Vernon	HILLCREST RD	MOUNT VERNON	10552	STATE OF NEW YORK
192		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	MOUNT VERNON	10552	STATE OF NEW YORK
193		NEW ROCHELLE	Mount Vernon	NEW ROCHELLE RD	MOUNT VERNON	10552	STATE OF NEW YORK
194		MAPLE	Mount Vernon	MAPLE AV	MOUNT VERNON	10553	STATE OF NEW YORK
195		BROAD	Mount Vernon	BROAD ST ,W	MOUNT VERNON	10552	STATE OF NEW YORK
196		MAC QUESTEN	Mount Vernon	MAC QUESTEN PKY ,N	MOUNT VERNON	10552	STATE OF NEW YORK
197		FULTON	Mount Vernon	FULTON AV ,N	MOUNT VERNON	10552	STATE OF NEW YORK
198		WARWICK	Mount Vernon	WARWICK AV	MOUNT VERNON	10553	STATE OF NEW YORK
199		PENNSYLVANIA	Mount Vernon	PENNSYLVANIA AV	MOUNT VERNON	10552	STATE OF NEW YORK
200		RTE 9	Briarcliff Manor	RTE 9	BRIARCLIFF MANOR	10510	STATE OF NY
201		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	HAWTHORNE	10532	STATE OF NY
202		OLD CHAPPAQUA	Mount Pleasant	OLD CHAPPAQUA RD	BRIARCLIFF MANOR	10510	PEOPLE OF THE STATE OF
203		OLD CHAPPAQUA	Mount Pleasant	OLD CHAPPAQUA RD	BRIARCLIFF MANOR	10510	STATE OF NY
204		TACONIC STATE	Mount Pleasant	TACONIC STATE PKWY	PLEASANTVILLE	10570	STATE OF NY
205		BRONX RIVER	Mount Pleasant	BRONX RIVER PARKWAY	HAWTHORNE	10532	NYS DEPT OF TRANS
206		BEDFORD	Pleasantville	BEDFORD RD	PLEASANTVILLE	10570	STATE OF NY
207		Burling La.	New Rochelle	Burling La.	NEW ROCHELLE	10801	New York State Dept of Trans -
208		Lundy	Mount Kisco	Lundy Ln	MOUNT KISCO	10549	Village Of Mount Kisco
209		Hutchinson River	Pelham	Hutchinson River Pkwy	PELHAM	10803	New York State
210		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State -
211		Wilmot Rd & Turner	New Rochelle	Wilmot Rd & Turner Dr	NEW ROCHELLE	10804	City Of New Rochelle -
212 31		Terrace Park	New Rochelle	31 Terrace Park Ln	NEW ROCHELLE	10805	Pelham Bay LLC -
213		THRUWAY Forest	Pelham Manor	THRUWAY Forest Rd	PELHAM	10803	New York State -
214		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State -
215		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State - East Hudson Pkwy
216		Stephenson	New Rochelle	Stephenson Blvd	NEW ROCHELLE	10801	New York State Of -
217 1		Lex Ave-Smith	Mount Kisco	1 Lex Ave-Smith Ave	MOUNT KISCO	10549	People of the State of NY
218		PKWY 1st St & 1St	Pelham	PKWY 1st St & 1St Ave	MOUNT VERNON	10553	New York State -
219		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
220		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
221		Sprain Brook	Yonkers	Sprain Brook Pkwy	YONKERS	10710	Westchester County
222		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
223		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
224		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
225		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
226		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
227 125		Grassy Sprain	Yonkers	125 Grassy Sprain Rd	YONKERS	10710	State Of New York
228 405		Tuckahoe	Yonkers	405 Tuckahoe Rd	YONKERS	10710	State Of New York
229		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
230		Saw Mill River	Yonkers	Saw Mill River Pkwy	YONKERS	10703	Westchester County

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
231		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
232		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
233		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
234		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
235		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
236		Bronx River	Yonkers	Bronx River Pkwy	YONKERS	10710	Westchester County
237		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
238		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
239		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
240		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
241		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
242		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
243		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
244		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
245		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
246		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
247 118		Warburton	Yonkers	118 Warburton Ave	YONKERS	10701	State Of New York
248		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
249		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
250		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
251		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
252		Odell	Yonkers	Odell Pkwy	BRONXVILLE	10708	State Of New York
253		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
254		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
255 150		Riverdale	Yonkers	150 Riverdale Ave	YONKERS	10701	State Of New York
256		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
257 319		Riverdale	Yonkers	319 Riverdale Ave	YONKERS	10705	State Of New York
258		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
259		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
260 63		Yonkers	Yonkers	63 Yonkers Ave	YONKERS	10701	State Of New York
261		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
262 287		Riverdale	Yonkers	287 Riverdale Ave	YONKERS	10705	State Of New York
263		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
264		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
265 389		Riverdale	Yonkers	389 Riverdale Ave	YONKERS	10705	State Of New York
266		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
267		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
268		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
269 194		Riverdale	Yonkers	194 Riverdale Ave	YONKERS	10705	State Of New York
270		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
271 212		Riverdale	Yonkers	212 Riverdale Ave	YONKERS	10705	State Of New York
272		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
273		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
274		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
275		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
276 192		Riverdale	Yonkers	192 Riverdale Ave	YONKERS	10705	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
277		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
278 275		Riverdale	Yonkers	275 Riverdale Ave	YONKERS	10705	State Of New York
279 242		Riverdale	Yonkers	242 Riverdale Ave	YONKERS	10705	New York State
280		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
281		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
282		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
283		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
284		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
285		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
286		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
287		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
288		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
289		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
290		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
291		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
292		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
293		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
294		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
295		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
296		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
297		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
298		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
299		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
300		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	PELHAM	10803	STATE OF NEW YORK
301		AUDUBON	Mount Vernon	AUDUBON AV	MOUNT VERNON	10552	STATE OF NEW YORK
302		PENNSYLVANIA	Mount Vernon	PENNSYLVANIA AV	MOUNT VERNON	10552	STATE OF NEW YORK
303		HAMILTON	Mount Vernon	HAMILTON AV	MOUNT VERNON	10552	STATE OF NEW YORK
304 31		BROAD	Mount Vernon	31 BROAD ST, W	MOUNT VERNON	10552	STATE OF NEW YORK
305		AUDUBON	Mount Vernon	AUDUBON AV	MOUNT VERNON	10552	STATE OF NEW YORK
306		SANDFORD	Mount Vernon	SANDFORD BLVD ,E	MOUNT VERNON	10550	STATE OF NEW YORK
307		HAMILTON	Mount Vernon	HAMILTON AV	MOUNT VERNON	10552	STATE OF NEW YORK
308		CALIFORNIA	Mount Vernon	CALIFORNIA RD	MOUNT VERNON	10552	STATE OF NEW YORK
309		BRADLEY	Mount Vernon	BRADLEY AV	MOUNT VERNON	10552	STATE OF NEW YORK
310		CALIFORNIA	Mount Vernon	CALIFORNIA RD	MOUNT VERNON	10552	STATE OF NEW YORK
311		CHAPPAQUA	Briarcliff Manor	CHAPPAQUA RD	BRIARCLIFF MANOR	10510	STATE OF NY
312		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	HAWTHORNE	10532	STATE OF NY
313		BRADHURST	Mount Pleasant	BRADHURST AVE	HAWTHORNE	10532	STATE OF NY
314		OLD SAW MILL RIVER	Mount Pleasant	OLD SAW MILL RIVER RD	HAWTHORNE	10532	STATE OF NY
315		BRADHURST	Mount Pleasant	BRADHURST AVE	VALHALLA	10595	STATE OF NY
316		BROADWAY	Mount Pleasant	BROADWAY	BRIARCLIFF MANOR	10510	STATE OF NY
317 200		BRADHURST	Mount Pleasant	200 BRADHURST AVE	HAWTHORNE	10532	NYS DEPT OF TRANS
318		NEPERAN	Pleasantville	NEPERAN TERR	PLEASANTVILLE	10570	STATE OF NY
319		WASHINGTON	Pleasantville	WASHINGTON AVE	PLEASANTVILLE	10570	STATE OF NY
320			Eastchester		EASTCHESTER	10709	E HUDSON PARKWAY AUTH -
321		Ridge	Rye Brook	N Ridge St	PORT CHESTER	10573	State of New York - NYS Dept of Transport
322		The Serpentine	New Rochelle	The Serpentine	NEW ROCHELLE	10801	New York State Of -

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
323		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State - East Hudson Pkwy
324		Weaver To Pinebrook	New Rochelle	Weaver To Pinebrook	NEW ROCHELLE	10804	New York State Of -
325		PKWY River	Pelham	PKWY River Ave	PELHAM	10803	New York State -
326		Rochelle Park To Portman	New Rochelle	Rochelle Park To Portman	NEW ROCHELLE	10801	New York State Of -
327		PKWY West Of River	Pelham	PKWY West Of River Ave	PELHAM	10803	New York State -
328		Thruway	Pelham Manor	Thruway	PELHAM	10803	New York State -
329		PKWY Pelhamdale	Pelham	PKWY Pelhamdale Ave	PELHAM	10803	New York State -
330		Hutchinson River	Pelham	Hutchinson River Pkwy	PELHAM	10803	New York State -
331 3593		OLD YORKTOWN	Yorkeown	3593 OLD YORKTOWN RD.	YORKTOWN HEIGHTS	10598	STATE OF NEW YORK
332		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
333		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
334		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
335		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
336		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
337 1165		Arterial (Saw Mill River)	Yonkers	1165 Arterial (Saw Mill River) Rd	YONKERS	10710	State Of New York
338		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
339		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
340		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
341		Tuckahoe	Yonkers	Tuckahoe Rd	YONKERS	10710	State Of New York
342		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
343		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
344 88		Falcon	Yonkers	88 Falcon Rd	YONKERS	10701	State Of New York
345		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
346		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
347		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
348		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
349 63		Yonkers	Yonkers	63 Yonkers Ave	YONKERS	10701	State Of New York
350		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
351		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
352		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
353		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
354		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
355		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
356		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
357		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
358		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
359		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
360		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
361		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
362		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
363		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
364		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10701	State Of New York
365		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
366		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
367		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
368		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
369		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	People Of The State Of New York
370		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
371		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
372		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
373 259		Riverdale	Yonkers	259 Riverdale Ave	YONKERS	10705	New York State
374		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
375 321		Riverdale	Yonkers	321 Riverdale Ave	YONKERS	10705	State Of New York
376		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
377		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	N.Y.S. Dot
378		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
379		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
380		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
381 198		Riverdale	Yonkers	198 Riverdale Ave	YONKERS	10705	New York State
382 371		Riverdale	Yonkers	371 Riverdale Ave	YONKERS	10705	State Of New York
383		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
384		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
385 331		Riverdale	Yonkers	331 Riverdale Ave	YONKERS	10705	New York State
386 236		Riverdale	Yonkers	236 Riverdale Ave	YONKERS	10705	State Of New York
387 170		Riverdale	Yonkers	170 Riverdale Ave	YONKERS	10705	New York State
388 270		Riverdale	Yonkers	270 Riverdale Ave	YONKERS	10705	State Of New York
389		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
390		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
391 345		Riverdale	Yonkers	345 Riverdale Ave	YONKERS	10705	State Of New York
392		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
393		Yonkers	Yonkers	Yonkers Ave	YONKERS	10704	State Of New York
394 401		Riverdale	Yonkers	401 Riverdale Ave	YONKERS	10705	State Of New York
395		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
396		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
397		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
398		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
399		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
400		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
401		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
402		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
403 5		HARDSCRABBLE	North Salem	5 HARDSCRABBLE RD	NORTH SALEM	10560	NYS DEPT TRANSPORTATION
404		POST	Scarsdale	POST RD	SCARSDALE	10583	STATE OF NEW YORK -
405		TACONIC STATE	Briarcliff Manor	TACONIC STATE PKWY	BRIARCLIFF MANOR	10510	STATE OF NY
406		Trailway	Ossining Town	Trailway	OSSINING	10562	Taconic State Park Comm -
407 1		Highland	Ossining Village	1 North Highland Ave	OSSINING	10562	New York State Dept Of - Transportation
408		Highland	Ossining Village	North Highland Ave	OSSINING	10562	New York State Dept Of - Transportation
409		Regional Office	Ossining Village	Regional Office #8	OSSINING	10562	New York State DOT
410		NEW ROCHELLE	Mount Vernon	NEW ROCHELLE RD	MOUNT VERNON	10552	STATE OF NEW YORK
411		HARDING	Mount Vernon	HARDING PKY	MOUNT VERNON	10552	STATE OF NEW YORK
412		MAC QUESTEN	Mount Vernon	MAC QUESTEN PKY ,N	MOUNT VERNON	10552	STATE OF NEW YORK
413		HILLCREST	Mount Vernon	HILLCREST RD	MOUNT VERNON	10552	STATE OF NEW YORK
414		BROAD	Mount Vernon	BROAD ST ,W	MOUNT VERNON	10552	STATE OF NEW YORK

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
415		PENNSYLVANIA	Mount Vernon	PENNSYLVANIA AV	MOUNT VERNON	10552	STATE OF NEW YORK
416		GRASSLANDS	Mount Pleasant	GRASSLANDS RD	HAWTHORNE	10532	STATE OF NY
417		BRONX RIVER	Mount Pleasant	BRONX RIVER PARKWAY	VALHALLA	10595	NYS DEPT OF TRANS
418		RTE 9	Mount Pleasant	RTE 9	PLEASANTVILLE	10570	STATE OF NY
419		DEWITT	Bronxville	DEWITT AVE	BRONXVILLE	10708	TACONIC STATE PARK -
420		TAXTER RD (ROCK AREA)	Greenburgh	TAXTER RD (ROCK AREA)	IRVINGTON	10533	PEOPLE OF THE STATE OF NY
421	1700	PURCHASE	Harrison	1700 PURCHASE ST	PURCHASE	10577	STATE OF NEW YORK -
422		HARRISON	Harrison	HARRISON AVE	HARRISON	10528	STATE OF NEW YORK -
423		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State -
424		Hutchinson	New Rochelle	Hutchinson Riv	NEW ROCHELLE	10804	New York State Of -
425	53	Lockwood	New Rochelle	53 Lockwood Ave	NEW ROCHELLE	10801	New York State Of -
426		Lincoln	New Rochelle	Lincoln Ave	NEW ROCHELLE	10801	New York State Of -
427		Main St To Kings	New Rochelle	Main St To Kings Hwy	NEW ROCHELLE	10801	New York State Of -
428		Croton Lake	Mount Kisco	Croton Lake Rd	MOUNT KISCO	10549	NYS Dept of Transportation
429		Wilmot	New Rochelle	Wilmot Rd	NEW ROCHELLE	10804	New York State Of -
430		Wilmot To Kewanee	New Rochelle	Wilmot To Kewanee Rd	NEW ROCHELLE	10804	New York State Of -
431		Garden St. To Manhattan	New Rochelle	Garden St. To Manhattan	NEW ROCHELLE	10801	New York State Of -
432		Hutchinson River	Pelham Manor	Hutchinson River Pkwy	PELHAM	10803	New York State -
433		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
434		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
435		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
436		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
437	100	Tuckahoe	Yonkers	100 Tuckahoe Rd	YONKERS	10710	New York State
438		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
439		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
440	77	Tuckahoe	Yonkers	77 Tuckahoe Rd	YONKERS	10710	New York State -Dot
441		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
442		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
443		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
444		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
445		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
446		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
447		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
448		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
449	21	Quincy	Yonkers	21 Quincy Pl	YONKERS	10701	State Of New York
450		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
451		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
452	108	Herriot	Yonkers	108 Herriot St	YONKERS	10701	State Of New York
453		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
454		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
455		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
456		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
457		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
458		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
459		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
460	213	Riverdale	Yonkers	213 Riverdale Ave	YONKERS	10705	State Of New York



Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
461		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
462		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
463		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
464		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
465		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
466		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
467		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
468		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
469		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
470		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
471		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
472		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
473 862		Bronx River	Yonkers	862 Bronx River Rd	BRONXVILLE	10708	State Of New York
474 67		Vark	Yonkers	67 Vark St	YONKERS	10701	State Of New York
475		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
476		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
477		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
478 224		Riverdale	Yonkers	224 Riverdale Ave	YONKERS	10705	State Of New York
479 363		Yonkers	Yonkers	363 Yonkers Ave	YONKERS	10701	State Of New York
480		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
481		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
482		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
483 293		Riverdale	Yonkers	293 Riverdale Ave	YONKERS	10705	State Of New York
484 137		Cross Cnty	Yonkers	137 Cross Cnty Pkwy	YONKERS	10704	State Of New York
485		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
486		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
487 327		Riverdale	Yonkers	327 Riverdale Ave	YONKERS	10705	State Of New York
488		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
489		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
490 216		Riverdale	Yonkers	216 Riverdale Ave	YONKERS	10705	State Of New York
491 325		Riverdale	Yonkers	325 Riverdale Ave	YONKERS	10705	New York State
492		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
493		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
494		Yonkers	Yonkers	Yonkers Ave	YONKERS	10701	State of New York
495 403		Riverdale	Yonkers	403 Riverdale Ave	YONKERS	10705	New York State
496		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
497		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
498		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
499		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
500		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
501		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
502		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
503		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
504		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
505		TARRYTOWN	White Plains	TARRYTOWN RD	WHITE PLAINS	10606	PEOPLE OF THE STATE OF NY -
506		HEATHCOTE	Scarsdale	HEATHCOTE RD	SCARSDALE	10583	STATE OF NEW YORK -

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
507			Briarcliff Manor		BRIARCLIFF MANOR	10510	STATE OF NY
508		HILLCREST	Mount Vernon	HILLCREST RD	MOUNT VERNON	10552	STATE OF NEW YORK
509		WARWICK	Mount Vernon	WARWICK AV	MOUNT VERNON	10553	STATE OF NEW YORK
510		EUCLID	Mount Vernon	EUCLID AV	MOUNT VERNON	10552	STATE OF NEW YORK
511		BATEMAN	Mount Vernon	BATEMAN PL	MOUNT VERNON	10552	STATE OF NEW YORK
512		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	PELHAM	10803	STATE OF NEW YORK
513		AUDUBON	Mount Vernon	AUDUBON AV	MOUNT VERNON	10552	STATE OF NEW YORK
514		BRADHURST	Mount Pleasant	BRADHURST AVE	HAWTHORNE	10532	STATE OF NY
515		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	PLEASANTVILLE	10570	STATE OF NY
516		TACONIC STATE	Mount Pleasant	TACONIC STATE PKWY	PLEASANTVILLE	10570	STATE OF NY
517		PARKWAY	Bronxville	PARKWAY RD	BRONXVILLE	10708	TACONIC STATE PARK COMM. -
518		THRUWAY Grant	Pelham Manor	THRUWAY Grant Ave	PELHAM	10803	New York State -
519		Pinebrook Blvd. Rear	New Rochelle	Pinebrook Blvd. Rear	NEW ROCHELLE	10804	New York State Of -
520		Webster To Beechwood	New Rochelle	Webster To Beechwood Ave	NEW ROCHELLE	10801	New York State Of -
521 1		Lex Ave-Moore	Mount Kisco	1 Lex Ave-Moore Ave	MOUNT KISCO	10549	People of the State of NY
522		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
523		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
524		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
525		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
526		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
527		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
528 65		Tuckahoe	Yonkers	65 Tuckahoe Rd	YONKERS	10710	New York State
529		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
530		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
531 80		Falcon	Yonkers	80 Falcon Rd	YONKERS	10701	State Of New York
532		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
533		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
534 54		Tuckahoe	Yonkers	54 Tuckahoe Rd	YONKERS	10710	N.Y.S. Dot
535		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
536		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
537		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
538		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
539 99		Tuckahoe	Yonkers	99 Tuckahoe Rd	YONKERS	10710	New York State
540		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
541		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
542		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
543		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
544		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
545		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
546 5		Crystal	Yonkers	5 Crystal Pl	YONKERS	10701	New York State -D.o.t.
547 166		Riverdale	Yonkers	166 Riverdale Ave	YONKERS	10701	State Of New York
548		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
549		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
550		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
551		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
552		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
553		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
554 272		Nepperhan	Yonkers	272 Nepperhan Ave	YONKERS	10701	State Of New York
555		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
556		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
557 3		Archer	Yonkers	3 Archer St	YONKERS	10701	New York State
558		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
559		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
560		Woodruff	Yonkers	Woodruff Ave	BRONXVILLE	10708	State Of New York
561		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
562		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
563 224		Riverdale	Yonkers	224 Riverdale Ave	YONKERS	10705	State Of New York
564 202		Riverdale	Yonkers	202 Riverdale Ave	YONKERS	10705	State Of New York
565		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
566		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
567		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
568		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
569		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
570		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
571		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
572 122		Warburton	Yonkers	122 Warburton Ave	YONKERS	10701	State Of New York
573 174		Riverdale	Yonkers	174 Riverdale Ave	YONKERS	10705	State Of New York
574		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
575		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
576		Yonkers	Yonkers	Yonkers Ave	YONKERS	10701	State Of New York
577		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
578		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
579		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
580		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
581		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
582		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
583		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
584		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
585 238		Riverdale	Yonkers	238 Riverdale Ave	YONKERS	10705	New York State
586		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
587		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
588		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
589 339		Riverdale	Yonkers	339 Riverdale Ave	YONKERS	10705	State Of New York
590 391		Riverdale	Yonkers	391 Riverdale Ave	YONKERS	10705	State Of New York
591 1019		Yonkers	Yonkers	1019 Yonkers Ave	YONKERS	10704	State Of New York
592		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
593		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
594		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
595		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
596		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
597		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
598		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
599		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
600		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
601		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
602		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
603		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
604		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
605		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
606			North Salem		PURDYS	10578	NYS DEPT TRANSPORTATION
607		NE	Rye City	NE THRUWAY	RYE	10580	ST NY THRUWAY AUTHORITY
608		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	MOUNT VERNON	10552	STATE OF NEW YORK
609		BRADFORD	Mount Vernon	BRADFORD RD	PELHAM	10803	STATE OF NEW YORK
610		SHERMAN	Mount Vernon	SHERMAN AV	MOUNT VERNON	10552	STATE OF NEW YORK
611		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	PLEASANTVILLE	10570	STATE OF NY
612		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	PLEASANTVILLE	10570	STATE OF NY TACONIC STATE
613		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	HAWTHORNE	10532	STATE OF NY
614		TACONIC STATE	Mount Pleasant	TACONIC STATE PKWY	PLEASANTVILLE	10570	STATE OF NY
615		TACONIC STATE	Mount Pleasant	TACONIC STATE PKWY	BRIARCLIFF MANOR	10510	STATE OF NY
616		NEPERAN	Pleasantville	NEPERAN TERR	PLEASANTVILLE	10570	STATE OF NY
617		MANHATTAN AVE (WIRE EASE)	Greenburgh	MANHATTAN AVE (WIRE EASE)	WHITE PLAINS	10603	PEOPLE OF THE STATE OF NY
618 1777		PURCHASE	Harrison	1777 PURCHASE ST	PURCHASE	10577	STATE OF NEW YORK -
619		BOWMAN	Harrison	BOWMAN AVE	RYE	10580	STATE OF NEW YORK -
620		Potter Ave & Portman	New Rochelle	Potter Ave & Portman Rd	NEW ROCHELLE	10801	New York State Of -
621 1		Lex Ave-Moore	Mount Kisco	1 Lex Ave-Moore Ave	MOUNT KISCO	10549	People Of The State of NY
622		Portman To Mam	New Rochelle	Portman To Mam	NEW ROCHELLE	10801	New York State Of -
623 1		Lex Ave-Smith	Mount Kisco	1 Lex Ave-Smith Ave	MOUNT KISCO	10549	People of the State of NY
624		Parkway	Pelham	Parkway	PELHAM	10803	New York State -
625		Chestnut	Pelham	Chestnut Ave	PELHAM	10803	New York State -
626		Hutchinson	New Rochelle	Hutchinson Riv	NEW ROCHELLE	10804	New York State Of -
627		Hutchinson	New Rochelle	Hutchinson Riv	NEW ROCHELLE	10804	New York State Of -
628		North Ave & Mill	New Rochelle	North Ave & Mill Rd	NEW ROCHELLE	10804	New York State Of -
629		RTE 6	Somers	RTE 6	YORKTOWN HEIGHTS	10598	NEW YORK STATE
630		Brundage Ridge	Bedford	Brundage Ridge Rd	BEDFORD	10506	Town Of Bedford
631		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
632		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
633		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
634		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York - Arterial
635		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
636		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
637		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
638		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
639		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
640		Central Park	Yonkers	Central Park Ave	BRONXVILLE	10708	State Of New York
641		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
642		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
643		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
644		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
645		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
646	65	Moquette	Yonkers	65 Moquette Row	YONKERS	10703	State Of New York
647	154	Tuckahoe	Yonkers	154 Tuckahoe Rd	YONKERS	10701	N.Y.S. Dot
648		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
649		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
650		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
651		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
652		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
653		Odell	Yonkers	Odell Pkwy	BRONXVILLE	10708	State Of New York
654		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
655		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
656		Old Croton	Yonkers	Old Croton Trl	YONKERS	10701	State Of New York
657	234	Riverdale	Yonkers	234 Riverdale Ave	YONKERS	10705	State Of New York
658		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
659		Yonkers	Yonkers	Yonkers Ave	YONKERS	10704	State Of New York
660		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
661		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
662		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
663		Old Croton	Yonkers	Old Croton Trl	YONKERS	10705	State Of New York
664		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
665		Yonkers	Yonkers	Yonkers Ave	YONKERS	10704	State Of New York
666		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
667		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
668		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
669		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	People Of The State Of New York
670	226	Riverdale	Yonkers	226 Riverdale Ave	YONKERS	10705	State Of New York
671		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
672		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
673		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
674	337	Riverdale	Yonkers	337 Riverdale Ave	YONKERS	10705	State Of New York
675		Yonkers	Yonkers	Yonkers Ave	YONKERS	10701	State of New York
676		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
677		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
678	247	Riverdale	Yonkers	247 Riverdale Ave	YONKERS	10705	State Of New York
679		Old Croton	Yonkers	Old Croton Trl	YONKERS	10705	State Of New York
680	269	Riverdale	Yonkers	269 Riverdale Ave	YONKERS	10705	State Of New York
681		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
682		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
683	249	Riverdale	Yonkers	249 Riverdale Ave	YONKERS	10705	State Of New York
684		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
685	239	Riverdale	Yonkers	239 Riverdale Ave	YONKERS	10705	State Of New York
686	267	Riverdale	Yonkers	267 Riverdale Ave	YONKERS	10705	New York State
687		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
688	387	Riverdale	Yonkers	387 Riverdale Ave	YONKERS	10705	State Of New York
689		Yonkers	Yonkers	Yonkers Ave	YONKERS	10704	State Of Ny
690	395	Riverdale	Yonkers	395 Riverdale Ave	YONKERS	10705	New York State

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
691	373	Riverdale	Yonkers	373 Riverdale Ave	YONKERS	10705	State Of New York
692		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
693		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
694		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
695		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
696		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
697		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
698		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
699		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
700		NE	Rye City	NE THRUWAY	RYE	10580	ST NY THRUWAY AUTHORITY
701		TARRYTOWN	White Plains	TARRYTOWN RD	WHITE PLAINS	10606	PEOPLE OF THE STATE OF NY -
702			Briarcliff Manor		BRIARCLIFF MANOR	10510	STATE OF NY
703		TAMERTON	Mount Vernon	TAMERTON ST	MOUNT VERNON	10552	STATE OF NEW YORK
704		BROOKSIDE	Mount Vernon	BROOKSIDE AV	MOUNT VERNON	10553	STATE OF NEW YORK
705		PELHAMDALE	Mount Vernon	PELHAMDALE AV	MOUNT VERNON	10553	STATE OF NEW YORK
706	369	COLUMBUS	Mount Vernon	369 COLUMBUS AV ,N	MOUNT VERNON	10552	STATE OF NEW YORK
707		LINCOLN	Mount Vernon	LINCOLN AV ,E	MOUNT VERNON	10553	COUNTY OF WESTCHESTER
708		BRADLEY	Mount Vernon	BRADLEY AV	MOUNT VERNON	10552	STATE OF NEW YORK
709		HUTCHINSON	Mount Vernon	HUTCHINSON BLVD	MOUNT VERNON	10552	STATE OF NEW YORK
710		AUDUBON	Mount Vernon	AUDUBON AV	MOUNT VERNON	10552	STATE OF NEW YORK
711		AUDUBON	Mount Vernon	AUDUBON AV	MOUNT VERNON	10552	STATE OF NEW YORK
712		PLEASANTVILLE	Briarcliff Manor	PLEASANTVILLE RD	BRIARCLIFF MANOR	10510	STATE OF NY
713		SAW MILL RIVER	Mount Pleasant	SAW MILL RIVER RD	HAWTHORNE	10532	STATE OF NY
714		TACONIC STATE	Mount Pleasant	TACONIC STATE PKWY	PLEASANTVILLE	10570	STATE OF NY
715		BROADWAY	Mount Pleasant	BROADWAY	TARRYTOWN	10591	STATE OF NY
716		NY CENTRAL RR	Pleasantville	NY CENTRAL RR	PLEASANTVILLE	10570	STATE OF NY
717		The	New Rochelle	The Court	NEW ROCHELLE	10801	New York State Of -
718		PKWY 1st St & 1St	Pelham	PKWY 1st St & 1St Ave	PELHAM	10803	New York State
719		Flandreau & Argyll	New Rochelle	Flandreau & Argyll Ave	NEW ROCHELLE	10804	Westchester County Of -
720		PKWY 1st	Pelham	PKWY 1st Ave	PELHAM	10803	New York State -
721		PKWY West Of First	Pelham	PKWY West Of First Ave	MOUNT VERNON	10553	New York State -
722		North	New Rochelle	North Ave	NEW ROCHELLE	10801	New York State Of -
723	139	Tuckahoe	Yonkers	139 Tuckahoe Rd	YONKERS	10710	New York State
724		Arterial	Yonkers	Arterial	YONKERS	10710	State of New York
725		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
726		Arterial	Yonkers	Arterial	BRONXVILLE	10708	State Of New York
727		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
728		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State of New York
729	141	Tuckahoe	Yonkers	141 Tuckahoe Rd	YONKERS	10710	New York State
730		Central Park	Yonkers	Central Park Ave	YONKERS	10710	State Of New York
731		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
732	101	Tuckahoe	Yonkers	101 Tuckahoe Rd	YONKERS	10710	New York State
733		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
734		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
735		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
736		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
737	142	Tuckahoe	Yonkers	142 Tuckahoe Rd	YONKERS	10710	New York State - D.o.t.
738		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
739		Bryn Mawr	Yonkers	Bryn Mawr Pkwy	BRONXVILLE	10708	State Of New York
740		Arterial	Yonkers	Arterial	YONKERS	10710	State Of New York
741		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
742		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
743		Palmer	Yonkers	Palmer Rd	YONKERS	10701	State Of New York
744		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
745		Cross Cnty	Yonkers	Cross Cnty Pkwy	BRONXVILLE	10708	State Of New York
746		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
747		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
748		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
749		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
750		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
751		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
752		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
753		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
754		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
755		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
756		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
757		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
758		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
759		Arterial	Yonkers	Arterial	YONKERS	10703	State Of New York
760		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
761		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
762		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
763		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
764	255	Riverdale	Yonkers	255 Riverdale Ave	YONKERS	10705	State Of New York
765		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
766		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
767		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
768		Arterial	Yonkers	Arterial	YONKERS	10701	State Of New York
769		Cross Cnty	Yonkers	Cross Cnty Pkwy	YONKERS	10704	State Of New York
770		Nepperhan	Yonkers	Nepperhan Ave	YONKERS	10701	State Of New York
771		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
772	208	Riverdale	Yonkers	208 Riverdale Ave	YONKERS	10705	New York State
773		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
774	309	Riverdale	Yonkers	309 Riverdale Ave	YONKERS	10705	State Of New York
775	210	Riverdale	Yonkers	210 Riverdale Ave	YONKERS	10705	State Of New York
776	214	Riverdale	Yonkers	214 Riverdale Ave	YONKERS	10705	State Of New York
777		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
778	289	Riverdale	Yonkers	289 Riverdale Ave	YONKERS	10705	State Of New York
779		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
780		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York
781	353	Riverdale	Yonkers	353 Riverdale Ave	YONKERS	10705	State Of New York
782		Arterial	Yonkers	Arterial	YONKERS	10704	State Of New York

Count	HouseNum	StreetName	MunName	PropAddress	PropCity	PropZip	OwnerName
783	Yonkers		Yonkers	Yonkers Ave	YONKERS	10704	State Of Ny
784	Arterial		Yonkers	Arterial	YONKERS	10704	State Of New York
785	Arterial		Yonkers	Arterial	YONKERS	10704	State Of New York
786	Arterial		Yonkers	Arterial	BRONXVILLE	10708	State Of New York
787	Arterial		Yonkers	Arterial	YONKERS	10710	State of New York
788	Arterial		Yonkers	Arterial	YONKERS	10710	State of New York
789	Central Park		Yonkers	Central Park Ave	YONKERS	10710	State of New York
790	Arterial		Yonkers	Arterial	YONKERS	10701	State Of New York
791	Central Park		Yonkers	Central Park Ave	YONKERS	10710	State Of New York
792	NE		Rye City	NE THRUWAY	RYE	10580	N Y THRUWAY & EXPRESSWAY
793	BANK		White Plains	BANK ST	WHITE PLAINS	10606	PEOPLE OF THE STATE OF NY -
794	HUTCHINSON		Mount Vernon	HUTCHINSON BLVD	PELHAM	10803	STATE OF NEW YORK
795	RICH		Mount Vernon	RICH AV	MOUNT VERNON	10552	STATE OF NEW YORK
796	WESTCHESTER		Mount Vernon	WESTCHESTER AV	MOUNT VERNON	10552	STATE OF NEW YORK
797	CALIFORNIA		Mount Vernon	CALIFORNIA RD	BRONXVILLE	10708	STATE OF NEW YORK
798	BRADFORD		Mount Vernon	BRADFORD RD	MOUNT VERNON	10553	STATE OF NEW YORK
799	LINCOLN		Mount Vernon	LINCOLN AV ,E	MOUNT VERNON	10553	STATE OF NEW YORK
800	PLEASANTVILLE		Briarcliff Manor	PLEASANTVILLE RD	BRIARCLIFF MANOR	10510	STATE OF NY
801	RTE 117		Mount Pleasant	RTE 117	TARRYTOWN	10591	STATE OF NY
802	SPRAIN BROOK		Mount Pleasant	SPRAIN BROOK PKWY	HAWTHORNE	10532	STATE OF NY
803	SAW MILL RIVER		Mount Pleasant	SAW MILL RIVER RD	PLEASANTVILLE	10570	STATE OF NY
804	BEDFORD		Mount Pleasant	BEDFORD RD	PLEASANTVILLE	10570	STATE OF NY
805	BEDFORD		Mount Pleasant	BEDFORD RD	BRIARCLIFF MANOR	10510	STATE OF NY
806	TACONIC STATE		Mount Pleasant	TACONIC STATE PKWY	BRIARCLIFF MANOR	10510	STATE OF NY
807	TACONIC STATE		Mount Pleasant	TACONIC STATE PKWY	PLEASANTVILLE	10570	STATE OF NY
808	VANDERBILT		Pleasantville	VANDERBILT AVE	PLEASANTVILLE	10570	STATE OF NY
809	NY CENTRAL RR		Pleasantville	NY CENTRAL RR	PLEASANTVILLE	10570	STATE OF NY
810	NY CENTRAL RR		Pleasantville	NY CENTRAL RR	PLEASANTVILLE	10570	STATE OF NY
811	DEWITT		Bronxville	DEWITT AVE	BRONXVILLE	10708	TACONIC PARK STATE COMM. -
812	North Ave & Garden		New Rochelle	North Ave & Garden St	NEW ROCHELLE	10801	New York State Of -
813	Lemke		New Rochelle	Lemke Pl	NEW ROCHELLE	10801	New York State Of -
814	Division St To		New Rochelle	Division St To Cres	NEW ROCHELLE	10801	New York State Of -
815	Croton Lake		Mount Kisco	Croton Lake Rd	MOUNT KISCO	10549	NYS Dept of Transportation
816 1	Lex Ave-Columbus		Mount Kisco	1 Lex Ave-Columbus Ave	MOUNT KISCO	10549	People Of The State of NY
817	Division St To North		New Rochelle	Division St To North Ave	NEW ROCHELLE	10801	State Of New York -



**Exhibit "M"**

The population of the County which will bear the costs of the improvements is 967,506.

DRAFT

ACT NO. \_\_\_\_\_ - 2021

BOND ACT DATED \_\_\_\_\_, 2021.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 193-2015, WHICH PROVIDED FOR THE ISSUANCE OF \$500,000 BONDS TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COST FOR REHABILITATION AND CAPITAL MAINTENANCE OF THE EXISTING ONE AND ONE-HALF MILLION GALLON WATER STORAGE TOWER FOR THE GRASSLANDS RESERVATION, IN AND FOR COUNTY WATER DISTRICT NO. 3, TO EXPAND THE PURPOSES FINANCED TO INCLUDE CONSTRUCTION AND VARIOUS OTHER SITE IMPROVEMENTS, TO INCREASE THE PERIOD OF PROBABLE USEFULNESS TO FORTY YEARS, TO INCREASE THE MAXIMUM ESTIMATED COST TO \$9,800,000 AND TO PROVIDE AN ADDITIONAL \$9,300,000 BONDS FOR SAID PURPOSE.

WHEREAS, this Board has previously authorized the issuance of \$500,000 bonds to finance design and construction management costs for the rehabilitation and capital maintenance of the existing one and one-half million gallon water storage tower for the Grasslands Reservation, in and for County Water District No. 3, pursuant to Bond Act No. 193-2015;

WHEREAS, no obligations have been issued under Bond Act No. 193-2015;

WHEREAS, it has now been determined (i) that the aforesaid specific object or purpose should now be expanded to include design, construction management and construction costs for the rehabilitation and capital maintenance of the water storage tower for the Grasslands Reservation and various site improvements, including paving of the service roadway, drainage improvements, fencing, electrical improvements, piping and valve work and instrumentation, in and for the benefit of the County Water District No. 3 (ii) that the period of probable usefulness of the specific object or purpose described in Bond Act No. 193-2015 should be increased to forty years pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law, and (iii) that the maximum estimated cost thereof is now \$9,800,000;

WHEREAS, \$9,800,000 has been appropriated in the Capital Budget of the County for the aforesaid specific object or purpose;

WHEREAS, the cost of said specific object or purpose shall be specially assessed against properties in the County Water District No. 3, which are specially benefitted by said specific object or purpose;and

WHEREAS, the aforesaid class of objects or purposes cannot be undertaken unless and until the County determines that said class of objects or purposes is in the public interest and the consent of the State Comptroller is obtained under Section 268 of the County Law;

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 entitled

ACT NO. 193-2015.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF DESIGN AND CONSTRUCTION MANAGEMENT FOR THE REHABILITATION AND CAPITAL MAINTENANCE OF THE EXISTING ONE AND ONE-HALF MILLION GALLON WATER STORAGE TOWER FOR THE GRASSLANDS RESERVATION, IN AND FOR COUNTY WATER DISTRICT NO. 3.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$9,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION FOR THE REHABILITATION AND CAPITAL MAINTENANCE OF THE WATER STORAGE TOWER FOR THE GRASSLANDS RESERVATION AND VARIOUS OTHER SITE IMPROVEMENTS, IN AND FOR COUNTY WATER DISTRICT NO. 3.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year;

WHEREAS, the plan for the financing of the maximum estimated cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget;

WHEREAS, the aforesaid class of objects or purposes cannot be undertaken unless and until the County determines that said class of objects or purposes is in the public interest and the consent of the State Comptroller is obtained under Section 268 of the County Law;

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, and compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed;

WHEREAS, it is now desired to authorize the financing of the costs of such capital project allocable to the County Water District No. 3; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. There are hereby authorized to be issued \$9,800,000 bonds of the County of Westchester to finance the design, construction management and construction costs for the rehabilitation and capital maintenance of the existing water storage tower for the Grasslands Reservation, which shall include, but not be limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadways and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, which is a specific object or purpose, in and for the benefit of the County Water District No. 3. To the extent that the details of the aforesaid specific object or purpose set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$9,800,000, and that the plan for the financing thereof is by the issuance of the \$9,800,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in County Water District No. 3, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited

to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Board of Legislators, provided, however, that no such bonds or notes shall be issued prior to the determination that the aforesaid class of objects or purposes is in the public interest and the consent of the State Comptroller is obtained under Section 268 of the County Law.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance and, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any

charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk and Chief Administrative



Officer of the County Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section (B). The amendments 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 immediately upon approval by the County Executive.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \*

APPROVED BY THE COUNTY EXECUTIVE

\_\_\_\_\_

Date: \_\_\_\_\_, 2021

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

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on \_\_\_\_\_, 2021, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or Other News Media

Date Given

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

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on \_\_\_\_\_, 2021.

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

(CORPORATE  
SEAL)

## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 2021 and approved by the County Executive on \_\_\_\_\_, 2021 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 and Chief Administrative Officer of the County 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. \_\_\_\_\_-2021

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 193-2015, WHICH PROVIDED FOR THE ISSUANCE OF \$500,000 BONDS TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COST FOR REHABILITATION AND CAPITAL MAINTENANCE OF THE EXISTING ONE AND ONE-HALF MILLION GALLON WATER STORAGE TOWER FOR THE GRASSLANDS RESERVATION, IN AND FOR COUNTY WATER DISTRICT NO. 3, TO EXPAND THE PURPOSES FINANCED TO INCLUDE CONSTRUCTION AND VARIOUS OTHER SITE IMPROVEMENTS, TO INCREASE THE PERIOD OF PROBABLE USEFULNESS TO FORTY YEARS, TO INCREASE THE MAXIMUM ESTIMATED COST TO \$9,800,000 AND TO PROVIDE AN ADDITIONAL \$9,300,000 BONDS FOR SAID PURPOSE.

Specific object or purpose:	to finance design, construction management and construction costs for the rehabilitation and capital maintenance of the existing one and one-half million gallon water storage tower for the Grasslands Reservation, which shall include, but not be limited to, painting and coating of the interior and exterior of the storage tower, paving of the existing service roadways and area surrounding the tank, required drainage remediation work, housekeeping site work, electrical and control instrumentation improvements, and piping and valve work, and incidental expenses in connection therewith, in and for the benefit of the County Water District No. 3.
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period of probable usefulness:	forty years
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amount of obligations to be issued:	\$9,800,000
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Dated: \_\_\_\_\_, 2021  
White Plains, New York

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

**Project ID:\*****WD309**☐ CBA**Fact Sheet Date:\***

01-04-2021

**Fact Sheet Year:\***

2021

**Project Title:\***WATER STORAGE FACILITIES AND  
MAINTENANCE PROGRAM**Legislative District ID:**

3, 12, 8,

**Category\***

SEWER AND WATER DISTRICTS

**Department:\***

ENVIRONMENTAL FACILITIES

**CP Unique ID:**

1609

**Overall Project Description**

This project will fund the maintenance, including but not limited to the inspection, cleaning, repair, re-coating and painting, of the existing 1.5 million gallon water storage tower for the Grasslands Reservation in Water District No. 3. In addition to the water storage tower rehabilitation and maintenance, other work shall include but not be limited to, asphalt paving of the existing service roadway and required drainage remediation work, housekeeping site work, electrical improvements, piping and valving work, and instrumentation.

☐ 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	2021	2022	2023	2024	2025	Under Review
Gross	9,800	9,800	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	9,800	9,800	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 500

**Current Bond Description:** Construction funding for the rehabilitation and repainting of the Water District No. 3 water tower serving the Grasslands Campus located in Valhalla. Work will also include paving of the existing service roadway, miscellaneous site improvements such as fencing and asphalt, electrical improvements, instrumentation and controls, and piping and valve work.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	9,300,000
Cash:	0
Total:	<b>\$ 9,300,000</b>

**SEQR Classification:**

UNLISTED

**Amount Requested:**

9,300,000

**Comments:**

Area to be disturbed will be less than 1 acre. This request will amend Bond Act 193-15 for a new total Not-to-Exceed cost of \$9,800,000.

**Energy Efficiencies:**

NONE

Year	Amount	Description
2015	500,000	DESIGN AND CONSTRUCTION MANAGEMENT
2016	2,800,000	CONSTRUCTION
2019	6,500,000	ADDITIONAL CONSTRUCTION

**Total Appropriation History:**

9,800,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
15	193	500,000	0	WATER STORAGE FACILITIES AND MAINTENANCE PROGRAM

**Total Financing History:**

500,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

01-26-2021

**Department of Public Works**

RJB4

**Date**

01-28-2021

**Budget Department**

LMY1

**Date**

01-29-2021

**Requesting Department**

CJGA

**Date**

01-29-2021

# WATER STORAGE FACILITIES AND MAINTENANCE PROGRAM ( WD309 )

**User Department :** Environmental Facilities

**Managing Department(s) :** Environmental Facilities ;

**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	2021	2022	2023	2024	2025 Under Review
Gross	9,800	9,800	500					
Non County Share								
Total	9,800	9,800	500					

## **Project Description**

This project will fund the maintenance, including but not limited to the inspection, cleaning, repair, re-coating and painting, of the existing 1.5 million gallon water storage tower for the Grasslands Reservation in Water District No. 3. In addition to the water storage tower rehabilitation and maintenance, other work shall include but not be limited to, asphalt paving of the existing service roadway and required drainage remediation work, housekeeping site work, electrical improvements, piping and valving work, instrumentation and Division I requirements.

## **Current Year Description**

## **Impact on Operating Budget**

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

## **Appropriation History**

Year	Amount	Description	Status
2015	500,000	Design and construction management	DESIGN
2016	2,800,000	Construction	AWAITING BOND AUTHORIZATION
2019	6,500,000	Additional construction	AWAITING BOND AUTHORIZATION
Total	9,800,000		

## **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	9,800,000		9,800,000
Total	9,800,000		9,800,000

## **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
193 15	500,000			500,000
Total	500,000			500,000



ACT NO. \_\_\_\_\_ - 2021

**AN ACT** to authorize the Chairman of the Board of Legislators or his authorized designee to execute all instruments and take all actions reasonable, necessary and appropriate to petition the Comptroller of the State of New York pursuant to Section 268 of Article 5-A of the New York State County Law for an order giving permission for the County's issuance of bonds in an amount not-to-exceed \$9,800,000 for an increase and improvement of the facilities of County Water District No.3

**NOW, THEREFORE, BE IT ENACTED** by the members of the Board of Legislators of the County of Westchester as follows:

Section 1. This Board found, after holding a public hearing pursuant to Section 268 of Article 5-A of the New York County Law, that the proposed increase and improvement to Westchester County Water District No. 3 (the "District"), described as capital project WD309 – Water Storage Facilities and Maintenance Program as set forth in the District Report of the Department of Environmental Facilities dated January 5, 2021 (the "District Report"), at a maximum estimated cost of NINE MILLION EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS, is in the public interest as it is necessary and desirable for the proper maintenance and service of District facilities and to ensure the District's continued effective operation to provide a continuous, uninterrupted supply of compliant water. Accordingly, Act No. \_\_\_\_\_ - 2021 was duly adopted by this Board on \_\_\_\_\_, 2021.

§2. This Board finds that pursuant to Section 268 of Article 5-A of the New York County Law, in order to proceed with the proposed increase and improvement to the District facilities, permission of the Comptroller of the State of New York is required.

§3. The Chairman of the Board of Legislators or his authorized designee is hereby directed and empowered to execute all instruments and take all actions reasonable, necessary and appropriate to petition the Comptroller of the State of New York pursuant to Section 268 of Article 5-A of the New York County Law for an order giving permission for the County's issuance of bonds in an amount not-to-exceed NINE MILLION EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS for the proposed increase and improvement of District facilities substantially in accordance with the District Report.

§4. This Act shall take effect immediately.

**RESOLUTION NO. \_\_\_\_ – 2021**

**WHEREAS**, the Westchester County Board of Legislators (the "Board of Legislators") duly established Water District No. 3 (the "District") in the County of Westchester, New York; and

**WHEREAS**, by Act No. \_\_\_\_-2021, which was duly adopted by this Honorable Board on \_\_\_\_\_, 2021, pursuant to the requirements of Section 268 of the New York County Law, this Board found that the proposed increase and improvement of facilities of Westchester County Water District No.3 (the "District") described as capital project WD309 – Water Storage Facilities and Maintenance Program as set forth in the report of the Department of Environmental Facilities dated January 5, 2021 (the "District Report"), is in the public interest, as it is necessary and desirable for the proper maintenance and service of District facilities and to ensure the District's continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements; and

**WHEREAS**, pursuant to Article 5-A of the New York County Law, in order to proceed with the proposed increase and improvement of the facilities of the District, permission of the Comptroller of the State of New York (the "State Comptroller") is required; and

**WHEREAS**, by Act No. \_\_\_\_-2021, the Chairman of the Board of Legislators or his authorized designee, was directed to make a petition to the State Comptroller for an order giving permission for the expenditure for the increase and improvement of District facilities, which is to be financed by the issuance of bonds in an amount not-to-exceed NINE MILLION EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS; and

**WHEREAS**, the regulations of the State Comptroller require that additional determinations be made by this Board with respect to the Application to the State Comptroller.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that by Act No. \_\_\_\_\_-2021, which was duly adopted by this Honorable Board on \_\_\_\_\_, 2021, this Honorable Board, directed the preparation of the Application to the State Comptroller; and it is further

**RESOLVED**, that this Honorable Board, believes that the contents of the Application to the State Comptroller, which has been submitted to this Board for review, are accurate; and it is further

**RESOLVED**, that this Honorable Board, having adopted Act No. \_\_\_\_\_-2021, which found that the improvements proposed in the District Report were in the public interest, and now, having reviewed the Application to the Comptroller, reaffirms its earlier determination and further finds that the proposed improvements will not constitute an undue burden on the property which will bear the cost thereof and to the extent that the cost of the proposed improvements will be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded; and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

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

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

Land Purchase and Conveyance. An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 1.38 acres of real property (the "Property") located at 60 & 76 Point Street and 81 Ravine Avenue in the City of Yonkers (the "City") to Point and Ravine, LLC, its successors or assigns, (the "Developer") as part of the County's program to support the construction of housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof. The Development Property (defined below) will also include approximately +/- 1.17 acres of real property located at 50 Point Street, 56 Ravine Avenue, 58 Ravine Avenue, 60 Ravine Avenue, 63 Ravine Avenue, 64 Ravine Avenue, 66 Ravine Avenue, 67 Ravine Avenue, 68 Ravine Avenue, 69 Ravine Avenue, 70 Ravine Avenue, 72 Ravine Avenue, 74 Ravine Avenue, 78 Ravine Avenue, 80 Ravine Avenue, 83 Ravine Avenue, and 85 Ravine Avenue, which are, or will be owned by the City of Yonkers Industrial Development Agency, which will transfer these sites to the Developer via a Land Disposition Agreement (combined with the County acquired parcels to be collectively referred to as the "Development Property").

Acquisition Financing. A New Homes Land Acquisition Bond Act (the "NHLA Bond Act"), prepared by the firm of Hawkins Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed \$5,000,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning ("Planning") has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed \$5,000,000 to purchase the Property from the current owner(s) to create one hundred forty-six (146) Affordable AFFH Units for rental including one superintendent's unit. A portion of these units, 44, will be set aside for seniors aged 55 and older. The Developer will construct one hundred seventy-nine (179) parking spaces for use by the residents.

The County and the City will file, or cause to be filed, a Declaration of Restrictive Covenants against the Development Property, to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households who earn at or below 40% and up to 80% of the Westchester County area median income. The units will remain affordable for a period of not less than 50 years (the “Period of Affordability”).

In accordance with the Land Acquisition Act, the County will subsequently convey the Privately Owned Property to Point and Ravine, LLC. (the “Developer”), its successors or assigns, for ONE DOLLAR (\$1.00) (City of Yonkers will convey the city owned parcels) to construct the one-hundred forty-six (146) Affordable AFFH Units including one superintendent’s unit. One Point Street, Inc. and Ravine 33 LLC currently owns the land that the County will acquire and transfer and once the Developer owns the Property it will construct a new 6-story building and three townhouse style buildings, each 3 stories in height with approximately one hundred seventy-nine (179) parking spaces for use by the residents.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act have been met. Planning has advised that the City classified the proposed Development is an Type I action pursuant to 6 NYCRR 617.6(b)(3) of the SEQRA implementing regulations, acted as lead agency and issued a Negative Declaration for the Development on August 18, 2020. Because the City undertook a coordinated review pursuant to SEQRA and the County of Westchester was included in the process, no further environmental review is required by the County. A copy of Planning’s analysis is attached.

Your Committee has been advised that on December 1, 2020, the Westchester County Planning Board (the “Planning Board”) adopted Resolution No. 20-20 that recommends funding for the purchase and conveyance of the Property. 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 by a report of the Planning Board with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board report for BPL30 has been annexed. In addition, the report of the Commissioner of Planning is annexed pursuant to Section 191.41 of the Westchester County Charter.

Based on the importance of creating more affordable AFFH units in the County, your favorable action on the annexed Acts is respectfully requested, noting that the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: 4/5, 2021  
White Plains, New York

  
Benjamin Fayfend  
  
Vedat G. In

  
Benjamin Fayfend  
Vedat G. In

  
Benjamin Fayfend  
  
Vedat G. In

COMMITTEE ON  
CON122053-JRC  
C/I/02/02/21

Budget & Appropriations

Public Works &  
Transportation

Labor &  
Housing

Dated: April 5, 2021  
White Plains, New York

**The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.**

Committee(s) on:

**Budget & Appropriations**



Doris A. Iulio

Catherine F. Parker

Margaret A. Cunjio

Ruth Walker

Nancy E. Dunn



**Public Works & Transportation**

Mary Jane Shinsky



Catherine F. Parker

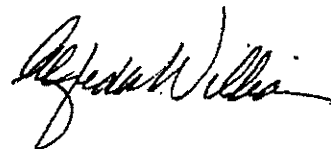
Doris A. Iulio

Ruth Walker



**Labor & Housing**

Catherine F. Parker



Margaret A. Cunjio





# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL30

☐ 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 \$ 5,000,000 PPU 30 Anticipated Interest Rate 1.59%

Anticipated Annual Cost (Principal and Interest): \$ 208,339

Total Debt Service (Annual Cost x Term): \$ 6,250,170

Finance Department: Interest rate from March 10, 2021 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: N/A

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☐ Consultant

☒ Not Applicable

Prepared by: Norma V. Drummond

Title: Commissioner

Department: Planning

Date: 3/18/21

Reviewed By: 

Budget Director

Date: 3/22/21

Department of Planning  
432 Michaelian Office Building  
148 Martine Avenue  
White Plains, NY 10601

TO: Honorable George Latimer  
County Executive

FROM: Norma V. Drummond  
Commissioner

DATE: March 22, 2021

SUBJECT: Acquisition of Real Property – 60 & 76 Point Street and 81 Ravine  
Avenue, City of Yonkers

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine Avenue in the City of Yonkers (the "City"), identified on the City tax maps as Section 2, Block 2114, Lots: 17, 20.35 and 38 (the "Property"). In addition to these parcels, The Development Property (defined below) will also include approximately +/- 1.17 acres of real property located at 50 Point Street, 56 Ravine Avenue, 58 Ravine Avenue, 60 Ravine Avenue, 63 Ravine Avenue, 64 Ravine Avenue, 66 Ravine Avenue, 67 Ravine Avenue, 68 Ravine Avenue, 69 Ravine Avenue, 70 Ravine Avenue, 72 Ravine Avenue, 74 Ravine Avenue, 78 Ravine Avenue, 80 Ravine Avenue, 83 Ravine Avenue, and 85 Ravine Avenue, which are, or will be owned by the City of Yonkers Industrial Development Agency, which will transfer these sites to the Developer via a Land Disposition Agreement (combined with the County acquired parcels to be collectively referred to as the "Development Property") for the purpose of creating 146 affordable housing units (the "Affordable AFFH Units"), including one superintendent's unit that will affirmatively further fair housing ("AFFH"). A portion of these units, 44, will be set aside for seniors aged 55 and older. The development will also provide approximately 179 parking spaces for residents.

The County of Westchester ("the County") intends to finance a portion of the purchase of the Property from the current owner in an amount not to exceed \$5,000,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. The County and the City will file, or cause to be filed, a Declaration of Restrictive Covenants on the Development Property to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to Point and Ravine, LLC (the "Developer"), its successors or assigns, for One Dollar (\$1.00).

The Developer proposes to construct a new 6-story building and three townhouse style buildings, each 3 stories in height on the Property that will include a mix of affordable one, two and three bedroom rental apartments that will be leased to households who earn at or below 40% and up to 80% of the area median income (collectively the "Development").


I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County's efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in *Westchester 2025 - Context for County and Municipal Planning in Westchester County and Policies to Guide County Planning*, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;
3. The Development is proposed to include green technology, such as energy efficient appliances, lighting and heating systems and water conserving fixtures. The Development is designed to meet the green building standards of both LEED v4 and EPA Energy Star Multifamily New Construction Program.;
4. The Development is consistent with the land use policies and regulations of the City of Yonkers; and
5. On December 1, 2020, the County Planning Board adopted a resolution to recommend County financing towards the purchase the Property to support the Development.

NVD/lg

cc: Kenneth Jenkins, Deputy County Executive  
Joan McDonald, Director of Operations  
John M. Nonna, County Attorney  
Gary Friedman, Director of Real Estate  
Westchester County Planning Board

TO: Leonard Gruenfeld, Program Administrator  
Division of Housing & Community Development

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

DATE: March 12, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
BPL30 NEW HOMES LAND ACQUISITION II  
POINT & RAVINE APARTMENTS, YONKERS**

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Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital project BPL30 - New Homes Land Acquisition II (ID#1630) - to facilitate the acquisition of approximately 1.38 acres of property at 60 and 76 Point Street and 81 Ravine Avenue and the transfer of approximately 1.17 acres of City-owned property--located at 50 Point St and 56, 58, 60, 63, 64, 66, 67, 68, 69, 70, 72, 74, 78, and 80 Ravine Avenue--by the City of Yonkers to a developer who will create a total of approximately 146 units of rental housing, that affirmatively furthers fair housing, on these properties. The development will include one 6-story building and three 3-story townhouse buildings with approximately 179 onsite parking spaces.

Pursuant to SEQR, the City of Yonkers Zoning Board of Appeals (Yonkers ZBA) classified this project as an Unlisted action. On July 10, 2020, the Yonkers ZBA issued a notice of intent to serve as lead agency and circulated Part 1 of a Full Environmental Assessment Form. On August 18, 2020, the Yonkers ZBA issued a Negative Declaration for the project. Since the City undertook coordinated review and the County of Westchester was included in the coordinated review process, 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: Norma Drummond, Commissioner  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Claudia Maxwell, Associate Environmental Planner

### Executive Summary

**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**



<b>Development:</b>	50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue; 63-75 Ravine Avenue; 78-80 Ravine Avenue; and 80-85 Ravine Avenue; Yonkers, New York 10701
<b>Applicant:</b>	Point and Ravine, LLC C/O Conifer Realty, LLC 1000 University Avenue, Suite 500 Rochester, New York 14607
<b>Development Overview:</b>	<p>Point and Ravine, LLC, its successors or assigns, (the “Developer”) proposes to construct four new buildings on the approximately 2.83 acre site at 50 &amp; 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue; 63-75 Ravine Avenue; 78-80 Ravine Avenue; and 80-85 Ravine Avenue; in the City of Yonkers (the “Property”). This Developer will construct a new 6-story building and three townhouse style buildings, each 3 stories in height that together will have 146 units with approximately 179 parking spaces located either under or in the rear of the residential buildings (the “Development”). A portion of these units, 44, will be set aside for seniors aged 55 and older.</p> <p>The Development will include 3 studio, 88 one-bedroom; 51 two-bedroom and 4 three-bedroom units. All 145-rental units will be available to eligible households that earn at or below 40% and up to 80% of AMI; all of the units will affirmatively further fair housing (“AFFH”). One unit will be a superintendent’s unit (collectively the “Affordable AFFH Units”). The Development will also include two community rooms (one for family residents and one for the senior residents), lounge, gym, outdoor rooftop seating area, management/maintenance offices and on-site laundry services. Approximately 179 parking spaces will be constructed on-site.</p> <p>The Developer is purchasing several of the lots from the City of Yonkers (the “City”). Per the Land Disposition Agreement (“LDA”) with the City for several of the parcels that make up the Development site, the Development will be responsible for the rehabilitation of the adjacent Irving Park, which will include walking paths, seating areas and areas for the future development of community gardens. In addition, the Developer is required to construct approximately 52 municipal parking spaces on city owned property at 47 and 48 Ravine Avenue and within the right of way on Barthold and View Street adjacent to Irving Park. These approximately 52 spaces will be financed separately and will be operated and maintained by the Yonkers Parking Authority.</p> <p>Environmental remediation of the site will occur and will include the removal of all contaminated soils. Thereafter, construction will begin on the new 6-story building along with the three new 3-story buildings with a total of 161,701 square feet.</p> <p>The Development will be constructed with sustainable materials/renewable resources and designed to incorporate high efficiency building systems, appliances</p>

## Executive Summary

**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**



	<p>lighting and water-conserving fixtures to reduce operating and maintenance costs, minimize energy consumption and conserve natural resources. The Development is designed to meet the green building standards of both LEED v4 and EPA Energy Star Multifamily New Construction Program.</p> <p>To support the creation of the Affordable AFFH Units, Westchester County (the “County”) will provide a total not to exceed amount of \$5,000,000 through Capital Project BPL30 New Homes Land Acquisition II (“NHLA II”) to fund a portion of the acquisition costs.</p> <p>The County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units be marketed and leased pursuant to an approved affirmative fair housing marketing plan to households earning at or below 40% and up to 80% of AMI and will remain affordable for a minimum of 50 years. The average affordability of the units will be approximately 54.93% of AMI.</p> <p>The Development is finalizing its financing with New York State Homes and Community Renewal (“HCR”), and it will likely be funded with a New York State Housing Finance Agency (“HFA”) issuance of tax-exempt and taxable bonds, federal low income housing tax credits, and HFA subsidy loans. The Development will also benefit from brownfields tax credit and City HOME funds. The Development is also expected to benefit from 24 Project Based Section 8 Vouchers allocated by the Municipal Housing Authority for the City of Yonkers. The estimated total Development cost is expected to be approximately \$76.90 Million.</p>		
<b>County Funds Requested:</b>	Program	Amount	Per Unit Cost
	BPL30 New Homes Land Acquisition II (NHLA)	<u>\$5,000,000</u>	<u>\$34,247</u>
	<b>TOTAL:</b>	\$5,000,000	\$34,247
<b>Proposed Total Funding:</b>	<b>Sources</b>	<b>Total Project</b>	<b>Per Affordable Unit</b>
	NYS HFA First Mortgage	\$14,400,000	\$98,630
	NYS HCR Subsidy	\$15,435,000	\$105,719
	Federal Low Income Housing Tax Credits	\$32,531,439	\$222,818
	Westchester County New Homes Land Acquisition II	\$5,000,000	\$34,247
	Brownfield Tax Credits	\$5,344,415	\$36,606
	Accrued Interest on HCR Subsidy during Construction	\$1,016,163	\$6,960
	Deferred Developer Fee	\$3,172,615	\$21,730
	<b>Total Sources</b>	<b>\$76,899,632</b>	<b>\$526,710</b>

### Executive Summary

**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**



	Uses	Total Project	Per Affordable Unit
	Acquisition Cost	\$8,845,204	\$60,584
	Hard Construction Costs	\$44,457,868	\$304,506
	Soft Costs	\$11,682,657	\$81,540
	Contingency	\$2,329,226	\$15,099
	Reserves and Escrows	\$356,721	\$2,443
	Developer Fee	\$9,227,956	\$63,205
	<b>Total Uses</b>	<b>\$76,899,632</b>	<b>\$526,710</b>

<b>Universal Design:</b>	The Affordable AFFH Units will comply with the Universal Design Requirements as identified in Board of Legislators Act #2011-93.
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<b>Proposed Rents:</b>	Affordable Units - Income Levels	Number of Units	Expected Monthly Rent/Unit
	1-Bedroom @ 40% AMI	21	\$944
	2-Bedroom @ 40% AMI	9	\$1,133
	1-Bedroom @ 50% AMI	21	\$1,180
	1-Bedroom @ 50% AMI (PB Section 8)	9	\$1,619
	2-Bedroom @ 50% AMI	9	\$1,416
	2-Bedroom @ 50% AMI (PB Section 8)	11	\$1,943
	3-Bedroom @ 50% AMI (PB Section 8)	4	\$2,484
	0 Bedroom @ 60% AMI	3	\$1,321
	1-Bedroom @ 60% AMI	30	\$1,416
	2-Bedroom @ 60% AMI	9	\$1,699
	1-Bedroom @ 80% AMI	7	\$1,888
	2-Bedroom @ 80% AMI	12	\$2,266
	1 Bedroom Superintendent @ 80% AMI	1	N/A
	<b>Total Units 40%-80%:</b>	<b>146</b>	

<b>Access to Recreation, Shopping, Transportation and Public Schools</b>	<p>The Development site is conveniently located within a short walk to retail, parks, educational and healthcare facilities and is located near major roadways including U.S. Route 9, the Saw Mill River Parkway and the New York State Thruway (Interstate 87). The Glenwood Train Station, located approximately 0.3 miles from the Development, provides service via the MTA Metro-North Railroad Hudson Line. The Westchester County Bee-Line Bus System provides local transit. The following Bee Line bus routes have stops within one half mile of the Development: 1, 1C, 1T, 1W, 2 and 6.</p> <p>The City of Yonkers Department of Parks and Recreation maintains several nearby parks and open spaces and offers a variety of programs for seniors. The senior</p>
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### Executive Summary

**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**



	<p>programs are available within the ten senior centers located throughout the City. Two of these locations are within a short distance of the Development. The Development is a short walk from a number of parks and is located adjacent to Irving Park that will be rehabilitated as part of this Development.</p> <p>The Development is located within the City of Yonkers Public School District. The district has thirty-two elementary schools and seven middle/high schools.</p>	
<b>Tax Map ID:</b>	Section 2, Block 2114, Lots: 3.51, 17, 20, 20.35, 36, 37, 38, 41, 42, 43, 45 and 53 Section 2, Block 2115, Lots: 1, 2, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17 and 24	
<b>Zoning:</b>	<p>The mid-rise portion of the Development site is located in an A zone (apartment houses, high-density).</p> <p>The low-rise portion of the Development site is located in an MG zone (apartment houses, low-density).</p>	
<b>Variance/Zoning Change:</b>	The City of Yonkers City Council granted a zoning change on February 11, 2020. The City of Yonkers Zoning Board of Appeals granted zoning variances on August 18, 2020.	
<b>Site Plan Approval:</b>	The City of Yonkers Planning Board granted site plan approval on October 14, 2020.	
<b>SEQRA:</b>	The City of Yonkers Zoning Board of Appeals classified the Proposed Development as an Unlisted action, conducted coordinated review and issued a Negative Declaration for the Development on August 18, 2020.	
<b>Flood Plain:</b>	This Development is not located in a designated flood zone, per FEMA FIRM Map #36119C0309F, effective September 28, 2007.	
<b>Site Control:</b>	Point and Ravine LLC is under contract to purchase the property.	
<b>Appraised Value:</b>	Newmark Knight Frank Valuation & Advisory, LLC is preparing an appraisal certified to the County.	
<b>Purchase Price:</b>	\$8,240,204	
<b>Development Site Owner:</b>	City of Yonkers, One Point Street, Inc. and Ravine 33 LLC	
<b>Development Team:</b>	<b>Developer:</b>	<b>Attorney/Architect/Engineer:</b>
	Point and Ravine, LLC C/O Conifer Realty, LLC 1000 University Avenue, Suite 500 Rochester, New York 14607 585-324-0500	SLCE Architects 1359 Broadway New York, New York 10018 212-979-8400
	<b>Attorney:</b>	<b>Marketing Consultant:</b>
	Susan S. Jennings C/O Conifer Realty, LLC 1000 University Avenue, Suite 500 Rochester, New York 14607 585-324-0500	Housing Action Council, Inc. 55 South Broadway Tarrytown, New York 10591 Rosemarie Noonan, Executive Director 914-332-4144

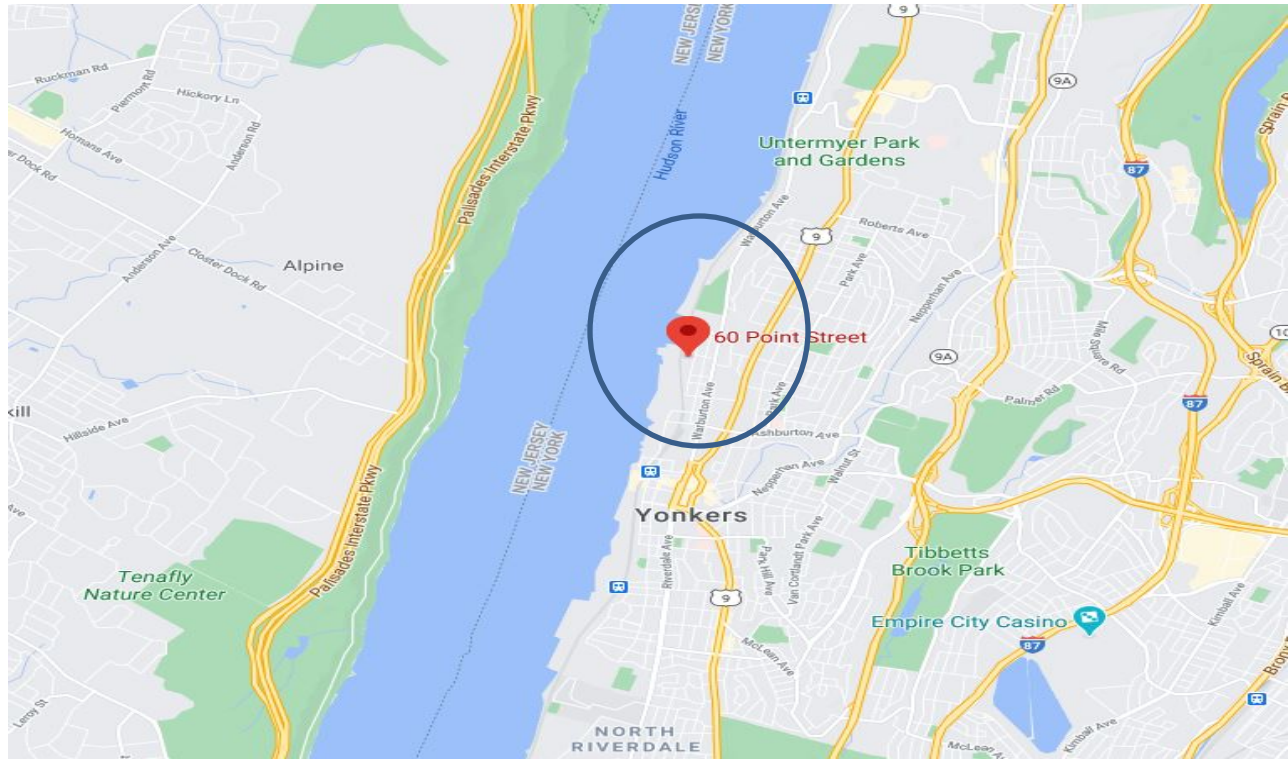


## Executive Summary

50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
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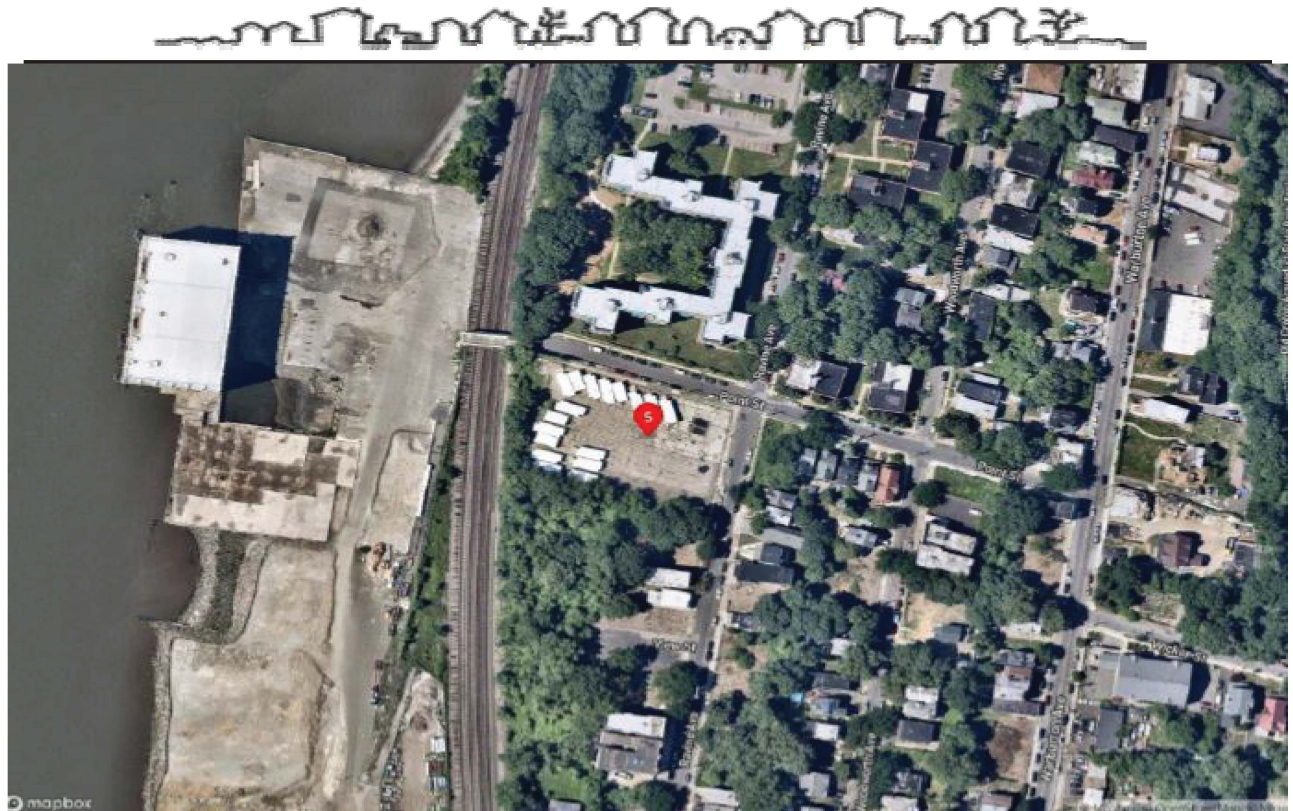


## Location Map



**Executive Summary**

**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**





## Executive Summary

50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701



## Site Photographs

Location of Future Midrise Building



**Executive Summary**  
**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**



Low Rise Development Site



Low Rise Development Site with Irving Park in Background and unimproved Barthold Place and View Street (future municipal parking)





## Executive Summary

50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701



### Parking Sites

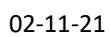
Proposed Resident Parking Lots (8 spaces & 10 spaces)



Proposed Yonkers Municipal Parking Authority Lots (16 spaces & 10 spaces)



**50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701**





## Executive Summary

50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue;  
63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue;  
Yonkers, New York 10701



## Aerial View / Rendering



**RESOLUTION 2020-20**

**WESTCHESTER COUNTY PLANNING BOARD**

**New Homes Land Acquisition II**

**Capital Project Funding Request**

**50 & 60 Point Street, 47-51 Ravine Avenue, 48-50 Ravine Avenue, 63-75 Ravine Avenue,  
78-80 Ravine Avenue, 80-85 Ravine Avenue,  
City of Yonkers**

**WHEREAS**, the County of Westchester (the "County") has established Capital Project BPL30 New Homes Land Acquisition II ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

**WHEREAS**, Point and Ravine LLC c/o Conifer Realty, LLC (the "Developer"), its successors or assigns, desires to develop the real property located at 50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue; 63-75 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue; in the City of Yonkers (the "City"), identified on the tax maps as Section 2, Block 2114, Lots: 3.51, 17, 20, 20.35, 36, 37, 38, 41, 42, 43, 45, 53 and Section 2, Block 2115, Lots: 1, 2, 5, 6, 7, 8, 10, 11, 12, 13, 14, 16, 17 and 24 (the "Property") to create 146 affordable residential units that will affirmatively further fair housing ("AFFH"; collectively the "Affordable AFFH Units") and approximately 179 parking spaces (collectively the "Development"); and

**WHEREAS**, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$5,000,000 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land; and

**WHEREAS**, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed on the Property be leased to households who earn at or below 40% and up to 90% of the Westchester County Area Median Income ("AMI"); and

**WHEREAS**, the County will transfer ownership of the Property to the Developer to construct a mix of one-, two- and three-bedroom apartments to be leased to eligible households, pursuant to an approved Affirmative Fair Housing Marketing Plan, for a minimum of 50 years; and

**WHEREAS**, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL30 NHLA II to add the Property, 50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue; 63-75 Ravine Avenue, 78-80 Ravine Avenue; and 80-85 Ravine Avenue; City of Yonkers, and authorize bonding in a not to exceed amount of \$5,000,000 to develop the Property; and

**WHEREAS**, the Development is subject to approvals by the City of Yonkers; and



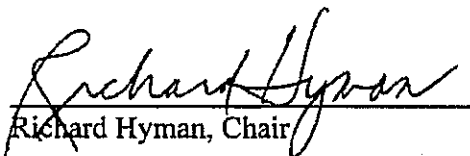
**WHEREAS**, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels"; and

**WHEREAS**, the staff of the County Department of Planning have reviewed the proposal and recommend the requested funding associated with acquisition of the Property; and

**RESOLVED**, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable AFFH Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$5,000,000 from BPL30 NHLA II for property acquisition; and be it further

**RESOLVED**, that the Westchester County Planning Board amends its report on the 2020 Capital Project requests to include 50 & 60 Point Street; 47-51 Ravine Avenue; 48-50 Ravine Avenue; 78-80 Ravine Avenue; 80-85 Ravine Avenue; and 63-75 Ravine Avenue in the City of Yonkers, as a new component project in Capital Project BPL30 under the heading of Buildings, Land and Miscellaneous.

Adopted this 1<sup>st</sup> day of December 2020.

  
Richard Hyman, Chair

ACT NO. \_\_\_\_\_ - 2021

AN ACT authorizing the County of Westchester to purchase approximately +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating 146 affordable rental units, that will affirmatively further fair housing and remain affordable for a period of not less than 50 years.

NOW, THEREFORE, BE IT ENACTED by the members of the Board of Legislators of the County of Westchester as follows:

SECTION 1. The County of Westchester (the "County") is hereby authorized to purchase from the current owner(s) of record approximately +/- 1.38 acres of real property located at 60 & 76 Point Street and 81 Ravine Avenue (the "Property") to construct 146 affordable rental housing units including one superintendent's unit that will affirmatively further fair housing (the "Affordable AFFH Units") as set forth in 42 U.S.C. Section 5304(b)(2). A portion of these units, 44, will be set aside for seniors aged 55 and older. The Development Property (defined below) will also include approximately +/- 1.17 acres of real property located at 50 Point Street, 56 Ravine Avenue, 58 Ravine Avenue, 60 Ravine Avenue, 63 Ravine Avenue, 64 Ravine Avenue, 66 Ravine Avenue, 67 Ravine Avenue, 68 Ravine Avenue, 69 Ravine Avenue, 70 Ravine Avenue, 72 Ravine Avenue, 74 Ravine Avenue, 78 Ravine Avenue, 80 Ravine Avenue, 83 Ravine Avenue, and 85 Ravine Avenue, which are, or will be owned by the City of Yonkers Industrial Development Agency, which will transfer these sites to the Developer via a Land Disposition Agreement (combined with the County acquired parcels to be collectively referred to as the "Development Property").

§2. The County is hereby authorized to contract to pay an amount not to exceed FIVE MILLION DOLLARS (\$5,000,000) to purchase the Property.

§3. The County is hereby authorized to convey the Property to Point and Ravine, LLC, its successors or assigns, for ONE DOLLAR (\$1.00) to construct the 146 Affordable AFFH Units including one superintendent's unit that will be marketed and leased to households earning at or below 40% and up to 80% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

§4. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

§5. The transfers of the Property shall be by such deeds as approved by the County Attorney.

§6. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§7. This Act shall take effect immediately.

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 60 AND 76 POINT STREET AND 81 RAVINE AVENUE, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,000,000 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, and other laws applicable thereto, bonds of the County in the aggregate amount of \$5,000,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 1.38 acres of real property located at 60 and 76 Point Street and 81 Ravine Avenue, in the City of Yonkers (the “AFFH Property”) from the current owner(s) of record at a cost of

\$5,000,000, including acquisition and settlement costs, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"); the County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 146 affordable AFFH rental units and 179 parking spaces for residents at the aggregate estimated maximum cost of \$5,000,000 for said land acquisition. Such property shall be acquired by the County, subjected to a declaration of restrictive covenants and subsequently conveyed to Point and Ravine, LLC (the "Developer"), its successors or assigns. The Developer will construct 146 affordable AFFH rental units and 179 parking spaces for residents on the AFFH Property (the "Development"). It is anticipated that additional sites adjacent to the AFFH Property will be acquired by the Developer from the City of Yonkers and a portion of the AFFH project will be located on such additional sites. The County's acquisition of the AFFH Property is 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 and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$5,000,000. The plan of financing includes the issuance of \$5,000,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$5,000,000 bonds are

authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose 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 Bond Act, in the maximum amount of \$5,000,000. 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 \$5,000,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved, and as the amount of bonds herein authorized is not in excess of \$10,000,000, this Act is not subject to referendum.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 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, and 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 bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds and 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 section 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 and 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\_\_\_.

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

(SEAL)



## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution. Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 60 AND 76 POINT STREET AND 81 RAVINE AVENUE, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING ("AFFH") PURSUANT TO THE COUNTY'S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$5,000,000 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 purchase of approximately 1.38 acres of real property located at 60 and 76 Point Street and 81 Ravine Avenue, in the City of Yonkers (the "AFFH Property") from the current owner of record at a cost of \$5,000,000, including acquisition and settlement costs, in order to support the construction of affordable housing units that will affirmatively further fair housing ("AFFH"); the County will file, or cause to be filed, a Declaration of Restrictive Covenants in the Westchester County Clerk's office requiring that the AFFH Property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the construction of 146 affordable AFFH rental units and 179 parking spaces for residents at the aggregate estimated maximum cost of \$5,000,000 for said land acquisition. Such property shall be acquired by the County, subjected to a declaration of restrictive covenants and subsequently conveyed to Point and Ravine, LLC (the "Developer"), its successors or assigns. The Developer will construct 146 affordable AFFH rental units and 179 parking spaces for residents on the AFFH Property (the "Development"). It is anticipated that additional sites adjacent to the AFFH Property will be acquired by the Developer from the City of Yonkers and a portion of the AFFH project will be located on such additional sites. The County's acquisition of the AFFH Property is set forth in the County's Current Year

Capital Budget, as amended.

Amount of obligations to be issued  
and period of probable usefulness:

\$5,000,000 - thirty (30) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

# CAPITAL PROJECT FACT SHEET

Project ID:\*

BPL30

☒ CBA

Fact Sheet Date:\*

02-05-2021

Fact Sheet Year:\*

2021

Project Title:\*

NEW HOMES LAND ACQUISITION II 16

Legislative District ID:

16

Category\*

BUILDINGS, LAND &  
MISCELLANEOUS

Department:\*

PLANNING

CP Unique ID:

1630

## Overall Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. 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	2021	2022	2023	2024	2025	Under Review
Gross	72,700	37,700	10,000	5,000	5,000	5,000	5,000	5,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	72,700	37,700	10,000	5,000	5,000	5,000	5,000	5,000

Expended/Obligated Amount (in thousands) as of : 23,654

**Current Bond Description:** Bonding is requested to finance the acquisition of approximately 2.83 acres of real property located at 60 and 76 Point Street and 81 Ravine Avenue in the City of Yonkers and identified on the tax maps as Section 2; Block 2114; Lots 17, 20.35 and 38 (the "Property") in order to construct 146 units of rental housing (includes one employee unit) that will Affirmatively Further Fair Housing (the "Affordable AFFH Units"). A portion of these units, 44, will be set aside for seniors aged 55 and older. The Development will also include 179 parking spaces for residents. Additional sites adjacent to the Property will be acquired from the City of Yonkers and will house a portion of the residential Development. As part of this acquisition, the City of Yonkers will have the Developer construct 52 municipal parking spaces on city owned parcels and along the right of way. This acquisition and work will be financed separately.

### Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	5,000,000
Cash:	0
Total:	\$ 5,000,000

### SEQR Classification:

UNLISTED

### Amount Requested:

5,000,000

### Comments:

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL30 and to authorize the County to purchase the vacant land from the current owner for an amount not to exceed \$5,000,000 to support the construction of a six story and three townhouse style residential buildings each 3 stories in height that together will have 146 Affordable AFFH rental units (including one employee unit) and 179 parking spaces for residents. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 40% and up to 80% of County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to Point and Ravine, LLC (the "Developer") its successors or assigns for one dollar (\$1.00).

**Energy Efficiencies:**

THE BUILDINGS WILL BE CONSTRUCTED WITH SUSTAINABLE MATERIALS/RENEWABLE RESOURCES, ENERGY EFFICIENT APPLIANCES, LIGHTING, HEATING SYSTEMS AND WATER-CONSERVING FIXTURES. THE DEVELOPMENT IS DESIGNED TO MEET THE STANDARDS OF BOTH LEED V4 AND ENERGY STAR

**Appropriation History:**

Year	Amount	Description
2014	5,000,000	CONTINUATION OF THIS PROJECT
2016	2,500,000	CONTINUATION OF THIS PROJECT
2017	7,200,000	LAND ACQUISITION FOR MT HOPE PLAZA FOR MT HOPE COMMUNITY REDEVELOPMENT CORP, LOCATED AT 65 LAKE ST. WHITE PLAINS AND CONTINUATION OF THIS PROJECT.
2018	8,000,000	CONTINUATION OF THIS PROJECT.
2019	5,000,000	CONTINUATION OF THIS PROJECT
2020	10,000,000	CONTINUATION OF THIS PROJECT
2021	10,000,000	CONTINUATION OF THIS PROJECT

**Total Appropriation History:**

47,700,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
15	240	0	0	
15	235	1,840,000	1,830,000	ACQUISITION OF 80 BOWMAN AVENUE, VILLAGE OF RYE BROOK
15	204	460,000	460,609	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS ACQUISITION
15	267	284,000	284,376	ACQUISITION OF 322 KEAR STREET, YORKTOWN HEIGHTS
16	59	210,800	211,079	5 STANLEY AVE - OSSINING
16	50	228,800	207,287	112 VILLAGE RD YORKTOWN
16	53	219,050	0	18 MINKEL RD OSSINING
16	56	400,220	388,541	9 WATSON ST-CORTLANDT
16	24	353,000	290,732	104 PINE STREET, CORTLANDT-COST OF ACQUISITION
16	231	2,009,980	1,999,980	200 READER'S DIGEST ROAD CHAPPAQUA AFFIRMATIVELY FURTHERING AFFORDABLE HOUSING AMEND
16	18	385,000	0	164 PHYLLIS COURT, YORKTOWN - COST OF ACQUISITION
16	21	197,000	191,659	27 WALDEN COURT, UNIT #M YORKTOWN - COST OF ACQUISITION
17	142	2,600,000	0	ACQUISITION OF LAND LOCATED ON ROUTE 22 IN LEWISBORO
17	209	0	0	PURCHASE OF LAND AT 501 BROADWAY IN VILLAGE OF BUCHANAN
17	172	1,250,000	1,250,000	ACQUISITION OF LAND AT 1847 CROMPOND ROAD PEEKSKILL
18	77	2,100,000	1,443,000	PURCHASE OF LAND LOCATED AT 65 LAKE STREET IN WHITE PLAINS FOR FAIR HOUSING
18	123	787,500	814,196	PURCHASE PROPERTY AT 5 HUDSON STREET IN YONKERS TO PRESERVE AFFORDABLE AFFH RENTAL UNITS
18	155	0	0	PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
18	159	1,000,000	1,000,000	PURCHASE OF PROPERTY LOCATED AT HALSTEAD AVENUE TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING
18	186	3,000,000	3,000,000	PURCHASE OF REAL PROPERTY AT 25 SOUTH REGENT STREET IN PORT CHESTER TO FURTHER FAIR HOUSING
19	68	1,765,000	1,765,000	PURCHASE AND SUBSEQUENT CONVEYANCE OF PROPERTY LOCATED AT 227 ELM STREET IN YONKERS
19	70	5,225,000	5,225,000	PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
19	150	2,340,000	2,419,325	PURCHASE OF REAL PROPERTY LOCATED AT 645 MAIN STREET IN PEEKSKILL, FOR FAIR HOUSING
19	182	1,375,000	0	
19	171	306,000	0	FINANCE THE PURCHASE OF REAL PROPERTY, INCLUDING THREE UNIT RENTAL BUILDING AT 162 LINCOLN

20	206	5,000,000	0	AFFORDABLE HOUSING DEVELOPMENT 62 MAIN STREET, TARRYTOWN
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**Total Financing History:**  
33,336,350

**Recommended By:**

<b>Department of Planning</b>	<b>Date</b>
WBB4	02-22-2021

<b>Department of Public Works</b>	<b>Date</b>
RJB4	02-22-2021

<b>Budget Department</b>	<b>Date</b>
LMY1	02-25-2021

<b>Requesting Department</b>	<b>Date</b>
WBB4	02-25-2021

## NEW HOMES LAND ACQUISITION II ( BPL30 )

**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	2021	2022	2023	2024	2025	Under Review
Gross	72,700	37,700	23,654	10,000	5,000	5,000	5,000	5,000	5,000
Non County Share			(289)						
Total	72,700	37,700	23,365	10,000	5,000	5,000	5,000	5,000	5,000

### **Project Description**

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

### **Current Year Description**

The current year request funds the continuation of this project.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	10,000,000			10,000,000

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2014	5,000,000	Continuation of this project	IN PROGRESS
2016	2,500,000	Continuation of this project	IN PROGRESS
2017	7,200,000	Land acquisition for Mt Hope Plaza for Mt Hope Community Redevelopment Corp, located at 65 Lake St. White Plains and continuation of this project.	IN PROGRESS
2018	8,000,000	Continuation of this project.	IN PROGRESS
2019	5,000,000	Continuation of this project	IN PROGRESS
2020	10,000,000	Continuation of this project	PARTIALLY IN PROGRESS
Total	37,700,000		

## NEW HOMES LAND ACQUISITION II ( BPL30 )

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	37,700,000	22,780,784	14,919,216
Others		289,010	(289,010)
<b>Total</b>	<b>37,700,000</b>	<b>23,069,794</b>	<b>14,630,206</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
204 15	460,000	12/15/17	388,647	(609)
		12/15/17	71,360	
		12/15/17	603	
235 15	1,840,000	12/15/16	1,830,000	10,000
240 15				
267 15	284,000	12/15/17	239,947	(376)
		12/15/17	44,057	
		12/15/17	372	
18 16	385,000			385,000
21 16	197,000	12/15/16	191,659	5,341
24 16	353,000	12/15/16	290,732	62,268
56 16	400,220	12/15/17	327,838	11,679
		12/15/17	60,194	
		12/15/17	509	
59 16	210,800	12/15/17	178,102	(279)
		12/15/17	32,701	
		12/15/17	276	
50 16	228,800	12/15/17	174,902	21,513
		12/15/17	32,114	
		12/15/17	271	
53 16	219,050			219,050
231 16	2,009,980	12/15/16	1,999,980	10,000
142 17	2,600,000			2,600,000
172 17	1,250,000	12/10/18	1,250,000	
209 17				
77 18	2,100,000	12/10/19	1,205,036	657,000
		12/10/19	237,964	
123 18	787,500	10/28/20	690,728	(26,696)
		10/28/20	96,780	
		10/28/20	26,688	
155 18				
159 18	1,000,000	12/10/19	835,090	
		12/10/19	164,910	



**NEW HOMES LAND ACQUISITION II  
( BPL30 )**

186	18	3,000,000	12/10/19	2,505,271	
			12/10/19	494,729	
68	19	1,765,000	12/10/19	1,473,935	
			12/10/19	291,065	
70	19	5,225,000	12/10/19	4,363,348	
			12/10/19	861,652	
150	19	2,340,000	10/28/20	2,052,449	(79,325)
			10/28/20	287,575	
			10/28/20	79,302	
171	19	306,000			306,000
182	19	1,375,000			1,375,000
206	20	5,000,000			5,000,000
Total		33,336,350		22,780,785	10,555,565

Resolution No. - 2021

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

**WHEREAS**, these Committees have reviewed the following items for the 2021 Westchester County Federal Joint Legislative Package; **Now Therefore Be it**

**RESOLVED**, that after considerable deliberation, it is recommended that this Honorable Board approve these legislative initiatives and that they be presented to and considered by the Westchester County Federal Delegation during the current federal legislative session.

Dated: April 12, 2021  
White Plains, New York

 <p>Handwritten signatures of committee members: "Managers", "Benjamin Baylen II", "Colin", "Colin", and "K. J. Slavik".</p>	 <p>Handwritten signatures of committee members: "Benjamin Baylen II", "Colin", and "K. J. Slavik".</p>
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**COMMITTEES ON**

Legislation

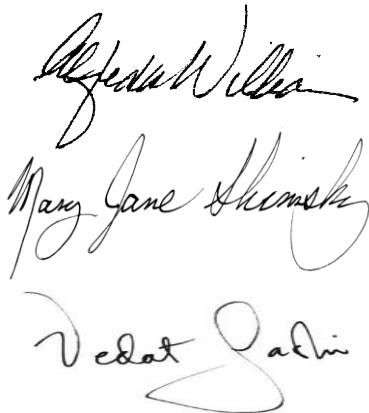
Intergovernmental Services

Dated: April 12, 2021  
White Plains, New York

***The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.***

Committee(s) on:

**Legislation**



Alfred Willis  
Mary Jane Shimsky  
Vedat Zachi

**Intergovernmental Services**



Catherine F. Parker

## **Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations**

Westchester County has a population of almost a million people, and covers 500 square miles. With 6 cities, 19 towns and 20 villages, the County has a rich mix of many cultures and landscapes, a blend of vibrant cities, quaint villages and picturesque towns as well as open spaces and a network of beautiful parks. Westchester County is known for top-notch public schools, and a high quality of life, boasting a highly educated workforce, competitive colleges and universities, Fortune 500 companies, world changing non-profits, cutting-edge research centers, many arts and cultural opportunities, and a beautiful river valley and sound shore environment.

We recognize the many financial challenges faced by the Federal, State, County, and local governments in the wake of the coronavirus pandemic and we applaud our federal delegation for their skillful efforts securing the passage of the American Rescue Plan Act this March. Thanks to their hard work, our County, its residents and businesses, will benefit directly from millions of dollars in federal aid. This funding will jumpstart Westchester and support all 45 of our municipalities in their recovery efforts post-COVID. We believe that working together is the best way to find solutions, in a cost effective way, in order to protect our taxpayers while continuing to deliver essential services. Together we must find ways to provide financial relief for our taxpayers, address the daily challenges of COVID-19, and maintain the excellent quality of life we enjoy.

We thank our federal legislative delegation for their leadership and their strong role in advocating for many initiatives important to Westchester. Enclosed you will find information regarding federal appropriations and legislative items that will benefit our County. We look forward to working with you in support of these priorities.

### **Top Priority: State and Local Tax Deduction (SALT)**

Westchester County strongly supports the repeal of limitations imposed on the amount of state and local taxes that can be deducted from federal income taxes. Prior to enactment of the Tax Cuts and Jobs Act (TCJA) in December 2017, New York taxpayers who itemized their federal tax deductions could deduct the full amount of their state and local property and income taxes. This SALT deduction was a major source of tax fairness for high-taxed and donor states like New York, and especially Westchester County. Prior to 2017, 70% of Westchester's middle income families (defined as families making less than \$200,000 per year) itemized their federal tax deductions and had an average of \$36,263 in SALT deductions. The law now caps the SALT deduction at \$10,000, resulting in double taxation and raised taxes on thousands of middle-class families in Westchester who depended on that deduction. Westchester County greatly appreciated the strong leadership and advocacy of our federal delegation in fighting the TCJA, and subsequent efforts to repeal the limits on the SALT deduction. We express our support for S. 85/H.R. 613 due to the level of importance they hold to Westchester residents and ask for federal legislation to fix this problem:

- S. 85: SALT Deductibility Act (Schumer): A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the deduction for certain taxes, including State and local property and income taxes.
  - Introduced to 117<sup>th</sup> Congress on January 28<sup>th</sup>, 2021 (not included in Cares Act/COVID Stimulus)
- H.R. 613: SALT Deductibility Act (Suoizzi, Jones, Zeldin, S.P.Maloney, Bowman, Delgado, C.Maloney)
  - Introduced to 117<sup>th</sup> Congress on January 28<sup>th</sup>, 2021

### **Westchester County's Federal Appropriations Priorities**

#### **Medicaid/Affordable Care Act (ACA)**

Westchester County has reaped tremendous benefits as a result of Enhanced Federal Medicaid Assistance Percentages (eFMAP) that we earned due to our and New York State's expansions of Medicaid programs in conjunction with the ACA. When the Public Health Emergency (PHE) was declared in January of 2020, states saw a 6.2% increase of the federal share of total eFMAP spending. We were very pleased that the new administration extended this provision through

## **Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations**

the end of 2021, and encourage that this ambitious reallocation continue beyond COVID-19. Westchester County rejects any cuts to Medicaid and any shift of costs from the federal to state government.

- Westchester County opposes the block granting and/or privatization of programs such as Medicaid, Medicare, and Social Security that would result in people losing benefits, adding to their financial stress, and thereby turning to other social service programs for needed support.
- Westchester County is pleased that the recent COVID stimulus funds allocated significant funds towards Federally Qualified Health Centers (FQHC). We have active FQHCs throughout the county that provide essential and affordable care and services to underserved populations. We support ongoing funding for these centers, including funding for prevention and treatment for substance abuse and teen pregnancy prevention.
- Westchester County also supports funding for mental health services, and requiring adequate coverage for mental health and substance abuse prevention and treatment. COVID-19 has greatly exacerbated the mental health crisis in our County, and we support community based mental health services for youth and young adults.
- In the wake of COVID-19 access to telehealth and telemedicine resources are more important than ever. These services can reduce the short and long term costs of care and increase access to care, especially for people with mobility issues. The Telehealth Intervention Programs for Seniors (TIPS) can provide a unique collaborative approach with the capacity to reach more people in need of care and help them stay in their homes longer.

### **Related Legislation:**

- **HR 366:** Protecting Access to Post-COVID-19 Telehealth Act of 2021 (proposed 1/19/2021): To amend Title XI of the Social Security Act to authorize the Secretary of Health and Human Services to waive or modify application of Medicare requirements with respect to telehealth services during any emergency period, and for other purposes.
- **HR 341:** Ensuring Telehealth Expansion Act of 2021 (proposed 1/5/2021): to make permanent certain telehealth flexibilities in response to COVID-19
- **HR 434:** Preventing Mental Health and Substance Use Crises During Emergencies Act (proposed 1/21/2021): To direct the Secretary of Health and Human Services to convene a task force to advise the Assistant Secretary for Mental Health and Substance Use on a national strategy for preventing mental health and substance use crises during a public health emergency, and for other purposes.

### **Section 8 Funding**

Westchester County supports full funding for the HUD Section 8 Program. This has not occurred in years and there has been a steady decline in program funding due to budget sequestration. Fully funding this program would reduce Section 8 waiting lists, thereby dramatically reducing the number of homeless people and families. President Biden has pledged to make Section 8 vouchers an entitlement to all eligible families. With such a great need for affordable housing and consistent cuts to funding over many years, Westchester County asks our federal delegation to fully fund the Section 8 program.

### **Maintenance of Existing Funds to Social Services**

Westchester County benefits a great deal from the existing federal allocations of several social services programs. As the new administration outlines its budgetary priorities with Congress, we ask our Federal Legislative Partners to fully fund each of the following services:

- **Social Services Block Grants (SSBG "Title XX")**
  - The SSBG has 29 broad service categories and funds a wide variety of services, including child care, child and adult protective services, foster care, and special services for the disabled. Westchester County strongly supports the full funding for these critical programs because of the wide variety of services they support in Westchester.
- **Temporary Assistance to Needy Families (TANF)**
  - While TANF caseloads have steadily decreased in Westchester County with the introduction of the County-run Safety Net Program, any federal cuts to TANF will destabilize this balance and imperil the Safety Net.

## **Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations**

Additionally, the Flexible Fund for Family Services (FFFS) covers a variety of services including child welfare, domestic violence liaison, drug and alcohol treatment, employment programs, foster care and other TANF services. This would also be subject to reduction if federal cuts forced our County to shift this program to County funding.

- **Community Development Block Grants (CDBG) and HOME Programs**
  - Within two years of its reinstatement by the current County Administration, the Westchester County Urban Consortium has grown to 31 communities and is preparing to accept a new slate of infrastructural projects. These communities, along with 4 entitled cities, currently rely on CDBG funds for these projects and the tangible benefits they provide. For 2021, the County Consortium received approximately \$4.2 million in CDBG grants, approximately \$1.1 million in HOMES grants, and \$316,000 in Emergency Solutions Grants. We were pleased to see increased funding across the board. Westchester County urges our federal delegation to stand firm on fully funding CDBG, HOME, and ESG Programs.
- **Supplemental Nutrition Assistance Program (SNAP)**
  - SNAP funding provides crucial assistance to families with the greatest need. Cash assistance and SNAP benefits require that most, but not all, recipients engage in work activity. We receive federal assistance to implement education and training related to this regulation, and request that SNAP continues to be fully funded by Congress.
- **Senior Community Service Employment Program (SCSEP)**
  - Under SCSEP, the U.S. Department of Labor distributes grants to states and non-profit organizations to provide part-time work experience in community service activities to unemployed low-income persons aged 55 and older. The goal of the program is to provide income support and work experience to enable clients to transition to unsubsidized employment and avoid public assistance. Westchester County contracts with the Urban League for these services. In 2018 the County budgeted federal funding for this program in the amount of \$322,194, and this payment remains intact today. The federal money directed to SCSEP directly funds our Countywide Senior Services Program. Therefore any federal cuts would defund Westchester County's Senior Services. We ask federal lawmakers to maintain all existing funds to SCSEP.

### **Westchester County's Federal Legislative and Agency Priorities**

(Note: The legislation listed for each topic is not intended to be exhaustive, but to highlight key related bills introduced or co-sponsored by our delegation members.)

#### **Federal Infrastructure Proposal**

We encourage the resumption of bi-partisan efforts to develop major federal infrastructure legislation. We understand there are many challenges and details to be worked out, but we believe the benefits to our aging infrastructure and the job creation impacts would be worth the efforts. Westchester County asks that following aspects be included in the framework of Congress's final bill:

- A broad definition of infrastructure to include not only roads and bridges but also public transit, airports, dams, water and sewer, electric grid improvements, and high speed broadband access
- Recognition of climate change's vast impact on aging infrastructure, and the incorporation of sustainability and environmental justice into all federal infrastructure projects moving forward
- No decrease in the federal share of the project cost
- Increased flexibility to State, County, and local governments for project design, approval, build, and administration
- The creation of a National Infrastructure Bank, through the reintroduction and passage of H.R 6422: The National Infrastructure Bank Act of 2020
- Westchester would encourage any infrastructure bill to include the following projects:
  - **Bridge Strikes**



## **Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations**

- Westchester County seeks the assistance of the delegation in addressing the important public safety concerns regarding trucks striking low bridges on parkways. While this is a nationwide problem, it is of particular concern in northeastern states where there is a greater prevalence of older, lower bridges. While New York State Law Prohibits commercial vehicles of all sizes from using State parkways, many drivers use personal GPS applications that don't mention these state laws. In Westchester County alone there were 329 bridge strikes on County and State parkways between 2017 and 2020. Each bridge strike is dangerous to the travelling public, costly to drivers and companies, and damaging to bridges. Additionally these accidents cause traffic congestion and require a significant time investment by local law enforcement and emergency responders. Trucks striking low bridges on State and County parkways is a problem that will require federal action to alleviate because it usually involves interstate trucking and driving. We seek your assistance in asking the U.S. Department of Transportation to consider the following actions:
  - Work with mapping companies (Google, Waze) to recognize their products are being used by commercial vehicles, either by commercial drivers or drivers using rented trucks, and require the companies to update their software to add warnings for trucks and other commercial vehicles
  - Require the truck height to be posted inside the truck cabin in visible view of the driver
  - Require the low bridge/parkways system to be included in Commercial Drivers License training
  - Require truck rental companies to share information on commercial vehicles route limitations with drivers
  - Require trucking companies to install commercial GPS in the cabs of all 53' trucks and rental companies to do the same with rental vehicles
- **Penn Station Access**
  - Penn Station Access is a project planned by the Metropolitan Transportation Authority (MTA) in order to allow Metro-North Railroad commuter trains to access Penn Station on Manhattan's West Side, using existing tracks owned by Amtrak. Metro-North trains currently terminate exclusively at Grand Central Station on Manhattan's East Side. This project will have significant benefits for Westchester commuters who travel to the West Side, saving valuable time from their daily commutes. The opening of that project will divert some LIRR trains to Grand Central, thereby opening up slots at Penn Station for Metro-North service. Once completed, Metro-North and the Long Island Rail Road (LIRR) commuters will have access to both the West side and the East side of Manhattan. The project includes the addition of four new stations in the Bronx on the New Haven Line: Co-op City, Morris Park, Parkchester/Van Nest, and Hunts Point.
  - These new stations will provide transit access to the underserved East Bronx, providing direct rides to Midtown and reverse-commuting trips to Westchester. In order to accommodate more trains, there would be upgraded power and signal systems, the installation of new track and the realignment of existing track, and the replacement of railroad bridges. Yard upgrades at Penn Station and at New Rochelle Yard will be part of the project.
  - The County has strongly advocated for this project, and was very pleased that the MTA and Amtrak came to an agreement and signed a Memorandum of Understanding that would allow the project to move forward. Westchester County appreciates the strong support this project has received from the delegation, and urge its ongoing advocacy for Amtrak's continued and full cooperation, as well as any opportunities for federal funding. MTA's 2015–2019 Capital Program budgeted \$695 million for New Haven Line Penn Station Access work. As New York State seeks to rebuild post-COVID, we are confident this initiative will serve to spur economic development and aide the downstate region's recovery efforts. We ask that our federal legislative representatives prioritize this project, incorporate it into any transit oriented development plans from Congress, and ensure it is completed.
- **Lake Isle Dam Repair**
  - When initially constructed 126 years ago, the Lake Isle dam stemmed the Hutchinson River's flow, created a man-made lake for area residents, and provided drinking water to the city of New Rochelle. Today, the dam and its lake are surrounded by several residential communities in Eastchester and New Rochelle.

## Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations

Additionally, the dam is upstream from Mount Vernon and immediately north of the Hutchinson River Parkway. Since the company that owned the dam went insolvent over 30 years ago, the structure is absent an owner. In 2020 the Lake Isle dam was rated unsound by the State of New York's Department of Environmental Conservation (NYS DEC). This report indicated that the dam is structurally compromised in certain areas and could break if enough pressure builds up on its drainage system. In the aftermath of the NYS DEC's 2020 findings, a state lawsuit has been filed. At the moment, there is no municipality claiming responsibility for Eastchester's segment of the dam. With costs ranging from six to twenty million dollars, Westchester County is asking, on behalf of the surrounding municipalities, for the assistance of our federal legislative representatives in creating a system to pay for this repair which will have to be processed and managed by the surrounding municipalities, and would include preparing a plan to renovate the dam, and providing the proper allocation of federal funds to go toward the project's ultimate completion as this is a life safety issue in Westchester County.

### o **Yonkers Wastewater Treatment Plant**

- The Yonkers Wastewater Treatment Plant on the city's west side caters to approximately 500,000 Westchester residents and filters over a million gallons of waste each day. However, area residents and neighboring municipalities have reported smelling noxious odors emanating from the plant due to aging scrubbers and poor facility insulation. In response to these claims, the County sponsored an odor control study by CDM Smith completed in June 2019. Based on the findings of this report, Westchester County requests \$69.1 million in budgeted federal grants to address long term infrastructural repairs to the plant's odor insulation. As the new administration has prioritized addressing the intrinsic impacts of environmental justice, we believe this project will improve the quality of life for Yonkers's predominantly Black and Hispanic middle-class communities living on the city's west side.

### o **Environmental Protection and Clean Water**

- The Long Island Sound is a natural treasure and an economic engine for the region that draws families, boaters, tourists and anglers to the sound shore communities. We were glad to see the Long Island Sound Future Fund receive approximately \$3.8 million in federal/state grants in 2020. We ask that our congressional representatives reinstate all EPA and environmental funds stripped away by the last administration.
- Westchester County urges further action pursuant to the completed re-evaluation study of the Mamaroneck & Sheldrake Rivers Basins in Mamaroneck Village by the US Army Corps of Engineers (USACE) which was completed in 2016. Subsequently, a General Re-evaluation Report (GRR) was submitted for consideration in April 2017. The plan, authorized by Congress in the Water Resources Development Act of 1986, required re-evaluation due to changes in engineering, hydrological, hydraulic, economic and environmental data which has changed over the intervening 20-30 years. Additional work was halted during the last administration and we ask our Federal representatives to authorize funding to move the project forward.
- Clean, safe water is essential. Many communities in Westchester have aging or insufficient waste water and drinking water systems. These systems are very costly to build, maintain, and upgrade, well beyond the reach of most municipalities, so federal and state funding is essential. Despite strong bipartisan backing, the Drinking Water Infrastructure Act of 2020 failed to receive a vote in the 116<sup>th</sup> Congress. If passed, both the Clean Water State Revolving Fund (CWSRF) and the Water Infrastructure Finance and Innovation Act (WIFIA) will be reauthorized. As this federal funding provides critical support for water and sewer projects, many of which are long overdue, Westchester County strongly urges the re-introduction and swift passage of S. 3590 and a sufficient allocation of associated federal funding.
  - S. 3590 (116th): Drinking Water Infrastructure Act of 2020: A bill to amend the Safe Drinking Water Act to reauthorize certain provisions, and for other purposes.

**Westchester County Airport: PFAS/PFO remediation – seeking support from the National Defense Authorization Act (NDAA)**



## Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations

As a result of Air National Guard (ANG) activities based at the Westchester County Airport decades ago, PFOA and PFOS (PFAS) levels above the current EPA health advisory limit of 70ppt have been found in samples from monitoring wells on the airport property. As part of the training, the ANG would practice putting out fires using foam manufactured with PFAS. In 2018, the County reinstated the groundwater testing program at the airport that had been discontinued during the prior administration. In light of this discovery, Westchester County has filed a lawsuit against the United States federal government, the ANG, the Department of Defense, the United States Air Force, the State of New York, the New York State Air National Guard, as well as the companies responsible for manufacturing this toxic foam. As of July 19, 2019, the litigation was combined into one multidistrict litigation in the federal District Court of South Carolina. The lawsuit is ongoing, and collectively includes over 100 separate plaintiffs. Based on the sampling and ground water flow patterns, the County, in cooperation with the NYS Department of Environmental Conservation, is developing a remediation plan for the airport. The County is also working closely with the NYC Department of Environmental Protection due to the proximity of the airport to the reservoir system. So far PFAS levels have been non-detectable in the reservoir. We are seeking financial support from the US Dept of Defense to assist with remediation costs due to their responsibility for the contamination.

- S 231: PFAS Act (proposed 2/4/2021): bill to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.

### **Indian Point Energy Center**

The planned closure of the Indian Point nuclear power plant this year creates several economic challenges for the local school district, host municipalities, and the County. When the plant officially closes, there will be significant annual property tax revenue losses for the Hendrick Hudson School District and Library, Village of Buchanan, Town of Cortlandt, Verplanck Volunteer Fire District, and Westchester County. In addition, hundreds of jobs could be lost, and the resulting impact will be felt on businesses throughout the area. The County is working with the communities and the State to identify potential shared services, replacement revenue sources, opportunities for future reuse of the property, and other economic development and workforce development opportunities. We appreciate the federal initiatives designed to assist with these efforts, such as prioritization for EDA grant opportunities. We ask our federal legislators to develop a safe solution for high level radioactive waste transportation and disposal. Without a solution by the federal government, every nuclear power plant, including Indian Point, becomes a defacto long term radioactive waste storage site. This creates environmental and public health risks, emergency preparedness concerns, and severely limits opportunities to re-purpose the Indian Point site in the future. Westchester County urges the federal government to make a decision on how best to safely transport and dispose of the plant's waste once Indian Point closes in 2021. We request that the Nuclear Regulatory Commission (NRC) continue its obligation to ensure that the plant's spent fuel rods are safely stored and properly disposed of. Additionally, we encourage transparency and community involvement in developing the plans, financing, and activities. We ask federal legislators to ensure that the company responsible for decommissioning works with surrounding municipalities and the County to decommission Indian Point in a way that makes the property accessible for future development. The following bills were introduced in the previous session of Congress. We urge their reintroduction and enactment in this session of Congress.

- H.R. 3970: STRANDED Act (proposed in 115<sup>th</sup> and 116<sup>th</sup> Congress)
- H.R. 4440: Redistribution of Fines to our Communities Act (failed 2017 in 115<sup>th</sup> Congress)
- H.R. 4441: Safe and Secure Decommissioning Act (proposed in 115<sup>th</sup> Congress)
- H.R. 4442: Removing Nuclear Waste from our Communities Act (proposed in 115<sup>th</sup> Congress)
- H.R. 4891: Dry Cask Storage Act (proposed in 115<sup>th</sup> Congress)
- S. 2396: Safe and Secure Decommissioning Act (proposed in 115<sup>th</sup> Congress)

### **Net Neutrality and Reliable, Affordable Broadband Access**

Reliable and affordable access to high speed internet networks, and the free flow of information are essential to a vibrant economy and to our lifestyles. Our businesses, schools, health care facilities, libraries, community centers, and our homes

## Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations

all rely on such access. As all Americans witnessed, the coronavirus amplified the digital divide between communities and schools across our country. Westchester County believes that all students should have access to affordable broadband access, regardless of where they live or where they attend school. We urge our delegation to support net neutrality and the necessary infrastructure to make the last mile connection for underserved homes and facilities. Additionally, we request Congressional action to overturn the prior administration's FCC decision, and the reintroduction of 2019's Save the Internet Act to both chambers of Congress.

- S.682 and H.R. 1644: Save the Internet Act of 2019 (Schumer, Gillibrand, Engel, Lowey, S.P.Maloney, Espaillet, Suozzi, Meeks, Rose, Tonko, Nadler, Velazquez, Higgins, Clarke, Morelle, Jeffries, C.Maloney, Meng, Ocasio-Cortez, Rice, Serrano, Delgado)

### **Domestic Violence Prevention and Services**

The US Department of Justice, Office on Violence Against Women administers several grant programs designed to reduce domestic violence, dating violence, sexual assault, and stalking by strengthening services and holding offenders accountable. Westchester County, along with our partner non-profit agencies, and most importantly our residents and families, have benefitted from this federal funding. As we strive to end domestic violence through comprehensive services, advocacy, and community education, continued federal funding would provide important support for our ongoing, effective programs and services, and help ensure that every individual has the basic human rights to be free from violence and to engage in relationships with respect, equality, and safety. We support the bipartisan efforts in both chambers to implement the VOCA Fix to Sustain the Crime Victims Fund Act of 2021 and the re-authorization of the Violence Against Women Act.

### **Opioid Abuse Prevention, Treatment and Enforcement**

The opioid epidemic has already torn apart too many families and destroyed too many lives, and we must use every tool and resource we have to work together to end this crisis. In 2020 Westchester police departments reported 247 opioid related deaths. The ripple impacts of COVID's social isolation and lack of connection are increased rates of anxiety, depression, and other mental health issues. All of these factors correlate to higher opioid usage, and must be addressed in a multifaceted, coordinated approach through health care and mental health services, and law enforcement to safeguard our communities. The financial burden of combatting this epidemic has led many County Departments, including the Department of Correction, Department of Social Services, Department of Public Safety, Department of Laboratories and Research, Department of Health, and Office of Community Mental Health to sustain continuous additional costs. We support efforts to limit opioid prescriptions to needed doses and timelines, expanded addiction treatment programs, and continual funding towards law enforcement coordination such as the High Intensity Drug Trafficking Area (HIDTA) program, and INTERDICTION ACT Funding – CBP Fentanyl Detection Devices to help stop narcotics from entering through our ports and mail, and assistance with pharmaceutical take back programs. In the wake of the coronavirus pandemic, addressing the opioid crisis is more relevant than ever before. Attached are three pieces of legislation that we encourage our federal delegation to support:

#### Related Legislation:

- H.R. 1026 (proposed 2/4/2021): To amend the Controlled Substances Act to require dispensers of certain opioids and opiates to affix on the container or package thereof a clear, concise warning that the opioid or opiate can cause dependence, addiction, and overdose, and for other purposes.
- S.166 and HR 706 Emergency Use for Substance Abuse Disorders Act (proposed 2/2/2021): A bill to authorize grants to address substance use during COVID-19.
- H.R. 433: Family Support Services for Addiction Act of 2021 (proposed 1/21/2021): To establish a grant program for family community organizations that provide support for individuals struggling with substance use disorder and their families.

### **Flood Hazard Mapping and Risk Analysis Program**

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## **Westchester County -- 2021 Priorities for Federal Legislation and FY22 Appropriations**

In recent years, climate change has had an undeniable impact of increasing the frequency and severity of rainfall and flooding in Westchester County. The Federal Emergency Management Agency (FEMA) has mapped over a million stream miles in order to communicate flood risks to communities and residents, inform local floodplain management regulations, help communities set minimum floodplain and building standards, determine who is required to purchase flood insurance, and help FEMA to accurately price flood insurance. While a plurality of these maps are up to date, they do not account for rising sea levels and their maintenance requires an ongoing expense. Although this program does not provide direct funding to the County, flood mapping does add significant value to our hazard/disaster mitigation programs in the departments of Planning and Emergency Services, and benefits many communities. The most recent update of Westchester County's Flood Insurance Rate Maps (FIRMs) was in 2007. While updated maps for the County's coastal panels are due to be finished by 2024, our region is still awaiting updated maps, and any budget reductions may further delay their issuance. Recent studies have indicated that the dual impact of climate change and aging infrastructure will combine to put thousands of homeowners at risk across New York State. Westchester County's emergency management mitigation efforts would benefit immensely from updated flood maps, and we ask our federal representatives to make the completion of these maps a top priority.

**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 a related amended bond act ("Bond Act") which, if adopted, will authorize the County to issue up to \$16,645,000 in additional bonds of the County to finance capital project B0082 – Low Rise Building Renovation, White Plains ("B0082").

Your Committee is advised that the Capital Budget Amendment will amend the County's capital budget to increase the appropriation for B0082 by \$9,015,000. The Department of Public Works and Transportation ("Department") has advised your Committee that the additional funds are required based upon the current scope and cost estimate for B0082. B0082 will now also replace the expansion joints on both sides of the building that spans Dr. Martin Luther King, Jr. Boulevard, replace the HVAC distribution system and install a fire suppression system on the third floor. The companion capital project (B0104) will provide for installation of a fire suppression system on the other floors. These components were not contemplated in the original scope of work.

The related Bond Act in the total amount of \$17,345,000 was prepared by the law firm Hawkins, Delafield & Wood and includes \$700,000 in previously authorized bonds of the County. The Bond Act will finance the cost of design, construction and construction management of renovations to the third floor of the County's Low Rise Building including the offices of the County Clerk.

The Department has advised that the third floor of the Low Rise building has not undergone a full renovation since its construction in the early 1970s. Since the County Clerk has switched to keeping digital records, the existing spatial configuration is no longer efficient. B0082 will improve the organization of the third floor to better serve the visiting public and meet the needs of the Office of the County Clerk. In addition, the updates will be made to comply with current building code.

Design is currently being undertaken by a consultant and is expected to be completed by the second quarter of 2021. It is anticipated that construction will take approximately eighteen 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 prior components of B0082 as indicated in the annexed fact sheet and as follows: Bond Act No. 179-2015 in the amount of \$700,000 which financed design in connection with renovations to the third floor of the County's Low Rise Building including the offices of the County Clerk. These bonds have been partially sold. Accordingly, it is now requested that Bond Act No. 179-2015 be amended to (i) increase the initial amount authorized by \$16,645,000, for a total authorized amount, as amended, of \$17,345,000, (ii) revise the scope of Bond Act No. 179-2015 to include work associated with the construction phase of B0082, and (iii) increase the period of probable usefulness of said bonds.

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

The Planning Department has advised your Committee that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.



Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related 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 Bond Act.

Dated: April 12, 2021.  
White Plains, New York

*Admitted for*  
*12/1/21*  
*Benjamin Boyfard*  
*Dorel L. Tubito*  
*Manny & Pan*

*Benjamin Boyfard*  
*Dorel L. Tubito*

*Budget & Appropriations*

COMMITTEE ON

*Public Works & Transportation*

Dated: April 12, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

**Budget & Appropriations**

Velat Salim  
Margaret A. Cuzzio  
Catherine F. Parker  
Ruth Walker  
Alfreda Wilkin  
Ty H  
Chap

**Public Works & Transportation**

Hyland  
Velat Salim  
Chap  
Mary Jane Skimsky  
Catherine F. Parker  
Ruth Walker  
Ty H

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0082

☐ 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 \$ 17,345,000 PPU 25 Anticipated Interest Rate 1.50%

Anticipated Annual Cost (Principal and Interest): \$ 830,489

Total Debt Service (Annual Cost x Term): \$ 20,762,225

Finance Department: Interest rates from February 25, 2021 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: 189

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation

Date: 3/11/21


Reviewed By: 

DA Budget Director

Date: 3/16/21



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

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

DATE: February 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
B0082 LOW RISE BUILDING RENOVATION, WHITE PLAINS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 2/22/2021 (Unique ID: 1576)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

**Department of Planning**

432 Michaelian Office Building  
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner

Date: February 23, 2021

RE: **Capital Budget Amendment –  
B0082 Low Rise Building Renovations, White Plains**



The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for construction and construction management associated with the renovations of the third floor in the Low Rise Building including the offices of the County Clerk.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$9,015,000.

The Planning Board adopted a report on this project (rated PL1) at its meeting on July 11, 2006.

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

cc: Norma V. Drummond, Commissioner  
David Kvinge, Director, Environmental Planning  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner

An Act amending the 2021 County  
Capital Budget Appropriations for  
Capital Project - B0082 - Low Rise  
Building Renovation, White Plains

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$12,450,000	\$9,015,000	\$21,465,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$12,450,000	\$9,015,000	\$21,465,000
Non County Shares	\$0		\$0
Cash	<u>\$0</u>	<u></u>	<u>\$0</u>
Total	\$12,450,000	\$9,015,000	\$21,465,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20\_\_\_\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED OCTOBER 5, 2015 IN RELATION TO THE CONSTRUCTION OF RENOVATIONS OF THE THIRD FLOOR OF THE LOW RISE BUILDING, AT THE MAXIMUM ESTIMATED COST OF \$17,345,000. (Adopted \_\_\_\_\_, 20\_\_\_\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of \$700,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of renovations to the third floor of the Low Rise Building, pursuant to Act No. 179-2015 duly adopted on October 5, 2015; and

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

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

**Section (A).** The bond act duly adopted by this Board on October 5, 2015, entitled:

“ACT NO. 179-2015

BOND ACT AUTHORIZING THE ISSUANCE OF \$700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE

COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE RENOVATIONS OF THE THIRD FLOOR OF THE LOW RISE BUILDING; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$700,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$17,345,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF RENOVATIONS TO THE THIRD FLOOR OF THE LOW RISE BUILDING INCLUDING THE OFFICES OF THE COUNTY CLERK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$17,345,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$17,345,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$17,345,000 bonds of the County, or so much thereof

as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of renovations to the third floor of the Low Rise Building including the offices of the County Clerk, 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 \$17,345,000. The plan of financing includes the issuance of \$17,345,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$17,345,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(1) of the Law, is twenty-five (25) 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 \$17,345,000. 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 \$17,345,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

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

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

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

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

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

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

**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\_\_\_\_.

(SEAL)

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

## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on October 5, 2015 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 \$17,345,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF RENOVATIONS TO THE THIRD FLOOR OF THE LOW RISE BUILDING INCLUDING THE OFFICES OF THE COUNTY CLERK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$17,345,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$17,345,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on October 5, 2015 and amended on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the design, construction and construction management of renovations to the third floor of the Low Rise Building including the offices of the County Clerk, 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: \$17,345,000; twenty-five (25) 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

Project ID:\*  
B0082

☒ CBA

Fact Sheet Date:\*  
01-04-2021

Fact Sheet Year:\*  
2021

Project Title:\*  
LOW RISE BUILDING RENOVATION, 8,  
WHITE PLAINS

Legislative District ID:

Category\*  
BUILDINGS, LAND &  
MISCELLANEOUS

Department:\*  
PUBLIC WORKS

CP Unique ID:  
1576

**Overall Project Description**

This project involves the renovation of the Low Rise Building in White Plains.

☒ 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	2021	2022	2023	2024	2025	Under Review
Gross	21,465	9,700	2,750	0	0	0	0	9,015
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	21,465	9,700	2,750	0	0	0	0	9,015

Expended/Obligated Amount (in thousands) as of : 1,475

**Current Bond Description:** Funding is requested for construction management and construction associated with the renovations of the third floor in the Low Rise Building including the offices of the County Clerk.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	16,645,000
Cash:	0
Total:	\$ 16,645,000

**SEQR Classification:**

TYPE II

**Amount Requested:**

16,645,000

**Comments:**

A Capital Budget Amendment in the amount of \$9,015,000 (shown under review) is being requested to provide additional funding based upon the current cost estimates. (Amend BA #179-2015)

**Energy Efficiencies:**

THE RENOVATIONS WILL INCLUDE LED LIGHTING AND WATER-EFFICIENT FIXTURES IN THE RESTROOMS.

**Appropriation History:**

Year	Amount	Description
2006	1,370,000	DESIGN - COUNTY CLERK; DESIGN AND CONSTRUCTION - DISTRICT ATTORNEY'S OFFICES
2007	8,330,000	RENOVATION OF 35,000 SQ FT OF OFFICE SPACE AT THE COUNTY CLERKS' OFFICE

**Total Appropriation History:**

9,700,000

Year	Bond Act #	Amount	Issued	Description
06	212	620,000	286,497	PRELIMS: LOW RISE BUILDING REHAB.- COUNTY CLERK'S OFFICE
06	E-212	-285,593	-285,593	
06	213	750,000	750,000	PARTIAL RECON. OF DISTRICT ATTORNEY'S OFFICE
15	179	700,000	401,438	LOW RISE BUILDING RENOVATION, WHITE PLAINS

**Total Financing History:**

1,784,407

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
02-22-2021

**Department of Public Works**  
RJB4

**Date**  
02-22-2021

**Budget Department**  
LMY1

**Date**  
02-24-2021

**Requesting Department**  
RJB4

**Date**  
02-24-2021

## LOW RISE BUILDING RENOVATION, WHITE PLAINS ( B0082 )

**User Department :** Public Works

**Managing Department(s) :** Public Works ;

**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

### **FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	12,450	9,700	1,600	2,750					
Non County Share									
<b>Total</b>	<b>12,450</b>	<b>9,700</b>	<b>1,600</b>	<b>2,750</b>					

### **Project Description**

This project involves the renovation of the Low Rise Building in White Plains.

### **Current Year Description**

The current year request funds improvements to the first and second floors of the building, in addition to supplemental HVAC upgrades.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	2,750,000			2,750,000

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2006	1,370,000	Design - County Clerk; Design and construction - District Attorney's offices	COMPLETE
2007	8,330,000	Renovation of 35,000 sq ft of office space at the County Clerks' office	\$700,000 - DESIGN ; \$7,630,000 - AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>9,700,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	9,700,000	1,437,935	8,262,065
<b>Total</b>	<b>9,700,000</b>	<b>1,437,935</b>	<b>8,262,065</b>

# **LOW RISE BUILDING RENOVATION, WHITE PLAINS ( B0082 )**

## **Bonds Authorized**

<b>Bond Act</b>	<b>Amount</b>	<b>Date Sold</b>	<b>Amount Sold</b>	<b>Balance</b>
<b>212 06</b>	<b>620,000</b>	<b>10/24/12</b>	<b>147,917</b>	<b>333,503</b>
		<b>10/24/12</b>	<b>15,083</b>	
		<b>10/24/12</b>	<b>1,247</b>	
		<b>11/19/15</b>	<b>1,675</b>	
		<b>11/19/15</b>	<b>325</b>	
		<b>11/19/15</b>	<b>3</b>	
		<b>04/30/20</b>	<b>120,247</b>	
<b>213 06</b>	<b>750,000</b>	<b>12/02/10</b>	<b>750,000</b>	
		<b>12/02/10</b>	<b>(750,000)</b>	
		<b>11/30/11</b>	<b>655,442</b>	
		<b>11/30/11</b>	<b>94,558</b>	
<b>179 15</b>	<b>700,000</b>	<b>12/10/19</b>	<b>57,017</b>	<b>298,562</b>
		<b>12/10/19</b>	<b>11,260</b>	
		<b>04/30/20</b>	<b>333,161</b>	
<b>E-212 06</b>	<b>(285,593)</b>			<b>(285,593)</b>
<b>Total</b>	<b>1,784,407</b>		<b>1,437,935</b>	<b>346,472</b>

**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 ("Bond Act") which, if adopted, will authorize the County to issue up to \$10,110,000 in additional bonds of the County to finance capital project B0104 – Low Rise Building Improvements, White Plains (2015 – 2019) ("B0104").

Your Committee is advised that the Capital Budget Amendment will amend the County's capital budget to increase the appropriation for B0104 by \$7,260,000. The Department of Public Works and Transportation ("Department") has advised that additional funding is required based upon the current scope and cost estimate for the project. The work will now also include renovation of lobbies and hallways as well as installation of a fire suppression system on the first and second floors in County's Low Rise Building located at 110 Dr. Martin Luther King Jr. Boulevard in White Plains ("Low Rise Building"). The companion capital project (B0082) provides for installation of a fire suppression system on the third floor. These components were not contemplated in the original scope of work.

The related Bond Act in the total amount of \$10,360,000 was prepared by the law firm Harris Beach, PLLC, and includes \$250,000 in previously authorized bonds of the County. The Bond Act would finance the cost of infrastructure improvements at the Low Rise Building, including upgrades to the building mechanical systems, installation of fire sprinklers (suppression system) throughout the first and second floors, renovations to the lobbies and hallways of the first and second floors and associated work.

The Department has advised that the Low Rise Building mechanical systems have exceeded their useful life and do not meet the current HVAC demands of the building. In addition, due to the extensive scope of the renovations, it is now necessary to add a fire suppression system to the building.

Design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will take approximately twelve months 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 prior components of B0104 as follows: Bond Act No. 181-2015 in the amount of \$250,000 to finance design of B0104. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 181-2015 be amended to increase the initial amount authorized by \$10,110,000, for a total authorized amount, as amended, of \$10,360,000, to revise the scope of Bond Act No. 181-2015 to include work associated with the construction phase of the project, and to increase the period of probable usefulness of said bonds.

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

The Planning Department has advised your Committee that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.



Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related 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 Bond Act.

Dated: April 12, 2021.  
White Plains, New York

Catherine B.

D. M. A.

Benjamin Boyfman

David J. Iulio

Manuel Baur

Benjamin Boyfman  
David J. Iulio

Budget & Appropriations

Public Works &  
Transportation

COMMITTEE ON

Dated: April 12, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

**Budget & Appropriations**

Vedat Dalin  
Margaret A. Cunzio  
Catherine F. Parker  
Ruth Walker  
Alfreda Willis  
Ty H  
Chet

**Public Works & Transportation**

Hyland  
Vedat Dalin  
Chet  
Mary Jane Skimoch  
Catherine F. Parker  
Ruth Walker  
Ty H

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0104

☐ 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 \$ 10,360,000 PPU 15 Anticipated Interest Rate 1.14%

Anticipated Annual Cost (Principal and Interest): \$ 753,811

Total Debt Service (Annual Cost x Term): \$ 11,307,165

Finance Department: Interest rates from February 25, 2021 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: 113

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 3/11/21

Reviewed By: 

Dep. Budget Director

Date: 3/16/21

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

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

DATE: February 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
B0104 Low Rise Building Improvements, White Plains (2015-2019)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 2/22/2021 (Unique ID: 1577)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
- 

**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

**Department of Planning**

432 Michaelian Office Building  
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner



Date: February 23, 2021

RE: **Capital Budget Amendment –  
B0104 Low Rise Building Improvements, White Plains (2015-2019)**

The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for construction and construction management associated with the HVAC infrastructure improvements at the Low Rise Building in White Plains.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$7,260,000.

The Planning Board adopted a report on this project (rated PL1) at its meeting on July 2, 2019.

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

cc: Norma V. Drummond, Commissioner  
David Kvinge, Director, Environmental Planning  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner

ACT No. \_\_\_\_\_ 2021

An Act amending the 2021 County  
Capital Budget Appropriations for  
Capital Project - B0104 - Low Rise  
Building Improvements, White Plains  
(2015-2019)

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$3,100,000	\$7,260,000	\$10,360,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

## II. METHOD OF FINANCING

Bonds and/or Notes	\$3,100,000	\$7,260,000	\$10,360,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$3,100,000	\$7,260,000	\$10,360,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED OCTOBER 5, 2015 IN RELATION TO FINANCING THE COST OF INFRASTRUCTURE IMPROVEMENTS AT THE LOW RISE BUILDING IN WHITE PLAINS; AT THE TOTAL ESTIMATED COST OF \$10,360,000. (Adopted , 20\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance planning HVAC infrastructure improvements at the Low Rise Building located at 110 Dr. Martin Luther King Jr. Boulevard in White Plains, at the estimated maximum cost of \$250,000, pursuant to Act No. 181-2015 duly adopted on October 5, 2015, and it has now been determined that the period of probable usefulness for such planning may be increased so that it shall be equal to the period of probable usefulness for such improvements; and

WHEREAS, it is now appropriate to authorize and expand the scope of such improvements, and it is necessary to increase the appropriation for such project by \$10,110,000 for estimated costs of such improvements;

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

**Section (A).** The bond act duly adopted by this Board on October 5, 2015,  
entitled:

“(BOND) ACT NO. 181-2015

BOND ACT AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING HVAC INFRASTRUCTURE IMPROVEMENTS AT THE LOW RISE BUILDING IN WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$250,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:



BOND ACT AUTHORIZING THE ISSUANCE OF \$10,360,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS AT THE LOW RISE BUILDING IN WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,360,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$10,360,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$10,360,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of infrastructure improvements at the Low Rise Building located at 110 Dr. Martin Luther King Jr. Boulevard in White Plains, including upgrades to the building mechanical systems, installation of fire sprinklers (suppression system) throughout the first and second floors, renovations to the lobbies and hallways of the first and second floors and associated 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$10,360,000. The plan of financing includes the issuance of \$10,360,000 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 existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 12.(a)(2) 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 \$10,360,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes

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

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

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

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

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

Section 7. 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\_\_.

(SEAL)

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

## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on October 5, 2015 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 \$10,360,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF INFRASTRUCTURE IMPROVEMENTS AT THE LOW RISE BUILDING IN WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$10,360,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$10,360,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of infrastructure improvements at the Low Rise Building located at 110 Dr. Martin Luther King Jr. Boulevard in White Plains, including upgrades to the building mechanical systems, installation of fire sprinklers (suppression system) throughout the first and second floors, renovations to the lobbies and hallways of the first and second floors and associated work; all as set forth in the County's 20\_\_ Capital Budget, as amended

amount of obligations to be issued:

and period of probable usefulness: \$10,360,000; 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

Project ID:\*

B0104

☒ CBA

Fact Sheet Date:\*

01-04-2021

Fact Sheet Year:\*

2021

Project Title:\*

LOW RISE BUILDING  
IMPROVEMENTS, WHITE PLAINS  
(2015-2019)

Legislative District ID:

8,

Category\*

BUILDINGS, LAND &  
MISCELLANEOUS

Department:\*

PUBLIC WORKS

CP Unique ID:

1577

**Overall Project Description**

This project will fund the design and construction of various infrastructure improvements at the Low Rise Building. Rehabilitation will include but not limited to masonry repairs, window and door replacement/repairs, waterproofing/cleaning, flooring repairs, painting, security & lighting systems, site renovations, walkways and driveway repairs, plumbing, data/telephone, HVAC, lighting, and electrical distribution systems.

☒ 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	2021	2022	2023	2024	2025	Under Review
Gross	10,360	3,100	0	0	0	0	0	7,260
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,360	3,100	0	0	0	0	0	7,260

**Expended/Obligated Amount (in thousands) as of :** 184

**Current Bond Description:** Funding is requested for construction management and construction associated with the infrastructure improvements at the Low Rise Building in White Plains.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	10,110,000
Cash:	0
Total:	<b>\$ 10,110,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

10,110,000

**Comments:**

A Capital Budget Amendment in the amount of \$7,260,000 (shown under review) is being requested to provide additional funding based upon the current cost estimates. (Amend BA #181-2015)

**Energy Efficiencies:**

THE HVAC INFRASTRUCTURE WILL UTILIZE ENERGY EFFICIENT EQUIPMENT WHICH WILL BE INTEGRATED INTO THE BUILDING MANAGEMENT SYSTEM.

Year	Amount	Description
2015	2 850,000	HVAC INFRASTRUCTURE IMPROVEMENTS
2020	250,000	COST ESCALATION

**Total Appropriation History:**

3,100,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
15	181	250,000	0	LOW RISE BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019)

**Total Financing History:**

250,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

02-22-2021

**Department of Public Works**

RJB4

**Date**

02-25-2021

**Budget Department**

LMY1

**Date**

02-25-2021

**Requesting Department**

RJB4

**Date**

02-25-2021



## LOW RISE BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019) ( B0104 )

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	3,100	3,100	184						
Non County Share									
Total	3,100	3,100	184						

### Project Description

This project will fund the design and construction of various infrastructure improvements at the Low Rise Building. Rehabilitaiton will include but not limited to masonry repairs, window and door replacement/repairs, waterproofing/cleaning, flooring repairs, painting, security & lighting systems, site renovations, walkways and driveway repairs, plumbing, data/telephone, HVAC, lighting, and electrical distribution systems.

### 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
2015	2,850,000	HVAC Infrastructure Improvements	\$250,000 - DESIGN; \$2,600,000 - AWAITING BOND AUTHORIZATION AWAITING BOND AUTHORIZATION
2020	250,000	Cost escalation	
Total	3,100,000		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,100,000		3,100,000
Total	3,100,000		3,100,000

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
181 15	250,000			250,000
Total	250,000			250,000

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of an act, which, if adopted, will amend the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related bond act (“Bond Act”) in the amount of \$3,870,000 prepared by the law firm Harris Beach, PLLC to finance capital project B015D – Interior Infrastructure Repairs, White Plains Complex (2016-2020) (“B015D”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the appropriation for B015D by \$220,000. The Department of Public Works and Transportation (“Department”) has advised your Committee that the additional funds are required due to cost escalation.

The Bond Act, in the amount of \$3,870,000, would finance the cost of elevator improvements at the White Plains Office Complex, including design, construction management and construction associated with the rehabilitation of the judge's elevator in the Richard J. Daronco Westchester County Courthouse, two passenger elevators in the County Low Rise Building, and the passenger elevator in 143 Grand Street.

The Department has further advised that the elevators and related systems have exceeded all intended services expectations and are becoming increasingly difficult to repair. In addition, the elevators' finishes are worn and beyond refurbishment. The elevator rehabilitation will improve reliability and increase safety.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior separate components of this project as provided in the annexed fact sheet

Following bonding authorization, the design will be undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will

take approximately twelve months and will begin after award and execution of the construction contracts.

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

The Planning Department has advised your Committee that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also 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 Bond Act.

Dated: April 12, 2021  
White Plains, New York

*Manuel Baur*  
*Benjamin Boyfuss*  
*Dorel J. Tubish*  
*Chair*  
COMMITTEE ON

s. MG 2-24-21

*a*

*Budget & Appropriations*

*Benjamin Boyfuss*  
*Dorel J. Tubish*



*Public Works &  
Transportation*

Dated: April 12, 2021  
White Plains, New York


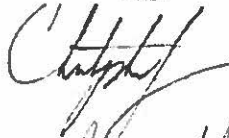
*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

**Budget & Appropriations**

  
Margaret A. Cengio  
Catherine F. Parker  
Ruth Walker  
Alfreda Willis  
Ty H  


**Public Works & Transportation**

  
Velat Galin  
  
Mary Jane Skimsky  
Catherine F. Parker  
Ruth Walker  
Ty H

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B015D

☐ 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    \$                    3,870,000            PPU    15            Anticipated Interest Rate    1.14%

Anticipated Annual Cost (Principal and Interest):            \$    281,588

Total Debt Service (Annual Cost x Term):            \$    4,223,820

Finance Department:            Interest rates from February 25, 2021 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:            42

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by:            Robert Abbamont

Title:            Prog Coord (Capital Planning)

Department:            Public Works/Transportation


Date:            3/11/21

Reviewed By: 

Dep. Budget Director

Date:            3/16/21

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

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

DATE: February 26, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
B015D Interior Infrastructure Repairs, White Plains Complex (2016-2020)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
2/22/2021 (Unique ID: 1575)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner



**Department of Planning**

432 Michaelian Office Building  
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner



Date: February 23, 2021

RE: **Capital Budget Amendment –  
B015D Interior Infrastructure Repairs, White Plains Complex (2016-2020)**

The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for the design, construction management and construction associated with the rehabilitation of the judge's elevator in the Richard J. Daronco Courthouse, two passenger elevators in the Low Rise Building and the passenger elevator at 143 Grand Street in White Plains.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$220,000.

The Planning Board adopted a report on this project (rated PL1) at its meeting on July 12, 2016.

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

cc: Norma V. Drummond, Commissioner  
David Kvinge, Director, Environmental Planning  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner

ACT No. \_\_\_\_\_ 2021

An Act amending the 2021 County  
Capital Budget Appropriations for  
Capital Project - B015D - Interior  
Infrastructure Repairs, White Plains  
Complex (2016-2020)

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$4,952,000	\$220,000	\$5,172,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

## II. METHOD OF FINANCING

Bonds and/or Notes	\$4,958,000	\$220,000	\$5,178,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$4,958,000	\$220,000	\$5,178,000

Section 3. The ACT shall take effect immediately.



ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,870,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ELEVATOR IMPROVEMENTS AT THE WHITE PLAINS OFFICE COMPLEX; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,870,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,870,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$3,870,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of elevator improvements at the White Plains Office Complex, including design, construction management and construction associated with the rehabilitation of the judge's elevator in the Richard J. Daronco Westchester County Courthouse, two passenger elevators in the Low Rise Building, and the

passenger elevator in 143 Grand Street; all as set forth in the County's current year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$3,870,000. The plan of financing includes the issuance of \$3,870,000 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 existing buildings are of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific objects or purposes for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 12.(a)(2) 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 \$3,870,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

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

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

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

STATE OF NEW YORK )

: ss.:

COUNTY OF WESTCHESTER )

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

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

(SEAL)

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

## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved, 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 \$3,870,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ELEVATOR IMPROVEMENTS AT THE WHITE PLAINS OFFICE COMPLEX; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,870,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,870,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of elevator improvements at the White Plains Office Complex, including design, construction management and construction associated with the rehabilitation of the judge's elevator in the Richard J. Daronco Westchester County Courthouse, two passenger elevators in the Low Rise Building, and the passenger elevator in 143 Grand Street; 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: \$3,870,000; 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

**Project ID:\*****B015D**☒ **CBA****Fact Sheet Date:\***

01-04-2021

**Fact Sheet Year:\***

2021

**Project Title:\***INTERIOR INFRASTRUCTURE  
REPAIRS, WHITE PLAINS COMPLEX  
(2016-2020)**Legislative District ID:**

8,

**Category\***BUILDINGS, LAND &  
MISCELLANEOUS**Department:\***

PUBLIC WORKS

**CP Unique ID:**

1575

**Overall Project Description**

Rehabilitation of building interiors and infrastructure including all building systems in the White Plains Complex (Michaelian Office Building, Low Rise Building, Richard J. Daronco Courthouse and Annex, Parking Structure, 112 East Post Road, 85 Court Street, and 143 Grand Street).

☒ **Best Management Practices**☒ **Energy Efficiencies**☒ **Infrastructure**☒ **Life Safety**☐ **Project Labor Agreement**☐ **Revenue**☐ **Security**☐ **Other****FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	<b>Estimated Ultimate Total Cost</b>	<b>Appropriated</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>Under Review</b>
<b>Gross</b>	5,145	4,925	0	0	0	0	0	220
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	5,145	4,925	0	0	0	0	0	220

**Expended/Obligated Amount (in thousands) as of :** 118

**Current Bond Description:** Funding is requested for design, construction management and construction associated with the rehabilitation of the judge's elevator in the Richard J. Daronco Westchester County Courthouse, two (2) passenger elevators in the Low Rise Building, and the passenger elevator in 143 Grand Street.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	3,870,000
Cash:	0
<b>Total:</b>	<b>\$ 3,870,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

3,870,000

**Comments:**

A Capital Budget Amendment in the amount of \$220,000 (shown under review) is being requested to provide additional funds associated with cost escalation.

**Energy Efficiencies:**

THE NEW MECHANICAL EQUIPMENT (DRIVES AND MOTORS) WILL BE ENERGY EFFICIENT AND THEREFORE WILL REDUCE ENERGY CONSUMPTION.

Year	Amount	Description
2017	3,650,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR WORK AT RICHARD J. DARONCO COURTHOUSE AND ANNEX; LOW RISE AND 143 GRAND ST.
2018	850,000	FUNDS WORK AT THE RICHARD J. DARONCO COURTHOUSE ANNEX.
2019	425,000	COST OF ACQUISITION

**Total Appropriation History:**

4,925,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
19	196	425,000	0	INTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX - 112 EAST POST ROAD & 85 COURT STREET
20	197	100,000	0	ELECTRICAL IMPROVEMENTS AT THE RICHARD J. DARONCO COURTHOUSE BUILDING

**Total Financing History:**

525,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

02-22-2021

**Department of Public Works**

RJB4

**Date**

02-22-2021

**Budget Department**

LMY1

**Date**

02-24-2021

**Requesting Department**

RJB4

**Date**

02-24-2021



# INTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2016-2020) ( B015D )

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

## FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	4,925	4,925	119						
Non County Share									
Total	4,925	4,925	119						

## Project Description

Rehabilitation of building interiors and infrastructure including all building systems in the White Plains Complex (Michaelian Office Building, Low Rise Building, Richard J. Daronco Courthouse and Annex, Parking Structure, 112 East Post Road, 85 Court Street, and 143 Grand Street).

## Current Year Description

There is no current year request.

## Impact on Operating Budget

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

## Appropriation History

Year	Amount	Description	Status
2017	3,650,000	Design, construction and construction management for work at Richard J. Daronco Courthouse and Annex; Low Rise and 143 Grand St.	AWAITING BOND AUTHORIZATION
2018	850,000	Funds work at the Richard J. Daronco Courthouse Annex.	AWAITING BOND AUTHORIZATION
2019	425,000	Cost of acquisition	IN PROGRESS
Total	4,925,000		

## Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,925,000		4,925,000
Total	4,925,000		4,925,000

## Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
196 19	425,000			425,000
197 20	100,000			100,000
Total	525,000			525,000

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of a bond act ("Bond Act") in the amount of \$860,000 to finance capital project T0048 – Central Maintenance Facility Roof Alterations ("T0048"). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the cost of improvements to the County's Central Maintenance Facility in Yonkers, including replacement of the roof on the high rise portion.

The Department of Public Works and Transportation ("Department") has advised that the existing roof was installed in 1982, is no longer under warranty and has exceeded its useful life. The new roof will comply with the New York State energy code and be a highly reflective (cool roof) to minimize the heat island effect.

Following bonding authorization, design will be scheduled and is anticipated to take three months to complete. It is anticipated that the design work will be completed by in-house staff. It is estimated that construction will take four months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously issued bonds for separable components of T0048 as indicated in the annexed fact sheet.

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

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

Dated: April 12<sup>th</sup>, 2021  
White Plains, New York

Catherine K.

W. N. M.

Benjamin Boyfman

David Z. Lubin

Yanaparam

Benjamin Boyfman

David Z. Lubin

Budget &  
Appropriations

public works &  
transportation


COMMITTEE ON

Dated: April 12, 2021  
White Plains, New York


*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.*

Committee(s) on:

**Budget & Appropriations**

  
Vedat Dalgin  
Margaret A. Cunzio  
Catherine F. Parker  
Ruth Walker  
Alfreda Williams  
Ty H  
Chap

**Public Works & Transportation**

  
Ty H  
Vedat Dalgin  
Chap  
Mary Jane Skimoch  
Catherine F. Parker  
Ruth Walker  
Ty H

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0048

☐ 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    \$                    860,000            PPU    15            Anticipated Interest Rate    1.14%

Anticipated Annual Cost (Principal and Interest):            \$    62,575

Total Debt Service (Annual Cost x Term):            \$    938,625

Finance Department:    Interest rates from February 25, 2021 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:            9

## SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☐ Consultant

☐ Not Applicable

Prepared by:    Robert Abbamont

Title:    Prog Coord (Capital Planning)

Department:    Public Works/Transportation


Date:    3/11/21

Reviewed By: 

Det. Budget Director

Date:    3/16/21

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

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

DATE: February 25, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T0048 CENTRAL MAINTENANCE FACILITY ROOF ALTERATIONS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 2/02/2021 (Unique ID: 1506)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

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**COMMENTS:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$860,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO THE CENTRAL MAINTENANCE FACILITY IN YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$860,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$860,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.  
(Adopted \_\_\_\_\_, 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$860,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to the Central Maintenance Facility in Yonkers, including replacement of the roof on the high rise portion; 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

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County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$860,000. The plan of financing includes the issuance of \$860,000 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 existing building is of at least Class “B” construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 12.(a)(2) 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 \$860,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in



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

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

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

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

Section 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

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

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

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

(SEAL)

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

## LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$860,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMNTS TO THE CENTRAL MAINTENANCE FACILITY IN YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$860,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$860,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of improvements to the Central Maintenance Facility in Yonkers, including replacement of the roof on the high rise portion; at the estimated maximum cost of \$860,000; 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: \$860,000; 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

**Project ID:\***  
T0048

☐ CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
CENTRAL MAINTENANCE FACILITY 15  
ROOF ALTERATIONS

**Legislative District ID:**

**Category\***  
TRANSPORTATION

**Department:\***  
AIRPORT/DOT

**CP Unique ID:**  
1506

**Overall Project Description**

This project will increase the ceiling height in the bus maintenance area, provide for the replacement of the roof on the high rise portion of the Central Maintenance Facility in Yonkers and the cleaning and painting of the ceiling at the Central Maintenance Facility in Yonkers.

☒ 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	2021	2022	2023	2024	2025	Under Review
Gross	5,635	5,635	0	0	0	0	0	0
Less Non-County Shares	1,808	1,808	0	0	0	0	0	0
Net	3,827	3,827	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 2,254

**Current Bond Description:** Replacement of the roof on the high rise portion of the Central Maintenance Facility in Yonkers.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	860,000
Cash:	0
Total:	\$ 860,000

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
860,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2017	2,335,000	RELOCATION OF OVERHEAD UTILITIES.
2018	3,060,000	CLEANING AND PAINTING OF THE INTERIOR CEILING AND ROOF REPLACEMENT ON A PORTION OF THE BUILDING.
2019	240,000	COST ESCALATION

**Total Appropriation History:**  
5,635,000

Year	Bond Act #	Amount	Issued	Description
17	136	2,335,000	1,387,315	COST OF RELOCATION OF OVERHEAD UTILITIES AT THE BUS MAINTENENACE IN YONKERS FACILITY

**Total Financing History:**

2,335,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

02-02-2021

**Department of Public Works**

RJB4

**Date**

02-02-2021

**Budget Department**

LMY1

**Date**

02-02-2021

**Requesting Department**

RJB4

**Date**

02-08-2021

# CENTRAL MAINTENANCE FACILITY ROOF ALTERATIONS ( T0048 )

User Department : Airport/DOT

Managing Department(s) : Airport/DOT ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

## FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	5,635	5,635	2,324						
Non County Share	(1,808)	(1,808)	28						
Total	3,827	3,827	2,352						

## Project Description

This project will increase the ceiling height in the bus maintenance area as well as provide for the cleaning and painting of the ceiling at the Central Maintenance Facility in Yonkers.

## Current Year Description

There is no current year request.

## Impact on Operating Budget

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

## Appropriation History

Year	Amount	Description	Status
2017	2,335,000	Relocation of overhead utilities.	IN PROGRESS
2018	3,060,000	Cleaning and painting of the interior ceiling and roof replacement on a portion of the building.	AWAITING BOND AUTHORIZATION
2019	240,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	5,635,000		

## Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,827,000	2,227,041	1,599,959
Federal Funds	1,808,000		1,808,000
Others		(27,525)	27,525
Total	5,635,000	2,199,516	3,435,484

## Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
136 17	2,335,000	12/10/19	165,479	107,959
		12/10/19	32,678	
		04/30/20	1,189,158	
		10/28/20	712,386	
		10/28/20	99,814	
		10/28/20	27,525	
Total	2,335,000		2,227,041	107,959

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

Your Committees are in receipt of a communication from the County Attorney recommending the approval of an Act, which if adopted, would authorize the County of Westchester (the “County”) to enter into a Second Restated and Amended Playland Management Agreement (the “Second Restated Agreement”) with Standard Amusements, LLC (“Standard Amusements”). The Second Restated Agreement fully resolves the issues raised in the Chapter 11 case brought in the United States Bankruptcy Court for the Southern District of New York entitled: *In re Standard Amusements LLC, Debtor, Case No. 19-23061 (RDD)*, and the *Adversary Proceeding No. 19-08264 (RDD), Standard Amusements LLC, Plaintiff v. The County of Westchester, by and through George Latimer, in his official capacity as County Executive of Westchester, Kathleen O'Connor in her official capacity as the Commissioner of the Department of Parks, Recreation, and Conservation, and Hugh J. Greechan, in his official capacity as the Commissioner of the Department of Public Works and Transportation, Defendant* (“Bankruptcy Litigation”). The Second Restated Agreement is the result of over ten (10) months of negotiations conducted at the urging of the bankruptcy court.

As you will recall, on June 15, 2015, your Honorable Board adopted Act 2015-100, which authorized the County to enter into an agreement with Standard Amusements to manage and operate Playland Park (“2015 Agreement”). The 2015 Agreement was duly executed on or about August 10, 2015.

Thereafter, as you will recall, on May 2, 2016, your Honorable Board adopted Act 2016-101, which authorized the County to enter into a Restated and Amended Playland Management



Agreement with Standard Amusements ("2016 Restated Agreement"). The 2016 Restated Agreement was duly executed on or about May 3, 2016.

The Second Restated Agreement shall take effect when all of the following have occurred:

(a) Standard Amusements has delivered to the County evidence that it has \$15,000,000.00 in unrestricted funding in the form of cash or liquid assets held directly by Standard Amusements in its name and for its account, (b) the Second Restated Agreement has been approved by your Honorable Board and the Board of Acquisition and Contract, and (c) both Standard Amusements and the County have executed the Second Restated Agreement ("Effective Date").

There will be a co-management period beginning on the Effective Date and ending on December 1, 2021, which is the date when Standard Amusements shall commence full, exclusive management and operation of Playland Park ("Management Commencement Date"). Standard Amusements shall not commence full management and operation of Playland Park on the Management Commencement Date unless and until Standard Amusements has provided reasonable evidence to the County that it has the remaining balance of the Manager's Investment (as defined in Section 3(D) of Schedule "A"), in an amount equal to \$17,750,000.00 (the "Remaining Balance"), in the form of either (i) cash or liquid assets held directly by Standard Amusements in its name and for its account, (ii) an irrevocable, standby letter of credit, issued for the sole benefit of Standard Amusements by a commercial bank with a credit rating from a nationally recognized rating agency that is at least as good as a Standard & Poor's long-term issuer credit rating of "A," or (iii) a combination of (i) and (ii). The Remaining Balance does not include an additional amount earmarked for the demolition and reconstruction of Charley's Pier Restaurant and Tiki Bar ("Tiki Bar"), as explained below.

Under this new agreement, the Manager's Investment is limited to (i) "hard costs," which are those costs payable for supplies, materials, and labor with respect to any project in the Manager's Capital Plan, and (ii) "soft costs," which are costs ordinarily and reasonably incurred in relation to construction, physical improvements, and development projects, provided that up to \$5,000,000.00 of the Manager's Investment may also be spent on defined, permissible overhead and operating expenses. The prior agreements contained no limitations on how the Manager's Investment could be spent and no definition of overhead and operating expenses. These new terms provide assurance to the County that the Manager's Investment will go towards new rides, games and other tangible improvements to enhance the guest experience at Playland Park.

The term of the Second Restated Agreement shall commence on the Effective Date and continue for thirty (30) years from the date on which the County reaches the 90% Threshold, which is when 90% of the Playland capital projects are substantially complete. The County is required to substantially complete 70% of its capital projects by 2024 and 90% of its capital projects by 2026. If either of these dates is not satisfied, Standard Amusements has the right to terminate the Second Restated Agreement, and the County may be subject to liquidated damages.

In addition to the Manager's Investment as set forth above, some key terms of the Second Restated Agreement include:

- (i) Standard Amusements is required to invest an additional \$2,250,000.00 for demolition and reconstruction of the Tiki Bar, unless the County does not agree to Standard Amusements' plans and specifications or Standard Amusements is unable to get required permits;
- (ii) beginning on August 31, 2022, and each year thereafter, Standard Amusements will pay the County a management fee which in the first year equals \$300,000.00, in the second year equals \$400,000.00, and each year thereafter is adjusted by the change in the Consumer Price Index;

- (iii) beginning with Playland's 2023 season, Standard Amusements will be obligated to pay the County annually an amount equal to 5% of gross revenue (net of sales tax) above an initial revenue target of \$12,000,000.00;
- (iv) if the Manager fails to achieve the revenue target (without consideration of Tiki Bar revenue) for four consecutive years, such failure shall be considered an event of default, and the County may terminate the Second Restated Agreement;
- (v) the County has a right to review material improvements undertaken by Standard Amusements based on identified criteria. In addition, Standard Amusements may remove, replace or relocate non-historic rides, whether fixed or removable, or install a new ride, subject to identified criteria, but historic rides may not be removed, replaced, or relocated without County approval; and
- (vi) Standard Amusements is required to use union labor or pay the then-prevailing wage for certain identified major construction projects that exceed \$250,000.00 until April 30, 2026, and for demolition and reconstruction of the Tiki Bar regardless of when the work occurs.

Like the 2015 Agreement and the 2016 Restated Agreement, this proposed Second Restated Agreement highlights that Playland is a public park and must remain accessible to the public. In particular, and consistent with the prior agreements, the Second Restated Agreement provides that Standard Amusements must manage and operate Playland Park consistent with its current recreational uses and as a public park facility; keep all currently non-gated public spaces at Playland Park maintained and open to the public; guarantee free access to Edith G. Read Natural Wildlife Park and Sanctuary and to the boardwalk and pier, and ensure that work will be carried out in a manner that is consistent with the use of Playland as a public park. In addition, public access to the beach is also guaranteed.

The Department of Planning has advised that based on its review, the adoption of the Act approving the Second Restated Agreement constitutes a "Type II" action as defined under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, 6 NYCRR Part 617. Type II actions are those actions determined not to have a significant effect on the

environment and therefore do not require further environmental review. Your Committees concur with this conclusion.

Your Committees have been advised that an affirmative vote of a majority of the Board is required to adopt the annexed Act.

Based upon the foregoing, your Committees recommend passage of the accompanying Act authorizing the County to enter into the Second Restated and Amended Playland Management Agreement with Standard Amusements in order to fully resolve the allegations set forth in the Bankruptcy Litigation.

Dated: April 7, 2021  
White Plains, New York

Benjamin Bayliff  
Arthur L. (wop)

Nancy Barr  
Benjamin Bayliff

Benjamin Bayliff

Nancy Barr

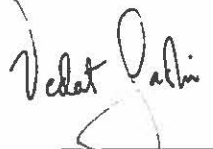
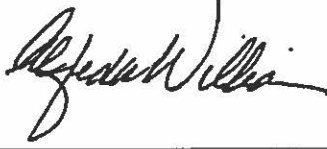

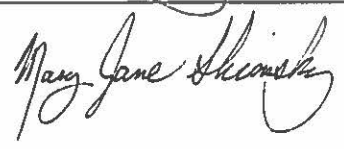
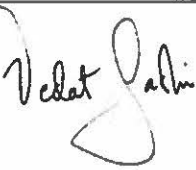

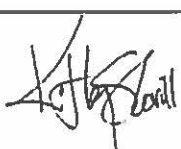
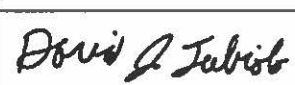



Budget & Appropriations      Law & Major Contracts      Parks & Recreation  
COMMITTEES ON

c/tsa 2.1.21

Dated: April 7, 2021  
White Plains, New York

*The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below*

**COMMITTEE ON**

	 WOP	 WOP
	 WOP	 WOP
	 WOP	 WOP
	 WOP	
	 WOP	

**Law & Major Contracts**

**Budget & Appropriations**

**Parks & Recreation**

# FISCAL IMPACT STATEMENT

SUBJECT: Std. Amusements Mgt. Agreement

☐ NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \_\_\_\_\_

Total Current Year Revenue \_\_\_\_\_

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

☐ Additional Appropriations

☐ Other (explain) \_\_\_\_\_

Identify Accounts: \_\_\_\_\_

Potential Related Operating Budget Expenses:

Annual Amount \_\_\_\_\_

Describe: \$126 million County Capital investment at Playland will result in an increase in annual debt service. Standard Amusements will invest \$35 million (of which \$2.25 million is for the Tiki Bar should that option be exercised) for equipment and physical improvements at Playland

Potential Related Operating Budget Revenues:

Annual Amount \_\_\_\_\_

Describe: Annual Management Fee \$300K in 2022, increasing to \$400K in 2023.

Mgt. fee is adjusted annually by the CPI for the duration of the agreement. Revenue share equal to 5% of Gross Revenue above \$12 million (threshold is adjusted annually by the CPI)

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

Current Year: \_\_\_\_\_

Next Four Years: On the commencement date Standard will be responsible for all operating expenses at Playland, including maintenance of Playland.

Prepared by: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Date: \_\_\_\_\_


Reviewed By: 

Budget Director

Date: 2/3/21



TO: Tami Altschiller  
Assistant Chief Deputy County Attorney

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

DATE: February 2, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR SECOND  
RESTATED AND AMENDED PLAYLAND MANAGEMENT AGREEMENT**

---

**PROJECT/ACTION:** The action involves modifications to a management agreement between the County and Standard Amusements, LLC, whereby Standard Amusements would assume the management and operation of Playland Park, a County-owned amusement park located within the City of Rye. Originally approved and executed in 2015 and subsequently restated and amended in 2016, a second restated and amended agreement is proposed in order to clarify the responsibilities and expectations of both parties at this time, update the information pertaining to proposed improvements, and postpone the date of the full transfer of management until December 1, 2021.

**With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (SEQR), the Planning Department recommends that no further environmental review is required because the project/action:**

- ☐ **DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- ☒ **MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)(26):**  
routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.
- 

**COMMENTS:** The proposed agreement modifications are procedural in nature and will resolve issues raised in a bankruptcy court proceeding. Any improvements at Playland to be undertaken by the County will undergo environmental review in accordance with SEQR at the time the project is ready to be approved for funding or construction. As in the first restated and amended agreement, the second restated and amended agreement specifies that any proposed material improvements at Playland that will be undertaken by Standard Amusements must be submitted to the County for approval and will be subject to SEQR compliance as well.

---

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation  
Norma Drummond, Commissioner  
Claudia Maxwell, Associate Environmental Planner



**ACT NO. 2021-\_\_\_\_\_**

**AN ACT** authorizing the County of Westchester to enter into a Second Restated and Amended Playland Management Agreement with Standard Amusements, LLC in order to fully resolve the allegations set forth in the Chapter 11 case entitled: *In re Standard Amusements LLC, Debtor, Case No. 19-23061 (RDD)*, and the Adversary Proceeding No. 19-08264 (RDD), *Standard Amusements LLC, Plaintiff v. The County of Westchester, by and through George Latimer, in his official capacity as County Executive of Westchester, Kathleen O'Connor in her official capacity as the Commissioner of the Department of Parks, Recreation, and Conservation, and Hugh J. Greechan, in his official capacity as the Commissioner of the Department of Public Works and Transportation, Defendant.*

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

**Section 1.** The County of Westchester ("County") is hereby authorized to enter into a Second Restated and Amended Playland Management Agreement (the "Second Restated Agreement") with Standard Amusements, LLC ("Standard Amusements"). The Second Restated Agreement fully resolves the issues raised in the Chapter 11 case brought in the United States Bankruptcy Court for the Southern District of New York entitled: *In re Standard Amusements LLC, Debtor, Case No. 19-23061 (RDD)*, and the Adversary Proceeding No. 19-08264 (RDD), *Standard Amusements LLC, Plaintiff v. The County of Westchester, by and through George Latimer, in his official capacity as County Executive of Westchester, Kathleen O'Connor in her official capacity as the Commissioner of the Department of Parks, Recreation, and Conservation, and Hugh J. Greechan, in his official capacity as the Commissioner of the Department of Public Works and Transportation, Defendant* ("Bankruptcy Litigation") in substantially the form of agreement annexed hereto as Schedule "A."

**§2.** This Board of Legislators recognizes that, in accordance with the terms of the Second Restated Agreement, the County could, in the event of a termination, be required to make a payment to Standard Amusements ("Termination Payment"), and that the obligation assumed by the County to make such a Termination Payment on the terms and under the circumstances specified in the Second Restated Agreement was a substantial inducement to Standard Amusements to enter into the Second Restated Agreement. Any such Termination Payment

would necessarily be subject to appropriations of the Board of Legislators in accordance with applicable law. The current Board of Legislators cannot bind future Boards of Legislators to make future appropriations. It is the intent of this Board of Legislators that any future request for an appropriation for any Termination Payment that is or may become legally due and owing to Standard Amusements under the Second Restated Agreement will be treated in the same manner as other requests for appropriation for the payment of County service agreement obligations subject to appropriation under applicable law.

§3. The Westchester County Attorney is hereby authorized and directed to address an opinion to Standard Amusements regarding whether the Second Restated Agreement authorized hereby for the management of Playland Park, when it has been duly authorized by the Board of Legislators and the Board of Acquisition and Contract and has been fully executed by the Parties, will be a valid, binding and enforceable contract. It is expressly determined hereby that the opinion so issued is within the scope of the duties of the Westchester County Attorney, and the County shall fully defend and indemnify and hold the Westchester County Attorney harmless for any claim asserted as a result of the issuance of that opinion, which defense and indemnification shall be in addition to the rights and obligations set forth in Section 297.31 of the Westchester County Administrative Code entitled "Defense and indemnification of county officers and employees."

§4. The County Executive or his authorized designee shall be and hereby is authorized and empowered to execute any and all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§5. This Act shall take effect immediately.

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**SECOND RESTATED AND AMENDED**

**PLAYLAND MANAGEMENT AGREEMENT**

**BETWEEN**

**THE COUNTY OF WESTCHESTER**

**AND**

**STANDARD AMUSEMENTS LLC**

**DATED: [•], 2021**

## TABLE OF CONTENTS

	Page
SECTION 1: Term; Co-Management Period; Commencement of Full Management of Playland Park.....	2
SECTION 2: Management of Playland Park.....	6
SECTION 2-a: County's Duties for Maintenance and Repairs and Improvements .....	14
SECTION 2-b: PMA MOU.....	15
SECTION 3: Compensation .....	16
SECTION 4: Operating Plan .....	21
SECTION 5: Plans, Rules and Regulations.....	22
SECTION 6: Improvements to be undertaken by the Manager.....	22
SECTION 6-a. Improvements undertaken by County .....	33
SECTION 7: Utilities.....	37
SECTION 8: Temporary Closing of Playland Park or Selected Areas .....	38
SECTION 9: Permits and Sponsorships .....	38
SECTION 10: Assignment and Subcontracting .....	40
SECTION 11: Employees.....	41
SECTION 12: Equipment and Amusement Park Rides .....	43
SECTION 13: Subject to Appropriations .....	48
SECTION 14: Inspection.....	49
SECTION 15: Eminent Domain .....	49
SECTION 16: Condition of Playland Park.....	49
SECTION 17: Bankruptcy.....	50
SECTION 18: Audit Provisions.....	50
SECTION 19: Property Insurance, Damage or Destruction .....	51
SECTION 20: Standard Insurance and Indemnity.....	52
SECTION 21: Events of Default .....	52
SECTION 22: Remedies for Default .....	54
SECTION 23: Termination.....	54
SECTION 23A: Termination Due to Unexpected Risk Event.....	55
SECTION 23B: Liquidated Damages Payment.....	56
SECTION 24: Non-Discrimination .....	60

SECTION 25:	Compliance with Laws .....	60
SECTION 26:	MBE/WBE .....	61
SECTION 27:	Records and Intellectual Property .....	61
SECTION 28:	Independent Contractors .....	62
SECTION 29:	Criminal Background Disclosure.....	62
SECTION 30:	MacBride.....	62
SECTION 31:	Required Disclosure.....	63
SECTION 32:	No Waiver .....	63
SECTION 33:	No Lease .....	63
SECTION 34:	Notices .....	63
SECTION 35:	Definition of Commissioner .....	65
SECTION 36:	Entire Agreement .....	65
SECTION 37:	No Third Party Rights .....	65
SECTION 38:	Conflict of Interest .....	66
SECTION 39:	Force Majeure .....	66
SECTION 40:	Authority .....	66
SECTION 41:	Enforceability.....	66
SECTION 42:	County Attorney Opinion .....	67
SECTION 43:	Alternative Dispute Resolution.....	67
SECTION 44:	Mutual Release.....	69
SECTION 45:	Non-Disparagement .....	69
SECTION 46:	Estoppel Letters .....	70

## **SCHEDULES**

SCHEDULE A	-	DRAWING OF PLAYLAND PARK
SCHEDULE A-1	-	SURVEY OF PLAYLAND PARK
SCHEDULE B	-	COUNTY-OWNED PERSONAL PROPERTY AND EQUIPMENT
SCHEDULE C-1	-	MANAGER'S CAPITAL PLAN
SCHEDULE D	-	MUTUALLY AGREED DRAW CONDITIONS FOR IRREVOCABLE, STANDBY LETTER OF CREDIT
SCHEDULE E	-	INSURANCE PROVISIONS (Contractor)
SCHEDULE F	-	FORM OF MONTHLY REPORTS

SCHEDULE G	-	QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES OWNED AND CONTROLLED BY WOMEN OR PERSONS OF COLOR
SCHEDULE H	-	CRIMINAL BACKGROUND DISCLOSURE INSTRUCTIONS
SCHEDULE I	-	CERTIFICATION REGARDING BUSINESS DEALINGS WITH NORTHERN IRELAND
SCHEDULE J	-	REQUIRED DISCLOSURE OF RELATIONSHIPS TO COUNTY
SCHEDULE K	-	COUNTY CAPITAL PLAN
SCHEDULE L	-	LIST OF HISTORIC AMUSEMENT PARK RIDES
SCHEDULE M	-	INTRA-GOVERNMENTAL MEMORANDUM OF UNDERSTANDING
SCHEDULE N	-	MUTUAL RELEASE
SCHEDULE O	-	FORM OF ESTOPPEL LETTER

**THIS SECOND RESTATED AND AMENDED PLAYLAND MANAGEMENT AGREEMENT** ("Agreement") made the [●] day of [●], 2021, 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, acting by and through the Department of Parks, Recreation and Conservation, and/or the Department of Public Works and Transportation and/or the County Executive, as appropriate (hereinafter the "County"),

and

**STANDARD AMUSEMENTS LLC**, a for profit Delaware limited liability company having an office for the transaction of business at PO Box 809, Rye, New York 10580 (hereinafter referred to as "Manager").

The County and Manager are hereinafter referred to collectively as the "Parties."

**W I T N E S S E T H:**

**WHEREAS**, Playland Park is a public park located within the County of Westchester, in Rye, New York (hereinafter referred to as "Playland Park", "Playland" or the "Park"); and

**WHEREAS**, since 1928, the focal point of the Playland Park property has been an amusement park, which today has 50 major rides and attractions (the "Playland Amusement Park"). Playland also includes long stretches of scenic vistas of Long Island Sound, a beach, Olympic-sized pool, waterfront boardwalk, fishing piers, boating, dining and picnic areas, and indoor ice skating rinks; and

**WHEREAS**, the Parties previously entered into that certain Playland Management Agreement (the "Original Agreement"), dated as of August 10, 2015 (the "Original Agreement Commencement Date"), as amended and restated by that certain Restated and Amended Playland Management Agreement (the "2016 Agreement"), dated as of May 3, 2016, which agreements set forth the terms by which the County engaged the Manager to manage and operate Playland Park; and

**WHEREAS**, the Parties now desire to restate and amend the 2016 Agreement in its entirety as more particularly set forth herein.

**NOW, THEREFORE**, the Parties hereto in consideration of the terms and conditions herein contained agree that the 2016 Agreement shall be restated and amended in its entirety as follows:

## **SECTION 1: Term; Co-Management Period; Commencement of Full Management of Playland Park**

A. The Parties acknowledge and agree that all of the following conditions have been satisfied as of [●], 2021 (such date being referred to herein as the "Effective Date"): (a) the Manager has delivered to the County evidence that the Manager has Fifteen Million (\$15,000,000.00) Dollars in unrestricted funding in the form of cash or liquid assets held directly by the Manager in its name and for its account; (b) the Parties have caused this Agreement to be executed as first above written; and (c) this Agreement has been approved by the County Board of Legislators and the County Board of Acquisition and Contract.

There shall be a period of co-management of Playland Park by the Parties which shall begin on the Effective Date and shall end on the Management Commencement Date (the "Co-Management Period"). The respective duties and responsibilities of the Parties during the Co-Management Period are described below in this Section 1.

Playland Park and the areas of Playland Park described herein, including, but not limited to, the Playland Amusement Park, beach, pool, fountain plaza, boardwalk, and boathouse are delineated in the attached drawing incorporated herein as **Schedule "A"** and in the attached survey incorporated herein as **Schedule "A-1"**. Schedule A and Schedule A-1 also delineate certain areas that are adjacent to but not a part of Playland Park, including Manursing Lake (also known as Playland Lake), the tidal gate by the Isthmus, and Edith G. Read Natural Wildlife Park and Sanctuary; the County shall remain responsible for these areas. Notwithstanding anything to the contrary in this Agreement, the Manager acknowledges and agrees that the County shall have access to the areas for which the County remains responsible at all times and for any reason whatsoever.

If the County determines in its sole discretion to permit activities on Manursing Lake, the County will determine the nature, scope, duration, and extent of such activities, and will give the Manager the option to be the exclusive provider of such activities prior to offering a concession to provide such activities to any other party or commencing an RFP process. The Manager shall have ninety (90) days to elect to provide such activities on Manursing Lake. If the Manager so elects, the provision of such activities on Manursing Lake will become a part of the Manager's rights and responsibilities under this Agreement and subject to the terms hereof, including the Revenue Share; provided, however, that the Parties recognize that Manursing Lake is a part of the Edith G. Read Natural Wildlife Park and Sanctuary and shall remain subject to the governance, authority, and rules and regulations of the Department of Parks, Recreation and Conservation, the Board of Parks, Recreation and Conservation, and the Board of Legislators, including with respect to any activities on Manursing Lake. If the Manager does not elect to provide such activities, the County (i) may enter into an agreement for the provision of such activities with another party on substantially the same terms offered to the Manager with respect to the nature, scope, duration, and extent of such activities permitted on Manursing Lake, and on economics terms equivalent to or more favorable to the County than the economic terms offered to the Manager, or (ii) may decide not to permit such activities on Manursing Lake. The right of first refusal granted to the Manager pursuant to this Section 1(A) shall become operative each time the County seeks to permit activities on Manursing Lake; provided, however, that such right of first refusal shall not become operative if the County is renewing or extending its agreement



with its then-current vendor on substantially the same terms as its original agreement with such vendor.

If the County issues an RFP for the Playland Ice Casino (the "Ice Casino") and the Manager submits a conforming bid in response to such RFP, the County shall consider the Manager's bid fairly and objectively based on the same criteria as the County applies to all other conforming bids. In the event no conforming bids are submitted, the County shall consider any proposal the Manager makes fairly and objectively based on the same criteria as the County applies to any other proposal.

B. During the Co-Management Period, the County shall be the sole decision maker and continue to manage, operate, repair, maintain, make improvements to and have financial responsibility for costs and liabilities for Playland. During the Co-Management Period, the Manager shall assign the requisite number of personnel and/or consultants hired by the Manager to monitor County personnel, study Playland's operations, and take all steps necessary to complete its due diligence to prepare to assume the management and operation of Playland Park with the Manager's personnel on the Management Commencement Date. The Parties agree to make commercially reasonable efforts to cooperate with each other during this Co-Management Period to ensure the continuity of operations at Playland.

During the Co-Management Period, the Manager and the County shall commence regularly scheduled meetings at mutually agreed times/intervals to determine, and then commence to take, the steps necessary to facilitate a smooth transition to the Manager's operation and management of Playland Park as of the Management Commencement Date. Such transition shall include, but not be limited to:

- (i) no later than thirty (30) days after the Effective Date, the Manager shall be given an exclusive, royalty-free license to use and occupy the Residence located at West Lake Boathouse as offices and workspace, on the condition that the Manager shall only use this residence for Playland purposes; and
- (ii) no later than September 15, 2021, the County shall permit the Manager, with and through E.W. Howell Co., LLC, or a similarly qualified consultant, to conduct an inventory of all maintenance, parts, and equipment at Playland (such inventory not to be conducted on any Playland operating days).

Prior to the Management Commencement Date, and once each calendar year during the Management Term until the fifth (5<sup>th</sup>) anniversary of the Management Commencement Date, the Parties shall meet to discuss the Manager's current marketing plan for Playland Park, which shall address, among other topics, accessibility, affordability, and attractiveness of Playland Park to all citizens of Westchester County, including, in particular, less economically advantaged segments of the population.

C. During the Co-Management Period, the Parties shall create a schedule of items to be completed in order to transition full management and operation of Playland Park to the Manager. The items shall include, but are not limited to:

- (i) examination of the existing infrastructure and equipment, including the County's Point of Sale system;
- (ii) the County shall prepare a list of all contracts, licenses and other agreements that it currently has, which are used in the operation of Playland Park and present same to the Manager within forty-five (45) days after the Effective Date for the Parties. With respect to agreements that apply only to Playland Park and not to other locations, the Parties shall determine which, if any, such contracts (including, but not limited to, software licenses), will, if possible, either be assigned to the Manager for the remaining term of such contract or terminated by the County upon its terms and conditions. With respect to agreements that apply to multiple County locations including Playland Park, the Parties shall determine which, if any, such contracts shall be terminated with respect to Playland Park, if possible, and continued with respect to other County locations, and which shall be continued, with the portion of any cost attributable to the operation of Playland Park reasonably allocated by the County in good faith to the Manager (for which allocated cost the Manager shall reimburse the County within thirty (30) days of receipt of an invoice from the County for such cost).

Where commercially reasonable, the County shall not enter into contracts with respect to Playland Park that extend more than one calendar year beyond the calendar year in which the Management Commencement Date occurs.

If the Manager and the County mutually agree to the assignment of a contract and such contract is assigned to the Manager, the Manager shall be responsible to carry out the terms of that contract until it terminates. Upon the expiration or termination of any County contract, the Manager shall perform such services or will be responsible to enter into agreements for the same or similar purposes at its cost and expense. The following are exceptions to this provision:

- a. The license with New York SMSA Limited Partnership d/b/a Verizon Wireless, its successors or assigns, for microcell, rerad, or other similar or comparable in-building radio-distribution devices will not be assigned or terminated and will continue as a County contract unless otherwise agreed to by the Parties in writing in an amendment to this Agreement;
- b. Subject to the proviso below, the Manager agrees that it shall be subject to the existing and future County Parks contract for soda/water pouring rights as in effect on the Effective Date, and that any of its subcontractors shall also remain subject to such agreement(s); provided, however, that when the pouring rights contract between the County and PepsiCo that is in effect as of the Effective Date expires, the Parties shall work cooperatively and use best efforts to separate, if possible, the pouring rights agreement for Playland from any pouring rights contract for the rest of the County's properties. Once separated, the Manager shall have sole authority to negotiate and enter into a new pouring rights agreement for Playland. If the County and PepsiCo cannot agree on terms for separation of the

pouring rights agreement for Playland from any pouring rights contract for the rest of the County's properties, then in all future County Parks contracts for soda/water pouring rights that include Playland, the County shall include the following language: "Pricing shall be uniform among all County park facilities." In addition, not less than fifteen (15) business days prior to the County's execution of any future pouring rights agreement, the County will deliver a copy of such proposed agreement to the Manager for review and the County will consider the Manager's comments to such agreement, but under no circumstance will the County be obligated to make any revisions;

- c. The Parties agree that the following County residences are for use by the County in its discretion, but on the condition that they are used for Playland purposes only, and any license fees collected by the County for these residences shall remain County revenue: (i) Residence at East Lake Boathouse; (ii) Residence at 45 Roosevelt Avenue; and (iii) following the Management Commencement Date, the Residence at West Lake Boathouse, provided that in the event the County vacates or fails to occupy any portion of the Residence located at West Lake Boathouse following the Management Commencement Date, such portion of the Residence located at West Lake Boathouse premises shall revert to the Manager for its use for Playland purposes only in its discretion.
- d. The Parties agree, except as noted above, that the County shall have the right to retain all fees paid to the County pursuant to any such contracts, and to maintain these contracts and any successor contracts for the Agreement Term, at no cost to Manager.

- (iii) develop all plans, rules and regulations as required by Section 5 below; and
- (iv) create a list of County-owned items of personal property and equipment located at Playland Park to be transferred to the Manager for its use solely for Playland Park operations, which shall be attached hereto as **Schedule "B"** on or before June 30, 2021, and if it is later determined by the Manager that any item is not required for its use, the Manager shall return same to the County.

D. The Co-Management Period shall end, and the Manager shall commence full, exclusive management and operation of Playland Park, on December 1, 2021 ("Management Commencement Date"); provided, that the Manager shall not commence full management and operation of Playland Park on the Management Commencement Date unless and until the Manager has provided reasonable evidence to the County on or before the Management Commencement Date that the Manager has the remaining balance of the Manager's Investment (as defined in Section 3(D) hereof), other than the amount earmarked for the demolition and reconstruction of Charley's Pier Restaurant and Tiki Bar (the "Tiki Bar"), in an amount equal to Seventeen Million Seven Hundred and Fifty Thousand (\$17,750,000.00) Dollars (the "Remaining Balance"), in the form of either (i) cash or liquid assets held directly by the Manager in its name and for its account, (ii) an irrevocable, standby letter of credit (containing draw

conditions substantially in the form attached to this Agreement as **Schedule “D”**) issued for the sole benefit of the Manager by a commercial bank with a credit rating from a nationally recognized rating agency that is at least as good as a Standard & Poor’s long-term issuer credit rating of “A-” or better or (iii) a combination of (i) and (ii).

The term of this Agreement (the “Agreement Term”) shall commence on the Effective Date and continue for thirty (30) years from the first November 1<sup>st</sup> occurring after the date on which the County reaches the 90% Threshold (such November 1<sup>st</sup>, the “Expiration Date”), subject to further extensions as a result of any Non-Excused County Delays (as defined below), and unless terminated earlier as provided herein. The term of the Manager’s exclusive right to manage Playland Park under this Agreement (the “Management Term”) shall commence on the Management Commencement Date and continue through and including the Expiration Date, subject to further extensions as a result of any Non-Excused County Delays, and unless terminated earlier as provided herein.

## **SECTION 2: Management of Playland Park**

Starting on the Management Commencement Date:

A. In accordance with the terms and conditions of this Agreement, Manager, at its sole cost and expense, shall manage, operate, improve, maintain and repair Playland Park in accordance with standard industry practices and shall in due course of daily management make all repairs to the grounds, walkways, paved areas, facilities, buildings, structures, equipment, rides and other infrastructure at Playland Park, except for the County’s responsibilities set forth in this Agreement; and to also make restorations, renovations and improvements to Playland Park as outlined in the Manager’s Capital Plan attached hereto as **Schedule “C-1”** (the “Manager’s Capital Plan”), and any other work for which the Manager is responsible as more particularly set forth in this Agreement (collectively, the “Work”).

In addition, the Manager shall be responsible to obtain and/or acquire all supplies, materials, accessories and equipment necessary to operate Playland Park. Notwithstanding the above, the Manager shall not be responsible to manage and operate the Ice Casino, the Tiki Bar (except to the extent the Tiki Bar shall be deemed to be a part of Playland Park in accordance with Section 6(F) below), or the Westchester Children’s Museum.

From and after the Management Commencement Date until completion of the Manager’s Capital Plan, the County and the Manager, and their respective external engineers and consultants, shall conduct conference calls or meetings at mutually convenient times every other week, or such other interval as the Parties may mutually agree, to discuss progress on the Manager’s Capital Plan. The Manager shall provide the County with reasonable and timely access to the Manager’s external engineers, construction managers, and other consultants for questions or information requests relating to material components of the Manager’s Capital Plan upon request. Although the Manager shall provide information to the County concerning the Manager’s Capital Plan as provided herein, the design and construction of each item outlined in the Manager’s Capital Plan shall be solely under the direction and control of the Manager, except to the extent of the review and notice requirements under Sections 6 and 12 of this Agreement.



The Manager shall have flexibility to make adjustments to each item outlined in the Manager's Capital Plan in order to effectuate the Work contemplated therein and also to provide flexibility to implement the terms of this Agreement; provided, however, (a) the Manager may not increase the Overhead Allocation without the consent of the County, and (b) the Manager may not reallocate (i) more than 50% of the amount allocated to Amusement Attractions (as defined in Section 6(F)) in the Manager's Capital Plan to any other category of expense or (ii) more than 50% of the amount allocated to Guest Experience in the Manager's Capital Plan to another category of expense other than Amusement Attractions without the consent of the County, such consent not to be unreasonably withheld. For the avoidance of doubt, the Manager's implementation of the Manager's Capital Plan shall be subject to all requirements for the Work and rights of the County set forth in this Agreement.

The County covenants and agrees that it shall not, by itself or through a third party, take any action or permit any action to be taken which permits any portion of Playland Park not managed by the Manager under this Agreement to be utilized for activities that will compete or interfere with any of the activities undertaken by the Manager at Playland Park. The foregoing provision shall not limit the County's existing arrangements with the Tiki Bar (unless and until the Tiki Bar shall be deemed to be a part of Playland Park in accordance with Section 6(F) below), the Ice Casino or the Westchester County Children's Museum, nor shall this provision in any way limit the existing park activities at Edith G. Read Natural Wildlife Park and Sanctuary.

The County hereby grants to Manager the exclusive right and privilege to undertake the Work during the Management Term. The Manager recognizes and understands that it must manage and operate Playland Park consistent with its current recreational uses and as a public park facility.

B. The County, its employees, agents and independent contractors shall have access to all of Playland Park at all reasonable times during the Management Term to carry out the County's responsibilities under this Agreement without materially disturbing Manager's business operations, in accordance with agreed to protocols for ordinary day-to-day activities and with reasonable notice and cooperative planning for major repairs or capital improvements, except if an emergency situation requires immediate action by the County, whether during business hours or not, then the Manager shall be notified within a reasonable time after the emergency occurs, if the Manager did not notify the County of the emergency. Manager shall provide a set of keys or access codes for any locks to the County for these purposes.

C. The Manager, either by itself or through an approved subcontractor, shall use commercially reasonable efforts to ensure that Playland Park shall be operational during the period commencing after the Management Commencement Date and ending on the Expiration Date or Termination Date (as each of those terms is defined below). It is also recognized and understood by the Parties that the operation of Playland Amusement Park, the beach area and the pool areas are material elements of this Agreement.

In addition, subject to Sections 6(D) and 8, the Manager shall keep all currently non-gated public spaces at Playland Park maintained and open to the public as described below. For purposes of this Agreement, "in-season" is defined as the time period when the Playland Amusement Park is in operation (as determined by the Manager's operating schedules approved

pursuant to the Manager's Operating Plan described in Section 4 below), and "off-season" is defined as the time period when the Playland Amusement Park is not in operation (as determined by the Manager's operating schedules approved pursuant to the Manager's Operating Plan described in Section 4 below):

All public areas beginning immediately east of Forest Avenue, including:

- (i) East of Forest Avenue through the top circle, inclusive of all property down to the entrance circle (year-round during any hours for Ice Casino and Children's Museum operations or dawn to dusk off-season; dawn to park closing in-season);
- (ii) Employee Parking Lot/Bus Depot (year-round during any hours for Ice Casino and Children's Museum operations or dawn to dusk off-season; dawn to park closing in-season);
- (iii) Main Parking Lot (year-round during any hours for Ice Casino and Children's Museum operation or dawn to dusk off-season; dawn to park closing in-season);
- (iv) Beach/Pool Parking Lot (year-round during any hours for Ice Casino and Children's Museum operations or dawn to dusk off-season; dawn to park closing in-season);
- (v) Fountain Plaza (year-round during any hours for Ice Casino and Children's Museum operations or dawn to dusk off-season; dawn to park closing in-season);
- (vi) Main Boardwalk from Rye Town Park to Tiki Bar area and Seaside Walk entrance (dawn to dusk off-season; dawn to park closing in-season);
- (vii) Beach (dawn to dusk off-season for dog walkers with off-leash dogs; beach operations 10 a.m./beach closing in-season);
- (viii) Pier (dawn to dusk off-season; dawn to park closing in-season);
- (ix) Tiki Bar/Restaurant (10 a.m. up to 2 a.m. April through October);
- (x) Seaside Walk from the back of the Ice Casino including the North Boardwalk (dawn to dusk off-season; dawn to park closing in-season);
- (xi) Public Picnic Area/Lake Perimeter/Boathouse (dawn to dusk off-season; dawn to park closing in-season); and
- (xii) Roadway/property and additional parking past the Music Tower leading to Edith G. Read Natural Wildlife Park and Sanctuary entrance (dawn to dusk off-season; dawn to park closing in-season).

The duty of the Manager to keep the public areas open shall be subject to Force Majeure as defined in Section 39 and other unavoidable circumstances beyond the Manager's control requiring the closure of public areas in the interest of public safety, repair, or maintenance, and closures pursuant

to Section 6(D); provided, that if the Manager is unable to keep a material portion of the public areas open due to Force Majeure or other unavoidable circumstances requiring the closure of public areas in the interest of public safety, repair, or maintenance, the Manager shall notify the County in writing within forty-eight (48) hours of the occurrence of such Force Majeure event or other unavoidable circumstance, describing in reasonable detail the nature of such Force Majeure event or unavoidable circumstance and how such Force Majeure event or unavoidable circumstance is beyond the Manager's control.

It is recognized and understood by the Manager that the public must be guaranteed free access to Edith G. Read Natural Wildlife Park and Sanctuary and to the boardwalk and pier. The Manager shall also guarantee public access to the beach, provided that the Manager may establish fees for public access to the beach, pool and/or parking lot consistent with the fees set pursuant to Section 4 herein and with the policies adopted pursuant to Section 5 herein.

The Manager may utilize the parking lot between October 1 and April 30 (the "Parking Off-Season") for other temporary attractions, provided that it does not impede the parking arrangements with the Ice Casino, the Tiki Bar, and/or the Children's Museum, or the County's need to use the parking lot for emergency services or to support other temporary public needs (such as bus driver training, EVOC training, or charitable events) that are similar in kind and extent to such uses as of the Effective Date. Furthermore, notwithstanding anything to the contrary in this Agreement, during the Parking Off-Season the Manager shall ensure that at least 600 parking spaces (inclusive of parking spaces allotted to the Children's Museum, Ice Casino, and Tiki Bar) shall be made available to the general public free of charge at all times, provided, however, that if during the Management Term driving and parking practices change to such a degree that the provision of at least 600 parking spaces to the general public free of charge becomes no longer necessary to ensure the public's free access to Playland Park during the Parking Off-Season, the Manager may propose a change to this requirement that is consistent with continued free public access and the efficient use of the parking lot for consideration and approval by the Commissioner, such approval not to be unreasonably conditioned, withheld, or delayed. Furthermore, on days Playland Amusement Park is open during the Parking Off-Season, the Manager may charge for parking, but shall ensure that parking is made available to the general public free of charge until the later of (a) one (1) hour before the opening of Playland Amusement Park on those days and (b) 11:00 a.m.

D. All of the Work shall be carried out in conformity with all applicable federal, state and local laws, rules and regulations, orders and ordinances and other legal requirements, including, but not limited to, all applicable rules and regulations of the Department of Parks, Recreation and Conservation.

E. The Manager shall perform all the Work in a good and workmanlike manner in order to keep Playland Park in a clean, orderly, safe and operational condition. The Manager shall use commercially reasonable efforts to keep all grounds, sidewalks, streets, curbs, parking areas, access roads and roadways free of snow, ice, dirt, rubbish and other obstacles.

F. The Manager agrees that it shall be subject to the existing and future County Parks contract for solid waste removal at Playland Park and that any of its subcontractors shall also remain subject to such agreement. The Manager may, however, choose to provide solid

waste removal services at Playland Park through its own contract for these services. This option may be exercised by the Manager in writing to the Commissioner of the Department of Parks, Recreation and Conservation (the "Commissioner") either thirty (30) days before the Management Commencement Date or thirty (30) days before the expiration of the County's current contract for solid waste removal services which is May 7, 2023. In the event the Manager provides solid waste removal services, the Manager will be permitted to utilize the same transfer station or refuse disposal facility as that used by the County and will pay a tipping rate or disposal fee no greater than what the County pays for disposal. If the Manager does not provide such notice to the County, then the Manager shall continue to receive the solid waste removal services and shall reimburse the County for the portion of the solid waste removal fees attributable to solid waste removal from Playland Park. The Manager shall not be responsible to pay for solid waste removal services that are provided to the Ice Casino, the Tiki Bar (unless and until the Tiki Bar shall be deemed to be a part of Playland Park in accordance with Section 6(F) below) or the Westchester Children's Museum.

With respect to future contracts for solid waste removal at Playland Park, the County shall notify the Manager sixty (60) days before it issues a bid for these services and the Manager shall respond within thirty (30) days indicating whether or not the Manager wants to continue to receive solid waste removal services under the County's contract for said services.

In addition, the Manager shall provide for, or cause to be provided by its subcontractors, the following services: grease removal, fumigation, disinfecting and deodorizing services, and provide at least monthly professional extermination services. The Manager, at its sole cost and expense, shall comply with all County recycling policies.

G. In furtherance of the Operating Plan required by Section 4 below and the Rules and Regulations and Plans required by Section 5 below, the Manager shall expeditiously develop policies and procedures for the operation and management of Playland Park.

H. In order to carry out the Security and Emergency and Contingency Plan required by Section 5 below, the Manager shall ensure that there are appropriate safety, security, emergency and fire response systems, including equipment and personnel, necessary to protect both persons and property prior to the Management Commencement Date; provided, however, that the Manager shall not be responsible for any liability resulting from any pre-existing hazardous conditions known to the County.

In furtherance of the above, the Manager shall be responsible at its sole cost and expense to provide security guard services, which shall include, but are not limited to, all security functions, daily supervision, staffing, operation of security equipment and emergency procedures. In addition to the security guard services to be provided by Manager, the Manager agrees to pay the County as set forth below for police and park ranger staffing and services to be provided by the Westchester County Department of Public Safety Services at a staff and service level equivalent to the level of police and park ranger staffing and services that the County provided at Playland Park during 2019. Notwithstanding the foregoing, the County shall be responsible for security guard services at its construction sites during construction work in furtherance of the County's Capital Plan.



Payment by the Manager for police and park ranger staffing and services shall be made on a calendar year basis on August 31<sup>st</sup> of each year commencing with the August 31<sup>st</sup> immediately succeeding the Management Commencement Date. Until the date that the County meets the 70% Threshold, the annual fee payable by the Manager on each August 31<sup>st</sup> shall equal Four Hundred Thousand (\$400,000.00) Dollars. After the date that the County meets the 70% Threshold, the annual fee payable by the Manager on each August 31<sup>st</sup> shall equal Six Hundred Thousand (\$600,000.00) Dollars. The amount due hereunder for the year in which the County meets the 70% Threshold shall be prorated based upon the date when the 70% Threshold was achieved by the County.

The amount to be paid for these police and park ranger staffing services shall increase each year after the second anniversary of the Management Commencement Date in an amount equal to the increase in percentage of salary provided for in the applicable collective bargaining agreement for these employees. If the Manager requests an increase in police and park ranger staffing services over the level of police and park ranger staffing services that the County provided prior to the Management Commencement Date, the County and Manager shall discuss the details of the requested additional police and park ranger staffing services and the Manager shall pay an additional fee for these police and park ranger staffing services over and above the stated fee, provided that such additional fee shall be proportionate to the additional services provided and in no event be ratably more than the cost of such additional police and park ranger staffing services.

I. The Manager shall not create, nor cause to be created, a public or private nuisance (as defined under New York law and determined by an order or judgment entered by a court of competent jurisdiction) in or around Playland. For the avoidance of doubt, it shall not be an Event of Default, and the County shall not have the right to terminate this Agreement, if the nuisance ceases or, if not, the Manager has taken reasonable steps to mitigate or eliminate any such nuisance.

J. The Manager shall provide such other facilities, services and activities as necessary to undertake the Work.

K. The County shall continue to provide bus service to Playland and the Manager shall not incur any expense in connection with the provision of this routine bus service. However, if the Manager requests an increase in services over the level of bus services that the County provided in 2019, the Parties shall discuss the details of the requested additional services and the Manager shall pay a reasonable fee for these additional services.

L. The County Executive, and the departments under the administrative jurisdiction of the County Executive, and the Manager agree that they shall use best efforts to cooperate with each other to allow the Manager to carry out the Work.

M. The Manager shall carry out the Work in a commercially reasonable manner (x) that, in the Manager's best judgment, is consistent with the use of Playland as a public park and (y) after the Manager has given due consideration to the expressed concerns of the surrounding community within one (1) mile of the entrance of Playland and the users of Playland Park.

N. The Manager shall have no liability for failure to perform its obligations under this Agreement to the extent, but only to the extent, that it is unable to perform by reason of either:

- (i) the failure of the County to provide any approval required under this Agreement and reasonably requested by the Manager as set forth in subparagraph W below, or the failure of any local, County, State or federal entity to provide any requisite permit or consent for any of the Work required under this Agreement, or
- (ii) the failure or refusal of the County to approve budgetary appropriations (or obtain funding from other sources) required by this Agreement, or
- (iii) the default by a third party not under the direction or control of the Manager, or
- (iv) Force Majeure as defined in Section 39.

O. The Manager or its designee shall attend quarterly meetings with County personnel at mutually agreeable times and locations.

P. The Manager shall cooperate and assist the County in dealing with all federal, state, and local agencies in all matters relating to the Work for which the County is responsible, and the County shall cooperate and assist the Manager in dealing with all federal, state, and local agencies relating to the Work for which the Manager is responsible.

Q. The Manager shall provide technical advice within the knowledge of Manager to the County on Playland Park operations, maintenance and marketing programs and projects. The prior sentence notwithstanding, the Manager shall have no obligation to seek such advice from outside experts or consultants when the advice requested by the County is outside the knowledge of Manager.

R. The Manager shall provide a written log of all accidents that take place at Playland Park where such accidents result in the occurrence of any of the following: (i) administration of first aid by the Manager; (ii) require a response by public safety services (Police/EMS/Fire); (iii) require a response by Manager's internal security service; or (iv) a report by a third party to the Manager of an accident that allegedly took place at Playland Park. Unless the Parties agree otherwise, the log shall reasonably describe the type of accident, the names of the individuals involved (if known), the circumstances surrounding the accident (if known), and what actions were taken in response to the accident (if known). The Manager shall notify the County's Director of Risk Management by the end of the business day following the date of such accident by providing the log in a format acceptable to the Director of Risk Management.

S. The County shall have the option to select and use appropriate space in the Administration Building and/or the Residence at West Lake Boathouse for use as office space, police facilities, information technology, filing and storage of documents, or other purposes deemed necessary by the County. Such space shall be in a location that is mutually acceptable to both Parties, as agreed to by the Parties in a separate writing. In addition, upon reasonable notice to the Manager, the Manager shall provide the County with reasonable access to any area of

Playland Park required for the installation, upgrade, or maintenance of public safety systems, such as the County's public safety radio system.

T. The Manager may maintain its own designated website for Playland Park. If the Commissioner finds any website content to be clearly defamatory or offensive to the reasonable standards of the community, then the Commissioner shall request a modification to the website, which modification shall not be unreasonably withheld, conditioned or delayed by the Manager. The County's website, [playlandpark.org](http://playlandpark.org), which promotes both those portions of Playland Park that are the subject of this Agreement and other portions that are not (e.g., the Ice Casino, the Edith G. Read Natural Wildlife Park and Sanctuary, and the Children's Museum), will continue to be maintained by the County, provided, however, that the County's website shall include a prominent link on each page directing users to the website maintained by the Manager for all information concerning ticketing, hours of operation, attractions (i.e., rides, games, beach, pool, rentals), food and beverage, groups and events, parking, the sale of Playland Park merchandise, employment opportunities, entertainment, and other current information concerning visits to the portions of Playland Park operated by the Manager, and such information shall not be otherwise available on the County's website. The County shall not mimic or copy the design of the Manager's website in any way, nor use graphics, images, logos, or names that may be interpreted as the official Manager's website, without the Manager's written consent. The Manager's website shall similarly incorporate a link to the County's website for information concerning those portions of Playland Park that are not operated by the Manager. On or before the Management Commencement Date, the County shall transition the Facebook ("PlaylandPark-WestchesterCounty"), Twitter ("Playland-Park") and Instagram ("PlaylandParkOfficialPage") accounts for Playland Park to the Manager.

U. The Manager shall consider incorporating a water dependent boating component with docks and moorings (a "Marina") into the vision for the future of Playland in accordance with the resolution dated December 19, 2012 adopted by the City Council of the City of Rye, provided the operation of a Marina is determined to be reasonably feasible, financially viable and a net revenue generator on a continuing basis.

V. The Manager shall provide evidence to the County that the Amusement Park within Playland Park is in compliance with all ASTM F-24 standards that are applicable to owners and/or operators of amusement devices, including without limitation ASTM F-24 standards applicable to the maintenance of amusement devices.

W. The Manager, if necessary, shall comply with the provisions of Section 765.351 et seq. of the Laws of Westchester County ("the County Tree Law").

X. The Manager shall use its commercially reasonable efforts, in the Manager's sole judgment reasonably exercised, to attract qualified subcontractors consistent with the Manager's response to the County's RFP.

Y. Each approval, pursuant to or necessitated by the terms of this Agreement, of the Commissioner, or any other County commissioner or department under the administrative jurisdiction of the County Executive, shall not be unreasonably withheld, conditioned, or delayed.

Z. [Reserved].

AA. The Manager shall use commercially reasonable efforts, consistent with the proper maintenance and operation of the Playland Park, availability of funds and the safety of the public, to conserve water and electricity and to implement commercially reasonable conservation programs and to otherwise follow commercially reasonable practices for energy conservation to the extent practicable.

BB. It is a material element of this Agreement that the Manager utilize professional management in operating Playland Park. The management team responsible for operating Playland Park on behalf of the Manager shall consist of one or more persons serving in one or more of the roles of Chief Executive Officer ("CEO"), Chief Operating Officer ("COO"), or General Manager ("GM," and together with the CEO and COO, collectively, the "Key Personnel"), who shall, among one or more of them, have at least five years' relevant experience managing or operating an amusement park of similar size or revenue to the Playland Amusement Park. Prior to the Management Commencement Date, the Manager shall identify to the County the Manager's Key Personnel as of the Management Commencement Date.

The Manager agrees to notify the County in the event any Key Personnel ceases to perform or becomes unable to perform his or her job responsibilities, by reason of a voluntary or involuntary termination, death, or disability, within ten (10) business days of the incumbent's departure or the Manager's knowledge of such death or disability.

If no remaining Key Personnel have at least five (5) years' relevant experience managing or operating an amusement park of similar size or revenue to the Playland Amusement Park, the Manager also agrees to (i) fill Key Personnel role(s) with at least one (1) person on an interim basis within thirty (30) days (if a permanent successor is not immediately available), provided that such period of time may be extended for a reasonable period if the Manager is diligently seeking to hire an interim replacement, and (ii) appoint a qualified permanent successor within one hundred and eighty (180) days, provided that such period of time may be extended for a reasonable period if the Manager is diligently seeking to hire a successor and has a qualified interim appointment in place.

When the Manager identifies a permanent successor(s), it shall notify the County of the proposed candidate(s) and include the candidate's c.v. The Parties agree that any candidate with no prior felony convictions or terminations for cause based upon theft, embezzlement, or a crime of moral turpitude and with at least five (5) years' prior experience in a senior executive or senior management position at an amusement park of similar size to the Playland Amusement Park shall be deemed qualified. It is also agreed that Nicholas Singer (or his successor) shall be deemed qualified to be Key Personnel on an interim basis. For the avoidance of doubt, the same process shall apply with respect to the replacement of any successor Key Personnel.

#### **SECTION 2-a: County's Duties for Maintenance and Repairs and Improvements**

The County as owner of Playland Park shall remain responsible for extraordinary maintenance, repairs and improvements, which are those that occur infrequently, are substantial



and increase the economic life of the asset. For example: maintenance, repair, or replacement of sewer mains, electrical feeders, major structural components of buildings, re-pavement of parking lot when necessary and the remediation of any hazardous conditions relating to the same, as long as such hazardous conditions are not caused by the Manager; except for those restorations, renovations and improvements to Playland Park as outlined in **Schedule "C-1"** which the Manager shall be responsible for and also for any new restorations, renovations and improvements to Playland Park to be undertaken by the Manager in the future.

#### **SECTION 2-b: PMA MOU**

1. The Manager will not undertake development of sport fields in the parking lot.
2. The Manager will provide the Committee, as designated by the Chairman of the Board of Legislators, quarterly financial information relating to the Manager within sixty (60) days of the end of each fiscal quarter of the Manager. The Parties agree that the information submitted by the Manager may contain confidential financial information, trade secrets or other proprietary data or information (collectively the "Confidential Information") which if disclosed to the public could cause substantial injury to the Manager. The Manager agrees to insert the following notice in its Confidential Information that the Manager reasonably believes is not subject to disclosure under the New York State Freedom of Information Law, as set forth in Public Officers Law, Article 6, Sections 84-90: "The Manager believes that this information is protected from disclosure under the State Freedom of Information Law. The data contained herein provides financial information constituting trade secrets or information the disclosure of which would result in substantial injury to the Manager."
3. The Committee designated by the Chairman of Board of Legislators, agrees that any Confidential Information designated with the above statement will be kept confidential, except with the specific prior written consent of the Manager. Notwithstanding anything to the contrary contained herein, the Manager expressly acknowledges that the County is subject to public disclosure laws and that this Memorandum of Understanding and the information provided by the Manager to the County in connection herewith, may be subject to disclosure pursuant to Federal, State and/or Local public information laws or regulations (e.g., New York State Freedom of Information Law, as set forth in Public Officers Law, Article 6, Sections 84-90, which mandates public access to government records). To the extent consistent with its public records, laws, and statutorily required disclosure, the County shall use best efforts to maintain the confidentiality of all Confidential Information supplied by the Manager and identified by the Manager as Confidential Information. If a request is made to view the Manager's Confidential Information and such request is statutorily permitted, the County will notify the Manager of the request and of the date that such Confidential Information will be released, and the County, in its discretion, may seek a Court Order enjoining that disclosure. The County will release the requested Confidential Information on the date previously specified absent receipt of any such order.

4. Commencing on the May 1st following the Management Commencement Date and ending September 30th of each year, the Manager will provide to the Committee designated by the Chairman of the Board of Legislators, monthly operating statistics relating to attendance levels and revenue at Playland Park within 30 days of the end of each such month.
5. The Parties acknowledge that the Manager will consult and meet with an Advisory Committee at a minimum on a quarterly basis. Committee members shall be appointed by the Manager and may be selected from, but not be limited to, the following: Westchester County Historical Society, Save the Sound, City of Rye, Edith G. Read Nature Sanctuary, Rye Historical Society, Children's Museum, Rye Town Park Commission or similar groups.
6. The Manager acknowledges that there are issues of mutual concern between the Manager and the City of Rye. The Manager agrees to act in good faith in discussing and negotiating these issues with the City.

### **SECTION 3: Compensation**

A. **No Further Deposits or Initial Payments Required.** The Parties acknowledge and agree that the Manager shall not be required to make any further deposits or Initial Payments (as defined in the 2016 Agreement) to the County, and the County may retain all such deposits or Initial Payments paid by the Manager to the County prior to the Effective Date. Such deposits and Initial Payments shall not be considered part of the Manager's Investment, as defined in Section 3(D) below.

B. **Annual Management Fee:** Beginning August 31, 2022, and on each August 31<sup>st</sup> thereafter until the Expiration Date or Termination Date as applicable, the Manager shall pay to the County a management fee (the "Annual Management Fee"). The first year's Annual Management Fee shall be Three Hundred Thousand (\$300,000.00) Dollars. The second year's Annual Management Fee shall be Four Hundred Thousand (\$400,000.00) Dollars. Each year thereafter, the Annual Management Fee amount from the prior year shall be adjusted by the change in the Consumer Price Index for All Urban Consumers (CPI-U) for New York-Northeastern New Jersey during the preceding twelve (12) month period ending December 31<sup>st</sup>, as published by the Bureau of Labor Statistics of the United States Department of Labor. Verification of the calculation for the increase in the Annual Management Fee must be submitted to the Commissioner by June 30<sup>th</sup> of each year. If the Bureau of Labor Statistics ceases to publish the CPI-U or any comparable revised or successor index, then the Manager, in consultation with the County, will substitute a suitable index of the cost of living for the area in which Playland is located, as published by another federal government agency or a responsible financial periodical of recognized national authority. Notwithstanding the foregoing, the amounts payable under this paragraph shall be abated during a given calendar year pro rata for any period during which the County exercises its rights under Section 8, calculated based on the number of days during such calendar year the County exercises such rights *divided by* 365 days.

C. **Revenue Share and Revenue Target:** Playland shall, for each calendar year starting in the calendar year following the calendar year in which the 70% Threshold is satisfied,

target Gross Revenue (as defined below) at least equal to the Revenue Target (as defined below), exclusive of Gross Revenue attributable to the Tiki Bar. The "Revenue Target" shall initially be Twelve Million (\$12,000,000.00) Dollars and shall be adjusted on each December 31 (starting on December 31, 2022), to increase by any amount equal to the corresponding increase in the CPI-U since the preceding December 31, as published by the Bureau of Labor Statistics of the United States Department of Labor. Verification of the calculation for the increase in the Revenue Target must be submitted to the Commissioner by June 30<sup>th</sup> of each year. If the Bureau of Labor Statistics ceases to publish the CPI-U or any comparable revised or successor index, then the Manager, in consultation with the County, will substitute a suitable index of the cost of living for the area in which Playland is located, as published by another federal government agency or a responsible financial periodical of recognized national authority.

Beginning with Playland's 2023 season, the Manager shall pay the County annually an amount equal to five (5%) percent of Gross Revenue generated from Playland Park above the Revenue Target (the "Revenue Share"); provided, that the County shall not be entitled to the Revenue Share in any year in which a Non-Excused County Delay is pending. "Gross Revenue" shall be calculated as (x) the gross revenues of the Manager generated from Playland Park, *minus* (y) any sales tax collections of the Manager generated from Playland Park. For purposes of calculating the Revenue Share, the Revenue Target shall include Gross Revenue attributable to the Tiki Bar, if any.

If and only to the extent the annual Revenue Share payment is payable in a given year, such annual Revenue Share payment shall be payable within thirty (30) days of the completion of the annual audited financial statements of the Manager for such year, but in no event later than one hundred and eighty (180) days after the end of the calendar year for which such Revenue Share payment is attributable. The Manager shall, at its sole cost and expense, maintain audited financial statements prepared by a nationally recognized independent Certified Public Accountant ("CPA"). Within ninety (90) days after the end of each calendar year, the Manager shall report to the County its Gross Revenues for the prior year and shall confirm, within one hundred and fifty (150) days after the end of the prior calendar year, that the Manager's independent CPA audited the Manager's Gross Revenues so that the County may make the necessary calculations in support of the Revenue Share. The County reserves the right to, at its own cost, have its own CPA conduct an independent financial review of the calculation of the Revenue Share. In the event the County's auditor disputes the Manager's calculation, the Parties shall submit the dispute to the Monitor (as defined below) in accordance with Section 43. The Parties shall equally share in the cost of this review. The Parties agree to accept the conclusions of the Monitor.

If the Manager's Gross Revenue (exclusive of Gross Revenue attributable to the Tiki Bar, if any) fails to achieve the Revenue Target for four (4) consecutive years, such failure shall be considered an Event of Default, and the County may terminate this Agreement in accordance with Section 23(A) (a "Revenue Performance Termination"); provided, however, that such failure shall not be considered an Event of Default, and the County may not exercise a Revenue Performance Termination, if (i) there is an uncured Event of Default on the part of the County under this Agreement or (ii) the Manager fails to achieve the Revenue Target as a result of a Force Majeure event or other unavoidable circumstances beyond the Manager's control, provided that the Manager has notified the County in writing within thirty (30) days of the occurrence of such Force

Force Majeure event or other unavoidable circumstance, describing in reasonable detail the nature of such Force Majeure event or unavoidable circumstance and how such Force Majeure event or unavoidable circumstance is beyond the Manager's control (it being understood that changes in consumer preferences, variations in weather (such as an unusual number of rainy days or unusually hot or cold weather) that are not the result of Force Majeure events, routine macroeconomic changes (such as an ordinary business cycle contraction (i.e., not including a recession akin to the Great Recession of 2008-2009)), and similar ordinary-course, inherent risks of operating an amusement park shall not be considered "unavoidable circumstances beyond the Manager's control" for purposes of this provision). The Revenue Target shall be reduced during a given calendar year pro rata for any period during which the County exercises its rights under Section 8, calculated based on the Gross Revenue generated on the same days of the month of the prior year. For example, if the County exercises its rights under Section 8 from Thursday, July 24, 2025 through Sunday, July 27, 2025, the Revenue Target for 2025 would be reduced by the Gross Revenue generated from Thursday, July 25, 2024 through Sunday, July 28, 2024. In the event of a Revenue Performance Termination, the Manager shall be entitled to the Liquidated Damages Payment payable upon a "Termination Not Due to an Event of Default," provided that the Manager shall not be entitled to any interest on such Liquidated Damages Payment.

D. **Manager's Investment:** The Manager shall make an investment of Thirty-Five Million (\$35,000,000.00) Dollars in equipment and physical improvements to the physical infrastructure of Playland following the Effective Date (the "Manager's Investment"), of which Two Million Two Hundred and Fifty Thousand (\$2,250,000.00) Dollars shall be earmarked for the demolition and reconstruction of the Tiki Bar under the circumstances provided in Section 6(F); provided, that if the Manager declines to proceed with demolishing and reconstructing the Tiki Bar under the circumstances provided in Section 6(F), the Manager's Investment shall be Thirty-Two Million Seven Hundred and Fifty Thousand (\$32,750,000.00) Dollars. The Manager's Investment shall include all the Hard Costs and Soft Costs (each as defined below) of all capital expenditures related to the physical improvements to, and purchase of equipment relating to, Playland following the Effective Date, including expenditures for design and engineering of those items, and shall not include the Manager's operating expenses or overhead, provided, however, that the Manager may allocate up to Five Million (\$5,000,000.00) Dollars of the Manager's Investment toward overhead and operating expenses (the "Overhead Allocation"). The Overhead Allocation may include all overhead and operating expenses of the Manager, including reimbursement of expenses by the Manager to third parties who are performing services involving the design, construction, development, maintenance and/or operation of Playland, but shall not include (i) any Hard Costs or Soft Costs, (ii) expenses the Manager incurs on behalf of third parties unrelated to the performance of such services, such as expenses on behalf of its investors and potential investors, and (iii) legal expenses incurred for (x) capital raising for the Manager or (y) any action, proceeding, dispute, or negotiation between the County and the Manager in relation to this Agreement in which the County and the Manager are adverse. For example, ordinary-course legal expenses incurred in relation to obtaining permits, licenses, other authorizations to allow performance of the Manager's Work, or routine information sharing under this Agreement may be included in the Overhead Allocation, even if the County is technically the "adverse" party in relation to such an application, but legal expenses incurred in relation to a dispute between the County and the Manager about the Manager's (or the County's) obligations under this Agreement, or negotiating the resolution of such a disputed issue, may not be included in the Overhead Allocation.



The Manager shall invest the Manager's Investment by no later than five (5) years after the Management Commencement Date. If the Manager fails to invest the Manager's Investment by such deadline, the County may declare an Event of Default and terminate this Agreement in accordance with Sections 22 and 23(A), unless such failure shall have been caused by Force Majeure or other unavoidable circumstances beyond the control of the Manager, and the Manager has notified the County in writing within thirty (30) days of the occurrence of such Force Majeure event or other unavoidable circumstance, describing in reasonable detail the nature of such Force Majeure event or unavoidable circumstance and how such Force Majeure event or unavoidable circumstance is beyond the Manager's control. It shall not be an Event of Default if and to the extent that the Manager shall have been prevented from making the Manager's Investment in accordance with the foregoing schedule by an injunction or compliance with other applicable law.

Until the Manager's Investment is spent, the Manager shall provide monthly reports to the County substantially in the form attached to this Agreement as **Schedule "F"** delineating all funds spent by the Manager that the Manager claims as part of the Manager's Investment. Such monthly reports shall be provided to the Commissioner of Finance within forty-five (45) days after the last day of the month to which such reports relate. The Manager and the County shall meet or confer once a month to review all expenditures in the prior month's report. The County's right to audit the Manager's monthly reports shall be governed by Section 18, as set forth below.

In the event that the Manager completes its anticipated capital improvements for less than the Manager's Investment, the Manager shall pay the County the difference between the Manager's Investment and the amount actually expended by the Manager to complete its capital projects, as set forth in the Manager's monthly reports, in addition to any fees or other amounts payable to the County set forth herein. Any such difference shall be payable within thirty (30) days of the date that is five (5) years after the Management Commencement Date.

As used in this Section 3(D), "Hard Costs" shall mean all costs and expenses payable for supplies, materials, and labor with respect to any project in the Manager's Capital Plan.

As used in this Section 3(D), "Soft Costs" shall mean all costs other than Hard Costs that are ordinarily and reasonably incurred in relation to construction, physical improvement, and development projects of the kind set forth in the Manager's Capital Plan. For example, Soft Costs would include fees incurred for architecture, design, planning, engineering, permitting, inspection, attorneys, or insurance in relation to any project in the Manager's Capital Plan.

In the event that the County and the Manager are unable to agree on Plans and Specifications for the construction of the new Tiki Bar restaurant, or the Manager is unable to obtain the permits and approvals required by applicable law to proceed with such construction, the Manager may decline to proceed with the demolition and construction of the new restaurant, as provided in Section 6(F), in which event the required Manager's Investment shall be reduced to Thirty-Two Million Seven Hundred and Fifty Thousand (\$32,750,000.00) Dollars.

For the avoidance of doubt, no amounts expended by the Manager prior to the Effective Date, regardless of their nature, shall be considered part of the Manager's Investment.

E. **County Debt:** The Parties recognize that the County has significant debt with respect to Playland Park that the County is obligated to repay. The Manager shall not have any obligation of any kind with respect to the County's existing debt relating to Playland Park or any other County debt.

F. **Late Payments:** If any payment due from the Manager is not made within sixty (60) days after the date due and payable under this Agreement, such unpaid amount shall bear interest at the rate of interest which is three (3%) percent over the prime rate of interest as published daily in the Wall Street Journal or any successor publication thereto as the "prime rate" then in effect. Such interest rate shall be computed separately for each month, or any part thereof, during which any amount upon which interest is to be charged hereunder remains unpaid hereunder.

G. **Real Property Taxes:** It is the County's position that Playland Park and operations by the Manager at Playland are not subject to property taxes. If, however, all or part of Playland, excluding the Tiki Bar and the Ice Casino, is subject to real property taxes, the Manager shall pay the first Fifty Thousand (\$50,000.00) Dollars of such taxes annually. The County shall be responsible to pay any such real property taxes on all or part of Playland, excluding the Tiki Bar and the Ice Casino, in excess of Fifty Thousand (\$50,000.00) Dollars per annum. However, should real property taxes be assessed on all or part of Playland, excluding the Tiki Bar and the Ice Casino, in excess of One Hundred Thousand (\$100,000.00) Dollars per annum, the Manager shall have the option, exercisable each year in which the real property taxes remain over One Hundred Thousand (\$100,000.00) Dollars, to either (x) challenge such real property taxes, in which case, the Manager shall commit to pay the taxes in excess of One Hundred Thousand (\$100,000.00) Dollars, if any, following such challenge, or (y) absent a challenge, pay any real property taxes in excess of One Hundred Thousand (\$100,000.00) Dollars.

- (i) If the tax is finally determined to be in excess of One Hundred Thousand (\$100,000.00) Dollars, and the Manager fails to timely pay such excess amount in any tax year, such failure shall be an Event of Default on the part of the Manager and the County shall have the right to terminate this Agreement immediately pursuant to Section 23(A), and the Manager shall be entitled to the applicable Liquidated Damages Payment payable upon a "Termination Due to an Event of Default on the Part of the Manager."
- (ii) If within thirty (30) days of the real property tax assessment the Manager does not notify the County of the Manager's election to challenge the real property taxes and pay any excess tax or to pay the taxes in excess of One Hundred Thousand (\$100,000.00) Dollars per annum, the County shall have the right to terminate this Agreement immediately and the Manager shall be entitled to the applicable Liquidated Damages Payment payable upon a "Termination Not Due to Event of Default."

If the Tiki Bar is deemed to be a part of Playland Park in accordance with Section 6(F) below, the Manager shall be responsible for any real property taxes attributable to the Tiki Bar from and after the date the Manager assumes management of the Tiki Bar and shall reimburse

the County for any real property taxes charged to and paid by the County in respect of the Tiki Bar after such date. The Manager may challenge the assessment of such real property taxes at its own expense, but shall remain responsible for the timely payment of such real property taxes regardless of the initiation of any such challenge. In the event that such a challenge results in an abatement of real property taxes previously charged and a tax refund is paid to the County in respect of real property taxes paid by the Manager or for which the Manager reimbursed the County, the County shall pay such tax refund to the Manager.

H. **Unexpected Capital Expenditures.** Unexpected and unplanned capital expenditures including, but not limited to, damage to property, buildings or equipment due to Force Majeure as defined in Section 39 shall be paid for by the County only to the extent that the County obtains insurance proceeds and/or disaster recovery funding or similar sources of funds payable to the County. The County shall provide funding for such expenditures consistent with Section 13. However, nothing contained herein shall limit the Manager's rights consistent with Section 23A and 23B below.

#### **SECTION 4: Operating Plan**

The Manager shall, not less than sixty (60) days prior to the Management Commencement Date and by March 1<sup>st</sup> of each year thereafter, prepare and submit to the Commissioner for the Commissioner's review and approval, a written annual operating plan ("Manager's Operating Plan"). Notwithstanding any inconsistent provision of this Agreement, the Commissioner shall not deny a proposed operating plan unless he/she reasonably concludes that implementation of such plan will materially adversely impact the operation of Playland. If the Commissioner does not provide the Manager within thirty (30) days a detailed line item response enumerating the particular components of the proposed operating plan which in his or her reasonable view materially adversely impact the operation of Playland, then said plan shall be deemed approved. If the Commissioner does not approve the proposed operating plan in full, then the particular components of the Manager's Operating Plan not in dispute will go into effect and the components of the Manager's Operating Plan in dispute will revert to the prior year Manager's Operating Plan and shall continue in force and effect until the disputed components of the new plan are approved, provided, however, in the event that a disputed component relates to a capital improvement or investment to be undertaken by the Manager, no such capital improvement or investment will be required to be made until such disputed component is resolved. The foregoing proviso does not apply to disputed operating expenditures. In such event, it is understood that the Manager may adjust the dollar amounts contained in the disputed components of the prior year's plan by up to the greater of five (5%) percent or the prior year CPI up or down until a new plan takes effect.

The Manager's Operating Plan shall include, but not be limited to: the Manager's costs for payroll and employee benefits, in summary form; a maintenance and repair schedule; a schedule of proposed changes to Playland's fee structure; a schedule of material agreements for the provision of goods or services on site at Playland, including the termination date of such agreements and any new agreements or renewal agreements that the Manager plans to enter into during the year to which the Operating Plan relates (to the extent known to the Manager at the time of submission of such Operating Plan); recommendations, if any, for revisions to any of the Plans, Rules and Regulations required under Section 5 below; schedules, if any, for new

substantial improvements of Playland facilities and acquisition of equipment; schedule of proposed material changes to staffing levels; proposed material changes to the advertising and promotional programs; and daily operating schedule including changes to the length of season, hours of operation, and any other relevant factors which may affect Playland's operations and management.

## **SECTION 5: Plans, Rules and Regulations**

The Manager shall prepare, as part of Manager's Operating Plan, the below described plans, rules and regulations for Playland Park, and any amendments thereto, as follows:

- (i) Prepare in consultation with the Commissioner a set of written Rules and Regulations governing public use of and behavior in Playland Park, including, but not limited to, visitor conduct, public hours and rules to ensure the well-being and safety of the public, the enjoyment of Playland Park by the public for its intended purposes, and the safe and efficient conduct of activities in Playland Park. In addition, the Manager may from time to time propose modifications of the Rules and Regulations. The Commissioner's approval of such modifications shall not be unreasonably withheld. All Rules and Regulations shall be promulgated in accordance with applicable law, and thereafter enforced by the Manager.
- (ii) Prepare in consultation with the Commissioner and the Commissioner-Sheriff of the County Department of Public Safety, and the Commissioner of the Department of Emergency Services, a written Security and Emergency Contingency Plan, in conformity with applicable federal, state and local laws, rules and regulations. Such Security and Emergency Contingency Plan shall be designed to protect the safety and security of the general public and the Parties' personnel and property on a daily basis.

## **SECTION 6: Improvements to be undertaken by the Manager.**

A. **Material Improvements.** "Material Improvement" shall mean any renovations, construction or demolition at Playland Park of any of the following:

- (i) a permanent building with a foundation or any of the following structures:
  - a. the Colonnades;
  - b. the Towers;
  - c. the North, South, and Kiddyland Boardwalks;
  - d. the North and South Picnic Pavilions;
  - e. the parking lots;
  - f. the pool;

- g. the boat pier on the Long Island Sound;
- h. the plaza fountain; and
- i. the bus depot, including the canopies;

where the renovations, construction or demolition would materially change the size, location, or (with respect to items other than the parking lots, the pool, and the bus depot) exterior structure of such permanent building or structure, or otherwise change such permanent building or structure in a manner that is materially incompatible with and materially detracts from the historic character and range of architectural styles then or previously existing at Playland Park (it being understood that a style (e.g., a contemporary style) that is different from the historic range of styles existing at Playland Park shall not be deemed *per se* incompatible, provided that it does not materially detract from the historic character and range of architectural styles of Playland Park as a whole);

- (ii) utilities infrastructure attached to the land, where the renovations, construction or demolition would materially increase the load of or demand upon the subject utilities; or
- (iii) any capital project financed by the County through the issuance and sale of general obligation bonds of the County prior to (i) five (5) years since substantial completion for capital projects for which the probable period of usefulness is ten (10) years or more, or (ii) two-and-a-half (2.5) years since substantial completion for capital projects for which the probable period of usefulness is less than ten (10) years, where the renovations, construction or demolition would materially alter or physically impair the capital project in a manner that cannot be reasonably restored and remediated, or that the Manager has not, if the County has so requested, agreed to restore and remediate at the Manager's sole expense upon termination or expiration of this Agreement.

The following shall not constitute Material Improvements and therefore shall not be subject to the procedures set forth in Section 6(B):

- 1. the addition, removal, renovation, construction, demolition or modification of (x) games and concessions, and (y) portable or prefabricated kiosks or other modular structures that do not have a permanent foundation, and (z) the decorative or non-structural exteriors or interiors of buildings, including but not limited to restaurants, retail shops and arcades, provided that the work does not result in a material change to the exterior style of the building;
- 2. seasonal, holiday or temporary displays, decorations or experiential features and activities;
- 3. removal, installation and relocation of rides (and related utilities, fixtures, appurtenances, control and other ancillary structures related to the operation of the ride (with or without foundations), and improvements), if such rides are subject to



Section 12 (and such utilities shall likewise not be subject to Section 6(B) but rather to Section 12); and

4. landscaping (including “softscape” improvements such as plantings and “hardscape” improvements such as benches, borders or walkways), provided that such landscaping does not materially adversely affect (x) utilities infrastructure attached to the land, (y) one of the structures listed in clause (1) above, or (z) a bonded County capital project that is still within its period of probable usefulness.

For the avoidance of doubt, the County review provided for herein is in addition to, and not in lieu of, any review, permitting, inspection, certification, or other approval process that may apply to an improvement under applicable law, and shall not operate as an estoppel with respect to any such permitting, inspection, certification, or other approval process.

**B. County Review of Plans and Specifications.** The review process set forth in this Section 6(B) shall apply to Material Improvements only, as defined above. The Manager shall deliver all materials to be submitted or provided to the County hereunder to the Commissioner and the Commissioner of the Department of Public Works and Transportation (“DPW&T Commissioner”) or such Commissioners’ designees, who shall involve other County Departments or personnel in the review process as necessary or appropriate, provided that such involvement shall not expand the scope of the review set forth in this Section 6(B). It is the intention of the Parties that they work together in good faith to ensure compliance with the matters identified in clauses (i) through and including (v) below through this review process as quickly, efficiently and collaboratively as possible, subject to the Parties’ respective rights to seek resolution of any disputes through the dispute resolution procedures provided in Section 43 of this Agreement.

Prior to submitting any Plans and Specifications (as defined below) for review in accordance with this Section 6(B), the Manager may submit a concept drawing to the County, in which event the County shall, within ten (10) business days, meet and confer with the Manager to provide preliminary substantive feedback on such drawing with respect to the matters in clauses (i) through and including (v) below, to the extent that the submission contains sufficient information for the County to provide such feedback.

The Manager shall provide the County for its review and comment in accordance with this Section 6(B), with record copies of plans and specifications at each of the fifty (50%) percent stage and the ninety (90%) percent stage of design and construction for any Material Improvements that require the preparation of plans and specifications under applicable codes, rules and regulations (“Plans and Specifications”), prior to proceeding with any such Material Improvement. If a Material Improvement does not require Plans and Specifications under applicable codes, rules and regulations, then the Manager may proceed without County review under this Section 6(B).

Within ten (10) business days of each submission of Plans and Specifications by the Manager, the County shall provide written notice to the Manager whether it intends to review such Plans and Specifications in accordance with this Section 6(B). If such notice is timely received and states that the County does not intend to review such Plans and Specifications, or if

no such notice is timely received from the County, then the Manager may proceed without further review by the County pursuant to this Section 6(B), unless the Material Improvement is at the fifty (50%) percent design stage, in which case the Manager may proceed to submit Plans and Specifications at the ninety (90%) percent design stage. If such notice is timely received and states that the County intends to review the Plans and Specifications, then the Manager may (x) if at the fifty (50%) percent design stage, proceed to the ninety (90%) percent design stage, or (y) if at the ninety (90%) percent design stage, proceed to commence the physical work entailed in such Material Improvement (subject to obtaining all required permits and approvals) without further review under this Section 6(B), unless in each case the County has delivered a written report to the Manager on or before the applicable Section 6 Response Date (as defined below), and describing in detail its findings limited to one or more of the following:

- (i) the Material Improvement described in the Plans and Specifications (a) violates any applicable codes, rules and regulations in effect at the time of construction, and citing the specific violations, (b) in the case of buildings or structures and capital projects, represents an architectural style that is materially incompatible with and materially detracts from the historic character and range of architectural styles then or previously existing at Playland Park (it being understood that a style (e.g., a contemporary style) that is different from the historic range of styles existing at Playland shall not be deemed *per se* incompatible, provided that it does not materially detract from the historic character and range of architectural styles of Playland Park as a whole), or (c) does not show reasonable access to the Material Improvement for emergencies and maintenance servicing;
- (ii) the Manager has not submitted (currently or with a prior submission) one or more engineering or other report(s) from one or more New York State-licensed professional(s) stating that the Material Improvement will comply, as designed, with all applicable federal, state and County environmental laws;
- (iii) the Manager will be unable to complete such Material Improvement in compliance with Section 2(M), or the Plans and Specifications omitted one or more of the following: (a) a closure plan pursuant to Section 6(D); (b) listing of performance bonds to be obtained pursuant to Section 6(E); (c) listing of insurance coverage to be obtained pursuant to Section 6(J); or (d) the information required under Section 6(O) relating to SEQRA, in each case, to the extent required and applicable;
- (iv) the Material Improvement may result in losing the historic designation of Playland Park, provided that if the parties are unable to agree on this clause (iv), the Parties shall jointly seek guidance from the New York State Historic Preservation Office or such other regulatory body that may have oversight over such designation ("SHPO"), and the Manager shall proceed in accordance with any direction or guidance received from SHPO if the Manager proceeds with the Material Improvement; provided, however, that neither Party shall have any substantive *ex parte* communication with SHPO concerning the subject Material Improvement; or

- (v) the Material Improvement will materially adversely affect the County's obligation to maintain the Park for the public's use and enjoyment.

If a report making one or more such findings has been timely delivered, then the County and the Manager shall work together cooperatively and in good faith to resolve the findings cited in the report addressing clauses (i) through and including (v) above. If the Parties are unable to agree as contemplated under this Section 6(B), any Party may at any time submit the disputed finding(s) to the Monitor for resolution. If the Manager submits revised Plans and Specifications to address the findings, the County shall issue a revised report within ten (10) business days after receipt of such re-submission (including each successive re-submission, if there are more than one) by the Manager. If the County fails to issue a timely revised report in response to the Manager's submission of revised Plans and Specifications as provided herein, the Manager may proceed as if the County had failed to issue a timely report in response to the Manager's initial submission of Plans and Specifications for that Material Improvement.

Once either the Manager and the County mutually agree in writing, or the Monitor has determined, that the findings cited in the report addressing clauses (i) through and including (v) above are not substantiated or have been satisfactorily resolved, then the Manager may proceed to the ninety (90%) percent design stage or to commence the physical work entailed in such Material Improvement (subject to obtaining all required permits and approvals), as applicable.

If the County declines to review the Plans and Specifications submitted at the fifty (50%) percent design stage or fails to submit a timely report with respect to those Plans and Specifications, it may review the Plans and Specifications submitted at the ninety (90%) percent design stage, provided, however, that it may not make for the first time at the ninety (90%) percent design stage any findings addressing clauses (i) through and including (v) above that were reasonably evident from and could reasonably have been identified based upon the Plans and Specifications submitted at the fifty (50%) percent design stage. Notwithstanding anything in this Section 6(B) to the contrary, if the Parties are unable to resolve any findings at the fifty (50%) percent design stage, the Manager may nevertheless proceed to the ninety (90%) percent design stage, so long as those findings are resolved either by mutual agreement or by the Monitor at the ninety (90%) percent design stage.

A "Section 6 Response Date" means, with respect to Plans and Specifications submitted under this Section 6(B), the twentieth (20th) business day after the Manager's submission thereof (inclusive of the initial ten (10) business days during which the County may notify the Manager of its decision to review such Plans and Specifications), unless the County is then reviewing Plans and Specifications with respect to three (3) or more Material Improvements submitted by the Manager pursuant to this Section 6(B), and for which the applicable Section 6 Response Date has not expired, in which case, the twenty-fifth (25th) business day after such submission, provided that the County is diligently conducting all such reviews.

C. **Approvals for Improvements.** The Manager will procure all required permits and approvals for any improvement by any and all governmental authorities having jurisdiction thereof for any improvement to be undertaken by the Manager at Manager's cost and expense, and, if necessary, the County shall cooperate with Manager to procure same.



At the request of the Manager, the Commissioner will use commercially reasonable efforts to cooperate with the Manager to obtain all non-County approvals, and the Manager is hereby authorized to submit applications in the name and stead of the Commissioner to obtain such approvals to the extent permissible under applicable law, but without expense to the County in procuring any such permits and approvals, and subject to the provisions of Section 6(B)(iv) above and Section 12(B)(iv) below respecting seeking joint guidance from SHPO.

To the extent that any County approvals can only legally be issued during implementation or upon completion of the improvements, any approval of the Commissioner or any other County commissioner or department under the administrative jurisdiction of the County Executive shall be subject to the provisions of Section 2(Y) above.

D. **Closures.** During the implementation of any improvement or Work to be undertaken by the Manager at Manager's cost and expense, portions of Playland Park may be closed and the Manager shall not be required to provide any services to the public with respect to the closed area during such periods of demolition, construction, renovation, repairs and equipping until such portion of Playland Park is reopened to the public.

E. **Performance Bonds.** No capital improvements, material or otherwise, or changes, alterations or non-recurring maintenance to existing or future improvements, which are undertaken by the Manager at Manager's cost and expense and which are estimated to cost more than Two Hundred and Fifty Thousand (\$250,000.00) Dollars, shall be commenced unless at the time thereof the Manager shall have obtained a performance and payment bond, for or from each prime contractor performing construction work, guaranteeing the full and faithful performance and completion of construction and the payment of the entire cost thereof, and having as a surety thereon a surety company of recognized responsibility and duly authorized to do business in the State of New York in a penal sum equal to one hundred (100%) percent of the estimated cost of construction.

F. **Unions.** The Parties hereto anticipate, pursuant to Chapter 635 of the Laws of Westchester County, the use of union labor under Project Labor Agreements between the County's contractors and the Building and Construction Trades Council of Westchester and Putnam Counties, New York AFL-CIO, and its affiliated Local Unions (individually or collectively, the "Unions") for all construction work entailed in the County's Capital Projects ("County Construction Work"), to the extent consistent with applicable law.

- (i) **Playland Construction Work:** The Manager agrees that whenever it undertakes a construction project at Playland, other than Construction Work of or directly relating to Amusement Attractions (as defined below), for which the total estimated contract value of the manual, on-site construction work performed by masons, electricians, plumbers, carpenters, ironworkers, plasterers, tapers, and other unionized building and construction trades ("Construction Work"), independently of the other components of the project or contract (e.g., engineering, design, supervision, testing, off-site work), exceeds Two Hundred Fifty Thousand (\$250,000.00) Dollars (any construction project that exceeds such threshold, a "Major Construction Project"), the Manager will use union labor, if available, and require any contractor to use union labor, if available, for the

Construction Work components of the Major Construction Project, to the extent consistent with applicable law, and in all events shall pay the then-prevailing wage for the Construction Work components of such Major Construction Project, whether union or non-union labor is used. For example, if the project or contract has a total value of Four Hundred Thousand (\$400,000.00) Dollars, but Construction Work represents Two Hundred Thousand (\$200,000.00) Dollars of that value, the use of union labor for the Construction Work will not be required, but if the Construction Work represents Three Hundred Thousand (\$300,000.00) Dollars of the project or contract value, the use of union labor for the Construction Work will be required, subject to the conditions set forth in subparagraph (iii) below.

- (ii) **Amusement Attraction Construction Work:** For purposes of this provision, an "Amusement Attraction" shall mean any (x) ride, (y) attraction, such as motion simulators, exhibits within museums, non-mechanical or non-motion-based exhibits (such as halls of mirrors and fun houses), shows and games, or (z) experiential or interactive offering. For the avoidance of doubt, restaurants, food stands, and other food and beverage service offerings are not Amusement Attractions. The Manager agrees that, for a Major Construction Project for an Amusement Attraction, it will use union labor, if available, and require any contractor to use union labor, if available, for foundation excavation, forming of foundation structures, and pouring of foundations for Amusement Attractions. The following structures are considered a part of the Amusement Attraction: (a) structures that are ancillary to but directly related to the operation of Amusement Attractions, such as operator panels and booths, queues, mechanical and machine houses, and designing and theming elements, (b) structures that are designed or manufactured by the Amusement Attraction manufacturer or other third-party vendor, and (c) structures that require customized artistic work, such as hand-painted signage or scenery, or specialized skills.
- (iii) **Conditions for Use of Union Labor:** The Manager's obligation to use union labor or pay prevailing wages to the extent set forth herein and consistent with applicable law only applies to Major Construction Projects where the Construction Work will occur at a time when (w) the County is operating under a Project Labor Agreement between its contractor(s) and the Unions with respect to one or more components of the County's Capital Plan; (x) the County Construction Work under the Project Labor Agreement will also be taking place at Playland; (y) the Project Labor Agreement contains appropriate provisions to avoid labor disruption; and (z) the Project Labor Agreement is in furtherance of the purposes of Chapter 635 of the Laws of Westchester County, including promoting the objective of completing the project at the lowest reasonable cost. The parties agree that the form of Project Labor Agreement used for Contract No. 19-505 (Fire Suppression System Upgrades at Playland) meets the requirements of this paragraph. The Manager shall not be required to be a party to any collective bargaining agreement. The Manager shall not be required to pay more than the then-prevailing wage for the relevant trades in accordance with the Prevailing Wage Schedule for Westchester County published by the Bureau of

Public Works for the New York State Department of Labor. Other than with respect to the initial demolition and construction of the Tiki Bar as set forth below, the Manager's obligation to use union labor as set forth herein shall terminate on April 30, 2026.

The County and the Manager shall at all times use reasonable efforts to maintain harmony between the Unions and other personnel employed by the County or its contractors in connection with the County Construction Work and the Unions and other personnel employed by the Manager or its contractors in connection with the Manager's Work. The County and its contractors shall act in a reasonable, professional and courteous manner towards the Manager's separate contractors, and the Manager and its contractors shall act in a reasonable, professional and courteous manner towards the County's separate contractors. The County and the Manager shall at all times use reasonable efforts and judgment to avoid strikes, boycotts, picketing, work-stoppages, slowdowns, complaints, disputes, controversies or any other type of labor trouble, regardless of the employer of the person involved or their employment status, if any.

If any strike or labor activity is directed against the Manager at Playland or against any of its contractors or operations pursuant to this Agreement resulting in picketing, boycott, work stoppage, slowdowns or other labor disputes, which, in the reasonable opinion of the Manager, adversely affects or is likely to adversely affect the operation of Playland or the operations of other permittees, lessees or licensees thereat, whether or not the same is due to the fault of the County, and whether caused by the employees of the County or by others, the Manager and its contractors shall have the right to take all legal remedies available to them to end or arrange for the cessation of any such labor activity. For the avoidance of doubt, violation(s) of this paragraph and the preceding paragraph does not give rise to a right by either Party to terminate this Agreement; rather, either Party may take steps to end or arrange for a cessation of labor activity or, upon written notice to the other Party, take steps the Party deems appropriate to complete work on any Major Construction Project.

(iv) **Manager Consideration for Use of Union Labor:** In consideration of the Manager's anticipated use of union labor for Construction Work on Major Construction Projects to the extent set forth above, the Parties agree as follows:

- a. The Tiki Bar shall be deemed to be a part of Playland Park (as such term is used in this Agreement), and such concession will become a part of the Manager's rights and responsibilities under this Agreement and subject to the terms hereof (including, without limitation, the Revenue Share), when the current concession for the Tiki Bar expires, and, in any event, no later than December 31, 2022.
- b. The Manager will invest a minimum of Two Million Two Hundred and Fifty Thousand (\$2,250,000.00) Dollars for the demolition of the Tiki Bar and the construction of a new restaurant in the first five (5) years from

when the Manager assumes management of the Tiki Bar. The County may condition its approval of the Manager's Plans and Specifications for the Tiki Bar construction on the Manager providing the County with evidence of its Two Million Two Hundred and Fifty Thousand (\$2,250,000.00) Dollar investment in the same form as permitted for the Remaining Balance under Section 1(E) (i.e., either cash or liquid assets or letter of credit with like tenor). Until such time as the Tiki Bar is demolished, the Manager shall be responsible for operating a restaurant in the existing Tiki Bar facility. If the County and the Manager are unable to agree on Plans and Specifications for the construction of the new restaurant, or the Manager is unable to obtain the permits and approvals required by applicable law to proceed with such construction, the Manager may decline to proceed with the demolition and construction of the new restaurant, in which event (a) the Manager shall promptly notify the County of its decision not to proceed and shall have no obligation to invest the additional Two Million Two Hundred and Fifty Thousand (\$2,250,000.00) Dollars earmarked for such purpose, and the total required Manager's Investment shall be Thirty Two Million Seven Hundred and Fifty Thousand (\$32,750,000.00) Dollars, and (b) the Manager may at its election either (i) continue to operate a restaurant in the existing Tiki Bar facility in accordance with its obligations as the Manager under this Agreement, or (ii) relinquish to the County all rights to operate a restaurant at the site of the Tiki Bar and the associated revenues, and, solely with respect to clause (ii), the Tiki Bar shall cease to be deemed a part of Playland Park for purposes of this Agreement, and the Manager shall have no further rights or responsibilities with respect to management or operation of the Tiki Bar.

- c. Notwithstanding any other provisions of this Agreement, the Manager will be solely responsible for the costs of the initial demolition of the Tiki Bar and the construction of a new restaurant, including all necessary infrastructure, and for any extraordinary maintenance, repairs and improvements relating to the Tiki Bar. The Manager agrees that it will use union labor for the Construction Work components of all Major Construction Projects relating to the initial demolition and construction of the Tiki Bar (i.e., future renovations of the Tiki Bar shall not be subject to this requirement) on the same conditions for the use of union labor set forth above.
- d. Plans and Specifications for the restaurant replacing the Tiki Bar shall be subject to review under Section 6(B) of this Agreement; provided, however, that, because of the scope and complexity of such project, the otherwise applicable period for review of the Plans and Specifications at each design stage under Section 6(B) shall be extended by an additional ten (10) business days. The new restaurant may not impede public access to the Boardwalk or the Ice Casino. Any material increase in the size and/or change in the location of the new restaurant relative to the existing



facility shall be subject to the County's consent in the exercise of its reasonable discretion (such discretion not to be unreasonably withheld or delayed).

G. **Reasonable Diligence.** The Manager shall implement any improvements to be undertaken by the Manager at Manager's cost and expense with commercially reasonable diligence.

H. **Standards and Criteria.** In the event Manager determines to renovate or build one or more improvements at Manager's cost and expense, each such improvement shall, except as otherwise agreed to in writing, meet the following:

- (i) Be reasonably consistent with industry standard design.
- (ii) In the case of substantial improvements (including without limitation Material Improvements) to buildings or structures not including rides, represent an architectural style that is compatible with and does not materially detract from the historic character and range of architectural styles then or previously existing at Playland Park (it being understood that a style (e.g., a contemporary style) that is different from the historic range of styles existing at Playland shall not be deemed *per se* incompatible, provided that it does not materially detract from the historic character and range of architectural styles of Playland Park as a whole).
- (iii) Be constructed in accordance with all applicable laws, ordinances, regulations or orders of any federal, state, municipal or other public authority affecting the same, including but not limited to, the New York State Uniform Fire Prevention and Building Code Act. In addition, all improvements shall be constructed in accordance with all requirements of the New York Board of Fire Underwriters or other similar body having jurisdiction thereof and the National Electrical Code.
- (iv) Be free of liens and encumbrances for labor and materials supplied in connection with such work.
- (v) Will not materially adversely affect the County's obligation to maintain the Park for the public's use and enjoyment.

I. **Final Plans and As Built Drawings.** Copies of all final plans, "as built" drawings (which shall be deemed to include final plans with field notations thereon) and equipment and building system operating and maintenance manuals, for any improvement to be undertaken by the Manager at Manager's cost and expense, shall be delivered by the Manager to the Commissioner and the DPW&T Commissioner to complete the County's files.

J. **Improvement Insurance.** No improvements to be undertaken by the Manager at Manager's cost and expense shall be commenced unless the Manager or an approved subcontractor shall first have procured, at its own cost and expense, and delivered to the Commissioner proof of insurance coverages as required by **Schedule "E"** which is attached hereto and made a part hereof, including copies of policies if requested by the County Director of Risk Management. In particular, the insurance certificate shall identify the specific improvement

and the policy shall be endorsed to cover such improvement and the endorsement provided to the County Director of Risk Management.

In addition, the Manager shall ensure that its contracts with any and all third parties that are engaged to perform any work, and who will enter upon or occupy any portion of Playland Park, shall include a written requirement that said third parties shall procure and maintain insurance naming the County of Westchester as an additional insured as its interest may appear, and that such third parties shall, at its own cost and expense, procure and deliver to the County proof of the above insurance coverages, including copies of policies if requested by the County Director of Risk Management.

Each party hereto shall cause each insurance policy obtained by it to provide, to the extent available, that the insurer waives all right of recovery by way of subrogation against the other party in connection with any damage and/or liability covered by said insurance.

K. **Certificates.** Manager shall obtain and deliver to the Commissioner and DPW&T Commissioner copies of all proper certificates from the County Department of Health, the Board of Fire Underwriters, or such other certificates as are customarily obtained from any department or bureau having jurisdiction. Unless a certificate of occupancy shall hereafter be held to be legally required, Manager shall deliver to the County a certificate of completion, signed by Manager's engineer or architect.

L. **Inspection.** During implementation of any improvement to be undertaken by the Manager at Manager's cost and expense, the Commissioner or the DPW&T Commissioner, or his/her designees, may, from time to time, and at reasonable times upon reasonable prior notice, inspect such improvement, provided that the conducting of such inspection shall not interfere with Manager's construction activities or operation as an amusement park.

In the event that, during the implementation of any improvement undertaken by the Manager and prior to the completion of same, the Commissioner and/or DPW&T Commissioner, or his/her designees, shall reasonably determine that the improvement is not being constructed substantially in accordance with the Plans and Specifications and/or the applicable terms and conditions of this Agreement, then the Commissioner and/or the DPW&T Commissioner shall give prompt notice in writing to the Manager, specifying in detail the particular deficiency or omission in which the Commissioner and/or the DPW&T Commissioner claims construction does not accord with the above requirements. Manager shall respond within thirty (30) days notifying the Commissioner and/or the DPW&T Commissioner that Manager will remedy the deficiency and provide a timetable within which to do so. It shall be the responsibility of the DPW&T Commissioner to schedule inspections at times he deems reasonably necessary and the Manager has no obligation to stop or delay construction because the DPW&T Commissioner is unable to inspect at the appropriate time during the construction cycle.

M. **Document Ownership Upon Default.** In the event this Agreement shall be terminated by reason of the default of the Manager as provided in this Agreement prior to the completion of any improvement to be undertaken by the Manager at Manager's cost and expense, any and all Plans and Specifications, reports, estimates and models which shall have been prepared or made in connection with any improvement and which shall be in the possession

of, and owned by, the Manager and any approved subcontractors, shall become the property of the County.

N. **Exemption from Retail Sales Tax and Compensating Use Tax.** The Manager's attention is directed to Section 1115 of the Tax Law of New York State, Chapters 513 and 514 of the Laws of 1974. In connection with capital improvement contracts entered into on or after September 1, 1974, all tangible personal property which will become an integral component of a structure, building or real property of New York State, or any of its political sub-divisions, including the County of Westchester, is exempt from State and local retail sales tax and compensating use tax. In order to utilize such exemption, the Manager shall be obliged to file the required Contractor Exempt Purchase Certificates, which may be obtained from the New York State Department of Taxation and Finance (1-800-462-8100).

O. **SEQRA.** The Manager further understands and agrees to provide the County with all information necessary for the County to comply with the New York State Environmental Quality Review Act and its implementing regulations ("SEQRA") for any improvements done under this Section 6 that require SEQRA compliance where such improvements are undertaken by the Manager at Manager's cost and expense.

#### **SECTION 6-a. Improvements undertaken by County**

(i) As used in this Agreement, the following capitalized terms shall have the following respective meanings set forth below:

**"County Capital Plan"** shall mean the June 10, 2019 Playland Park Capital Program Overview (as updated on January 11, 2021), which shall be attached to this Agreement and incorporated herein as **Schedule "K"**.

**"County Capital Projects"** shall mean the projects itemized in the County Capital Plan (each such project being a "County Capital Project").

**"County Capital Plan Amount"** shall mean the budgeted amount in the County Capital Plan (i.e., the "2020 Estimated Project Cost") for a particular County Capital Project.

**"County Capital Plan Total Amount"** shall mean the sum of the County Capital Plan Amounts for all County Capital Projects (i.e., One Hundred Twenty-Six Million, Six Hundred and Ninety-Eight Thousand (\$126,698,000.00) Dollars).

**"[XX]% Threshold"** shall refer to the ratio of (a) the County Capital Plan Amounts for the County Capital Projects that are "substantially complete" (as defined below), regardless of whether the amount actually spent is greater than or less than the County Capital Plan Amounts for any such County Capital Projects, to (b) the County Capital Plan Total Amount. For example, if the County Capital Plan Amounts for the County Capital Projects that are substantially complete total Sixty-Three Million, Three Hundred and Forty-Nine Thousand (\$63,349,000.00) Dollars, the 50% Threshold will have been met.

**"Substantial completion"** shall mean "the stage in the progress of the County Work when the County Work or designated portion thereof is sufficiently complete in accordance with the

Contract Documents so that the Owner can occupy or utilize the County Work for its intended use.” For purposes of this Agreement, “County Work” as used in this definition shall mean a County Capital Project, and the Contract Documents shall mean the contract awarded by the County to the contractor for that County Capital Project. A County Capital Project shall be deemed “substantially complete” when all of the following are satisfied: (i) the entire project (not a portion thereof) is “substantially complete” in accordance with this definition; (ii) a Certificate of Occupancy has been issued for the County Capital Project or, with respect to those County Capital Projects for which a Certificate of Occupancy is not required, a Certificate of Completion has been issued; and (iii) the County has provided the Manager with a copy of the County’s initial punch list for that County Capital Project and the initial timetable agreed by the County with its contractor for completion of the punch list items (it being understood that the punch list and/or timetable may subsequently change, which shall not affect whether the County Capital Project is deemed “substantially complete” pursuant to this Agreement.) For example, if 85% of the Green Parking Lot (a County Capital Project) is sufficiently complete so that the County can use that 85% for its intended use, but the remaining 15% is not ready for use, the Green Parking Lot would not be “substantially complete.” If, however, the entire Green Parking Lot is ready to be occupied or utilized for its intended use (i.e., public parking), it would be “substantially complete.”

The County shall perform all work in connection with each County Capital Project in a good and workmanlike manner in order to keep Playland Park in a clean, orderly, safe and operational condition. The County shall fully complete each County Capital Project in accordance with the plans and specifications therefor and as contemplated by the County Capital Plan.

The County Capital Plan includes the deadlines for substantial completion of each County Capital Project (indicated as the “Finish” date under the “Proposed Bid and Construction Schedule” for each County Capital Project on **Schedule “K”** hereto); provided, that the deadline for substantial completion of the parking lot, arcade buildings, and games row (which are all County Capital Projects) shall be prior to the start of the 2025 season. The County shall be required to reach substantial completion of each County Capital Project by the deadline for substantial completion of such project set forth in the County Capital Plan, plus one year (each, a “Project Deadline”). For example, if the deadline for substantial completion of the Rehabilitation of the Employee Facilities (RP028) in the County Capital Plan is “2nd quarter 2022,” the Project Deadline for Rehabilitation of the Employee Facilities (RP028) for purposes of this Agreement shall be June 30, 2023. Additionally, the County shall be required to reasonably promptly procure and provide the Manager with a copy of the as-built drawings for each County Capital Project when such drawings become available.

If a Force Majeure or other unavoidable circumstance beyond the County’s control causes the County to miss a Project Deadline by more than thirty (30) calendar days (the “Excused Delay Period”), the applicable Project Deadline shall be extended by the period of time such Force Majeure or other unavoidable circumstance beyond the County’s control remains in effect or is unresolved; provided, that in the event the County misses a Project Deadline by more than the Excused Delay Period due to Force Majeure or other unavoidable circumstances, the County shall notify the Manager in writing within forty-eight (48) hours of the end of the Excused Delay Period, describing in reasonable detail the nature of such Force Majeure event or



unavoidable circumstances, how such Force Majeure event or unavoidable circumstances are beyond the County's control, and the County's plan to address such Force Majeure event or other unavoidable circumstances, including a reasonable estimation of the timing and steps to resolve such Force Majeure event or other unavoidable circumstances. Any other delay that causes the County to miss a Project Deadline is a "Non-Excused County Delay." Any disputes concerning whether the County's delay is excused (including disputes regarding whether a claimed unavoidable circumstance is beyond the County's control) shall be submitted to and resolved by the Monitor for decision as provided in Section 43(i).

In the event that the County fails to meet a Project Deadline because of a Non-Excused County Delay, then until the applicable County Capital Project is completed, (i) the Manager shall not be required to pay the County the Revenue Share or the Annual Management Fee, (ii) the Term shall be extended by the duration of the Non-Excused County Delay, (iii) any deadlines on the Manager's Capital Projects shall be tolled for the period of the Non-Excused County Delay, and (iv) the Manager's Revenue Target test shall be suspended for the period of the Non-Excused County Delay. In the event that the County fails to meet Project Deadlines because of a Non-Excused County Delay for (A) County Capital Projects for which the County Capital Plan Amounts in the aggregate represent 15% or more of the County Capital Plan Total Amount, or (B) more than two County Capital Projects, the Manager, in its sole discretion, may either (i) terminate this Agreement and be entitled to the applicable Liquidated Damages Payment for a "Termination Due to Event of Default on the Part of the County" in accordance with Section 23B herein, or (ii) elect to excuse the delay, in which case, until the applicable County Capital Project is completed, (w) the Manager shall not be required to pay the County the Revenue Share or the Annual Management Fee, (x) the Term shall be extended by the duration of the Non-Excused County Delay, (y) any deadlines on the Manager's Capital Projects shall be tolled for the period of the Non-Excused County Delay, and (z) the Manager's Revenue Target test shall be suspended for the period of the Non-Excused County Delay.

Notwithstanding anything to the contrary, if the County has not met (i) the 70% Threshold before April 30, 2024, or (ii) the 90% Threshold before April 30, 2026, the Manager may terminate this Agreement pursuant to Section 23(B). If such failure to meet such Threshold is the result of a Force Majeure or other unavoidable circumstance beyond the County's control, and the Manager terminates this Agreement pursuant to Section 23(B), the Manager shall be entitled to the applicable Liquidated Damages Payment payable upon a "Termination Not Due to Event of Default." If such failure to meet such Threshold is for any other reason and the Manager terminates this Agreement pursuant to Section 23(B), the Manager shall be entitled to the applicable Liquidated Damages Payment payable upon a "Termination Due to Event of Default on the Part of the County."

The County and the Manager, and their respective external engineers and consultants, shall conduct conference calls or meetings at mutually convenient times every other week or at such other intervals as they may mutually agree to discuss progress on the County Capital Projects. The County shall provide the Manager with reasonable and timely access to the County's external engineers, construction managers, and other consultants for questions or information requests relating to the County Capital Projects upon request. Although the County shall provide information to the Manager concerning the County Capital Projects as provided

herein, the design and construction of the County Capital Projects shall be solely under the direction and control of the County.

Commencing with the first full month after the Effective Date, the County shall provide monthly reports to the Manager that delineate all funds spent by the County with respect to the County Capital Projects in substantially the same form that the County has historically provided such reports to the Manager; provided, that such monthly reports shall indicate how such funds spent by the County correspond to each individual County Capital Project. Such monthly reports shall be provided to the Manager on or before the last day of the month following the month to which such monthly report relates.

(ii) **County Capital Process.** If a proposed improvement, other than the County Capital Projects, is one that is classified as being the County's responsibility under this Agreement, and one that requires either an amendment to the County's Capital Budget and authorization for bond funds, or both, then the Manager shall prepare and submit to the Commissioner a list, along with detailed information, of each and every such proposed improvement to be made in Playland Park. Such list, along with the supporting detailed information shall include, but not be limited to:

- an illustrated site plan that shows existing and proposed changes;
- preliminary plans and drawings prepared by a licensed architect;
- a project by project scope of work and cost estimates which includes prevailing wage and also indicates unit prices for major construction items;
- a proposed schedule for implementation of each improvement ("Timetable(s)"). A proposed Timetable shall include, but not be limited to, a construction schedule for each project; and
- a statement of all major actions that are required to implement each such project and the affect such actions will have on Playland Park, including but not limited to, construction and demolition.

Upon submission of the above, the County Executive will cause legislation relating to the same to be prepared for submission to the Board of Legislators promptly after any request thereof by the Manager, and the County Executive will promptly submit such legislation to the Board of Legislators for its consideration.

(iii) **Pre-Qualification and Selection.** The County will be responsible to comply with all applicable local laws and rules for the prequalification and selection of architects, engineers and land surveyors for any improvement that the County is responsible for under this Agreement. (See Laws of Westchester County-§161.31 and §277.81 - §277.121; see also Act 5-1976, Act 22-1992, Act 144-1996, Act 94-2012, and Act 166-2020.) The Manager shall assist the County by providing names of firms with specific expertise in amusement park work for prequalification.

(iv) **Public Bidding.** The County will be responsible to comply with all applicable laws and rules regarding public bidding for any improvement that the County is responsible for under this Agreement. The Manager shall cooperate with the County in connection with the County's obligation to publicly bid an improvement.

## **SECTION 7: Utilities.**

As the owner of Playland Park, the County shall remain responsible to continue to provide or cause to be provided all utility connections, including water and electricity, cable/fiber optics, sanitary sewer facilities and the like serving Playland Park on the Management Commencement Date (including those intended to be provided and necessary for the operation of Playland Park even though they may be temporarily out of service or seasonally discontinued on the Management Commencement Date). The County shall provide any and all utilities that are currently provided in Playland, including, but not limited to, electric, water, fuel oil, propane and gasoline (each a "Utility" and collectively "Utilities"). Any other utilities that are not included within this definition are the Manager's responsibility to obtain and pay for separately.

The Manager shall be responsible for the payment of all charges for Utilities within thirty (30) calendar days of receipt of a bill from the County. The County shall pass along any discounts that it receives by virtue of the fact that it is a municipality. The Manager shall not be responsible to pay for Utilities used at the Ice Casino, the Tiki Bar and/or Westchester Children's Museum, as long as same are operated by a third party. If the Manager takes over operation of any of these facilities, then the Manager shall be responsible to pay for Utilities at such facilities.

The Manager acknowledges that the County is committed to pursuing alternative energy generation, including, but not limited to, solar and geothermal ("alternative energy generation"), on County-owned facilities, including at Playland Park, and in particular utilizing the parking lot and other surface areas, where practicable. In furtherance of this commitment, the Parties shall work together to determine the feasibility and efficacy of pursuing such alternative energy generation for the purpose of reducing Utility costs and maximizing energy efficiency, provided that the implementation and undertaking of such alternative energy generation does not increase the Manager's costs and expenses or adversely affect the operations of Playland Park and that any capital expenditures to be made by the Manager for the implementation and undertaking of such alternative energy generation shall be in the Manager's sole discretion. The foregoing, however, does not preclude the County from pursuing alternative energy generation at its own cost and expense.

The Manager shall not seek damages from the County and shall not hold the County liable for an interruption of any Utility service that is not due to the County's actions or omissions.

The County shall cooperate with the Manager should the Manager, at its sole cost and expense, desire to install sub-meters at Playland Park after the Management Commencement Date. If the Manager installs a sub-meter, it shall still have the option to purchase Utilities through the County and reimburse the County for all charges for Utilities on a monthly basis.

The County will be responsible for the costs of maintaining or improving the Utility distribution systems at Playland Park at levels necessary to support attendance of up to one million visitors annually at Playland Amusement Park. Any and all costs necessary to maintain and improve the Utility distribution systems at Playland Park above the levels necessary to support attendance of over one million visitors annually shall be borne by the Manager.

Notwithstanding the above, to the extent the Manager or any approved subcontractors make any improvement which would necessitate: (i) a new connection to any existing Utility distribution system(s) at Playland maintained by the County (e.g. electricity, telephone, sewer and water); or (ii) increase the demand for such Utility distribution systems; or (iii) otherwise materially affect the capacity or efficiency of such Utility distribution systems, the prior review and approval of the DPW&T Commissioner shall be required, not to be unreasonably withheld, conditioned or delayed.

Manager, at its sole cost and expense, for any improvement requiring review under this Section, shall cause building mechanical schematics and site plans and specifications showing the method and location of all Utility connections, normal and peak load demands for such services and such other information reasonably required by the DPW&T Commissioner to determine the effect, if any, of such increase in service on the capability, reliability and efficiency of the existing Utility distribution systems at Playland.

#### **SECTION 8: Temporary Closing of Playland Park or Selected Areas.**

After the Management Commencement Date, the Commissioner shall notify the Manager of any closing by the County (i.e., a County department or instrumentality acting on behalf, at the request of, or for the benefit of, the County) of the Park, or any portion thereof, due to an emergency or disaster declared by any federal, state or local government in accordance with applicable law. Such notice to the Manager shall be provided at the earliest possible time considering all of the facts and circumstances surrounding the emergency.

Manager shall not be obligated to pay the full Annual Management Fee for any period when Playland Park is closed per this Section 8, if Playland Park is closed for more than ten (10) business days during the in-season within a twelve (12) month period. In such circumstance, the Annual Management Fee will be prorated for the period of time that Playland Park is closed, as provided in Section 3(B) of this Agreement.

#### **SECTION 9: Permits and Sponsorships.**

A. **Sponsorships.** After the Management Commencement Date, the Manager shall manage the application and processing of corporate sponsorships relating to Playland Park ("Sponsorship Agreement(s)"), except for those contracts, licenses and lease delineated in Section 1 above (e.g., Ice Casino, Children's Museum) to which the Manager has no rights under this Agreement. Applications for Sponsorship Agreements shall be made to the Manager, who shall make the determination whether the requested Sponsorship Agreement is appropriate for a family park considering all of the available facts and circumstances.

The Manager agrees that it will not enter into any Sponsorship Agreement with any person or entity that engages in activities that are clearly defamatory or engages in activities that are offensive to the reasonable standards of the community.

B. **Permits.**

- (i) Other than normal operational uses of Playland Park, the Manager shall give the Commissioner reasonable notice of any public programs, events, meetings or



other public functions of any kind to be held by the Manager, or an approved subcontractor, in Playland Park. Unless the Commissioner, within seventy-two (72) hours of receipt of such notice, notifies the Manager that such activity may not be conducted, the Manager may conduct such activity, except for those routine performances approved by the Commissioner as part of the Annual Operating Plan (such approval will not be unreasonably withheld, conditioned or delayed).

- (ii) During the Term, except as specifically provided in sub-paragraph (i) above, the Commissioner shall grant or withhold permits in Playland Park for assemblies, meetings, exhibits and or other activities in accordance with the rules and regulations of the Department of Parks, Recreation and Conservation. Application for a permit for any such assembly, meeting, exhibit and or other activity shall be made to the Manager, which shall recommend to the Commissioner that the permit be granted or denied, except for those which are specifically approved by the Commissioner in the Annual Operating Plan (such approval will not be unreasonably withheld, conditioned or delayed).
- (iii) Notice of each application for a permit under subparagraph (ii) above, and of the Manager's recommendation as to such application, shall be sent to the Commissioner at least thirty (30) days before the commencement of any assembly, meeting, exhibit and or other activity for which permission is sought (or such shorter time as is practicable, if the Manager notifies the Commissioner that time is of the essence). Unless the Commissioner shall give notice to the Manager, no later than fifteen (15) days prior to the commencement of the proposed permitted activity (or if it the Commissioner has received less than thirty (30) days' notice, as soon as practicable), that the Manager's recommendation is disapproved, with reasons therefor, the Manager's recommendation as to such application shall be deemed approved.

C. **Advertising.** Except for those existing agreements that cannot be assigned to the Manager (e.g., County-wide bus and bus stop advertising agreement) or will not be assigned under this Agreement, the Manager shall have the right to sell signage and/or advertising for use inside Playland Park. If the Commissioner finds any of the content to be clearly defamatory or offensive to the reasonable standards of the community, then the Commissioner shall request a modification to the signage and/or advertising, which modification will not be unreasonably withheld or delayed by the Manager.

It is understood and agreed that nothing in this Agreement grants authority to the Manager for the naming rights of Playland Park, or any facility, building or area in Playland Park. Such naming rights rest solely with the County.

The County retains the right to advertise in Playland Park for other County programs or events, provided that the quantity and location of such advertisements shall be mutually agreed upon by the Parties.

## **SECTION 10:           Assignment and Subcontracting.**

The Manager shall not delegate any duties or assign any of its rights under this Agreement, or subcontract any part of the Work, without the prior express written consent of the County, which consent will not be unreasonably withheld, conditioned or delayed (and in any event, shall be delivered within five (5) business days of such request, except in the case of exigent circumstances, then as soon as reasonably practicable under the circumstances); provided, that such consent right shall not apply to proposed subcontractors, assignees or delegees who will (i) perform such subcontracted, assigned or delegated work physically outside of Playland Park or (ii) be paid less than One Hundred Fifty Thousand (\$150,000.00) Dollars per year for such subcontracted, assigned or delegated work (such amount to be adjusted annually (starting December 31, 2021) by the change in the CPI-U for New York-Northeastern New Jersey during the preceding twelve (12) month period ending December 31st, as published by the Bureau of Labor Statistics of the United States Department of Labor. Verification of the calculation for the increase in the Annual Management Fee must be submitted to the Commissioner by June 30<sup>th</sup> of each year. If the Bureau of Labor Statistics ceases to publish the CPI-U or any comparable revised or successor index, then the Manager, in consultation with the County, will substitute a suitable index of the cost of living for the area in which Playland is located, as published by another federal government agency or a responsible financial periodical of recognized national authority). Additionally, the Manager shall conduct, or shall require to be conducted, criminal background checks for any proposed subcontractors, assignees or delegees who will interact directly with guests of Playland Park in the course of performing such subcontracted, assigned or delegated work, regardless of the amount such subcontractors, assignees or delegees will be paid for the performance of such work. The County shall consider only the following criteria when determining whether to consent to a subcontract, assignment or delegation of duties proposed by the Manager: subcontractor's, assignee's or delegee's integrity; subcontractor's, assignee's or delegee's prior performance of a County contract(s) (but the absence of any such prior work shall not be disqualifying); and subcontractor's, assignee's or delegee's compliance with Federal, State, and Local Laws and Regulations. Notwithstanding the foregoing, if the Manager seeks to assign substantially all of its rights and delegate substantially all of its obligations under this Agreement to another person or entity, the County may also consider such delegee's or assignee's ability to fulfill the Manager's obligations under this Agreement, it being agreed that an assignee or delegee with (x) at least five (5) years' experience operating or running an amusement park of a similar or larger size to Playland Amusement Park (in terms of revenues, geographic area or number of rides and concessions in the aggregate), and (y) cash, cash equivalents or availability under existing credit facilities or equity commitments of at least the greater of (A) the dollar amount of the Manager's remaining portion of the Manager's Investment under this Agreement, and (B) Three Million (\$3,000,000.00) Dollars, shall be an acceptable assignee/delegee; and the County's prior express written consent or non-consent to such assignment and delegation shall be delivered within thirty (30) days of such request, and if the County does not grant such consent, the writing must explain the reasons for refusing to consent. Any purported delegation of duties, assignment of rights or subcontracting of Work under this Agreement without such prior express written consent is void.

All subcontracts, assignments or delegations that have received such prior written consent shall provide that subcontractors, assignees, or delegees are subject to all terms and conditions set forth in this Agreement. It is recognized and understood by the Manager that for the purposes

of this Agreement, all Work performed by County-approved subcontractors, assignees or delegees shall be deemed Work performed by the Manager and the Manager shall use commercially reasonable efforts to ensure that such subcontracted, assigned or delegated work is subject to the material terms and conditions of this Agreement. All subcontracts, assignments or delegations for the Work shall expressly reference the County-approved subcontractor's, assignee's or delegee's duty to comply with the material terms and conditions of this Agreement and shall attach a copy of the County's contract with the Manager. The Manager shall obtain a written acknowledgement from the owner and/or chief executive of County-approved subcontractors, assignees or delegees or his/her/their duly authorized representative that the subcontractors, assignees or delegees has/have received a copy of the County's contract, read it and is familiar with the material terms and conditions thereof. The Manager shall include provisions in its subcontracts, assignments and/or delegations designed to ensure that the Manager and/or its auditor has the right to examine all relevant books, records, documents or electronic data of the County-approved subcontractors, assignees or delegees necessary to review the subcontractor's, assignee's or delegee's compliance with the material terms and conditions of this Agreement. For each and every year for which this Agreement continues, the Manager shall submit to the Commissioner a letter signed by the owner and/or chief executive officer of the Manager or his/her duly authorized representative certifying that each and every County-approved subcontractor, assignee or delegee is in compliance with the material terms and conditions of the Agreement.

#### **SECTION 11:       Employees.**

The Manager shall, as of the Management Commencement Date, have the sole and exclusive right and power to select, appoint, employ, direct, supervise, control, remove, discipline and discharge all persons employed by the Manager in Playland Park, subject to the notice and eligibility requirements set forth in Section 2(BB) above. The Manager's rights in this respect shall include, but not be limited to, the right to establish all terms and conditions of employment, to fix compensation, and to make promotions on the basis of fitness and ability. The Manager shall ultimately be responsible to the County for the employees of any approved subcontractors who carry out its duties under this Agreement, as the County shall have no contractual privity with such subcontractors.

All employees who carry out the Manager's duties under this Agreement shall be the employees of Manager or of approved subcontractors and not of the County. All matters pertaining to the employment of such employees shall be the sole responsibility of Manager or of its approved subcontractors and the County shall bear absolutely no responsibility or liability therefore.

The County shall make available certain Playland Park employees with specialized skills to train Manager's employees during the first year after the Management Commencement Date, as agreed to by the Parties in a separate writing.

All County employees who work in any capacity at Playland Park or who have responsibilities of any kind with respect to Playland Park prior to the Management Commencement Date and who are not hired by the Manager or an approved subcontractor as of the Management Commencement Date shall remain the sole responsibility of the County.

Manager, and its approved subcontractors, shall establish, administer, and maintain the payroll procedure and systems for Manager's employees at the Park and shall be responsible for overseeing the benefits to, and handling the appropriate payroll deductions for, individual employees. Manager, and its approved subcontractors, shall fully comply with all applicable laws and regulations concerning workers' compensation, social security, unemployment, tax withholding and reporting, hours of labor, wages, working conditions and all other laws affecting or respecting the employment of such employees or independent contractors. All employees of Manager and all approved subcontractors shall be a citizen of the United States or an alien who has been lawfully admitted to the United States for permanent residence as evidenced by an alien registration receipt card. The Manager shall use commercially reasonable efforts to hire employees who are residents of Westchester County. The Manager, and its approved subcontractors, shall supervise and train its staff to perform their duties and to conduct themselves in an orderly and professional manner at all times. Each employee must thoroughly understand the need to exercise and display a courteous and polite demeanor when dealing with the public. The Manager, and its approved subcontractors, shall be required to remove from Playland Park any employee whose conduct, demeanor or appearance is objectionable to the Commissioner (which objection is based on Department of Parks, Recreation and Conservation standards and is in compliance with all laws) after consultation with the Manager. The Manager, and its approved subcontractors, shall have no authority to enter into any employment contract which purports to be on behalf of the County, or which otherwise obligates the County in any respect. The Manager, and its approved subcontractors, shall comply with federal and state labor and/or employment laws.

The Manager shall have the option to utilize the full-time County employees that are assigned to work at Playland from and after the Management Commencement Date. The County shall provide a list of such full-time employees to the Manager by April 1<sup>st</sup> of each year of the Management Term. The Manager must notify the County of its intention to use these full-time employees by June 30<sup>th</sup> of each year of the Management Term. Should the Manager desire to use the full-time employees such use shall be for one full year. If the Manager desires to continue to use these employees the Manager shall provide notice to the County in accordance with this paragraph. If the Manager determines not to use these employees the County does not have to guarantee their availability from and after that point in time. If the Manager notifies the County that it will be utilizing these employees, the Manager shall reimburse the County as follows:

The Manager shall reimburse the County one hundred (100%) percent of salary and overtime expenses for such employees plus thirty (30%) percent of salary for fringe benefits per employee. The Manager shall provide such reimbursement on a quarterly calendar basis within thirty (30) days of receipt by the Manager of a County invoice detailing the particular employee, hours worked, hourly rate and benefits. The Manager shall have the option to utilize the full-time County employees that are assigned to work at Playland at this specified rate for a maximum of two years from the Management Commencement Date. After the two years, the above rate will change and if the Manager desires to continue to utilize the full-time County employees that are assigned to work at Playland, the Manager shall reimburse the County one hundred (100%) percent of salary and overtime expenses for such employees plus one hundred (100%) percent of the County's actual cost for fringe benefits per employee.



Notwithstanding any provision of this Agreement to the contrary, the County shall be responsible for any employment claims or disputes by any employee employed by the County with respect to such employee's employment by the County prior to the Manager's employment of such employee by the Manager.

The County shall not be obligated to replace any full-time County employee that is assigned to work at Playland should such employee leave the County's employment for any reason whatsoever.

The Manager acknowledges the County is a large summer youth employer and the Manager agrees that it will continue to support this arrangement. The Manager anticipates a continuing need for a large number of seasonal workers at Playland throughout the Management Term, including many entry-level positions suitable for young people of high school or college age, and the Manager desires to maintain access to a robust and diverse pool of prospective employees drawn from such young people residing in the County or adjoining areas. During the Management Term, the Manager will employ reasonably effective procedures to provide access and opportunity for summer employment at Playland for young people residing in the County and adjoining areas, subject to any relevant changes in labor and employment laws and trends. The County will provide such advice and cooperation as the Manager may reasonably request to assist the Manager in achieving that objective.

Attached hereto and made a part hereof as **Schedule "M"** is the "Intra-Governmental Memorandum of Understanding by and among the County Executive and the County Board of Legislators of Westchester County, New York Dated the 10<sup>th</sup> day of August, 2015" ("Intra-Governmental MOU") regarding full-time employees currently working at Playland. The Manager acknowledges that while not a party to this Intra-Governmental MOU, the Manager understands the importance of the arrangement.

## **SECTION 12: Equipment and Amusement Park Rides.**

### **A. Equipment.**

The Manager shall, as of the Management Commencement Date, assume the use of all equipment which is the property of the County and has not been removed by the County in accordance with Section 1(C)(iv) of this Agreement and a list of such equipment shall be created and attached hereto as **Schedule "B"** on or before June 30, 2021. The equipment shall be in good working order as of the Management Commencement Date.

The Manager will procure additional equipment that it deems necessary for the proper execution of its responsibilities as set forth herein and shall supply equipment reasonably deemed necessary for the proper operation of Playland Park after the Management Commencement Date, and make full payment for the same.

"Fixed Equipment" shall be defined as items or fixtures that are permanently or structurally attached to the County's premises. Fixed Equipment shall not include items or fixtures that can be removed without material damage or destruction to the adjacent area within or upon the County's premises ("Removable Personal Property"). If requested, the County shall reasonably cooperate with the Manager in connection with the removal of any Removable

Personal Property and upon removal of any Removable Personal Property, the Manager, at its sole cost and expense, shall make all necessary repairs to restore the area damaged by such removal. Removable Personal Property will be limited to property acquired by the Manager and will not include any property that belongs to the County. Any Removable Personal Property procured by the Manager in order to fulfill its obligations herein will remain the property of the Manager, except that if the Manager removes such personal property upon the early Termination of this Agreement, it cannot seek recovery of the unamortized cost of such equipment in the event of such early Termination pursuant to Section 23B below. Once any Removable Personal Property is fully depreciated pursuant to the Internal Revenue Code schedules, ownership of that property shall transfer to the County. During the Agreement Term, the County shall not remove such fully depreciated property without the Manager's prior written consent, unless the Manager notifies the County that the property is no longer needed for use at Playland Park.

Any Equipment will be replaced as follows:

- (i) The Manager shall be responsible if the Equipment is required to perform the Work as defined herein (e.g., lawn mower); and
- (ii) The County shall be responsible if the Equipment is structurally necessary for the Manager to perform the Work as defined herein (e.g., HVAC system equipment).

Title to Fixed Equipment purchased by the Manager or an approved subcontractor for use at Playland Park shall vest in the County at such time as the Fixed Equipment is affixed to the County's premises at Playland Park. To the extent permitted by law, the Manager, and/or its approved subcontractors, shall have the right, for tax purposes under the Internal Revenue Code, to immediately expense such Fixed Equipment.

**B. Amusement Park Rides.**

The Manager shall, as of the Management Commencement Date, assume the use of all County-owned amusement park rides at the Playland Amusement Park. There are currently seven (7) Historic Amusement Park Rides owned by the County and thirty five (35) Non-Historic Amusement Park Rides owned by the County. Such Non-Historic Amusement Park Rides shall be treated in accordance with Section 2 of this Agreement. With respect to Non-Historic Amusement Park Rides, the Manager has the discretion to replace any one or more of such rides in accordance with the terms set forth herein. A "Historic Amusement Park Ride" means a Playland Amusement Park ride listed on **Schedule "L."** A "Non-Historic Ride" means any now or hereafter existing Playland Amusement Park ride that is not a Historic Amusement Park Ride.

The Manager shall maintain, repair and operate the Historic Amusement Park Rides in accordance with the following: the National Historic Preservation Act and its applicable regulations, standards and guidelines; current industry standards; operating and maintenance manuals applicable to such historic rides; and other applicable laws, rules, regulations and requirements, including, but not limited to, operating permit conditions promulgated by the New York State Department of Labor.

The Manager shall maintain, repair and operate the Non-Historic Amusement Park Rides in accordance with the following: the manufacturer's standards, as set forth in applicable manuals, guidelines and bulletins; any other operating and maintenance manuals applicable to such non-historic rides; current industry standards; and applicable laws, rules and regulations, including but not limited to, operating permit conditions promulgated by the New York State Department of Labor.

In addition to the rides that Manager has committed to procure in accordance with **Schedule "C-1"**, the Manager shall procure such additional rides that it deems necessary for the proper execution of its responsibilities as set forth herein after the Management Commencement Date, and make full payment for the same.

"Fixed Amusement Park Rides" shall be defined as Playland Amusement Park rides that are permanently or structurally attached to the County's premises. Fixed Amusement Park Rides shall not include Playland Amusement Park rides that can be removed without material damage or destruction to the adjacent area within or upon the County's premises ("Removable Amusement Park Rides"). If requested, the County shall reasonably cooperate with the Manager in connection with the removal of any Removable Amusement Park Rides. Removable Amusement Park Rides will be limited to property managed by the Manager and will not include any property that belongs to the County. Any Removable Amusement Park Rides procured by the Manager in order to fulfill its obligations herein will remain the property of the Manager, except that if the Manager removes such Removable Amusement Park Rides upon the early Termination of this Agreement, it cannot seek recovery of the unamortized cost of such Removable Amusement Park Rides in the event of such early Termination pursuant to Section 23B below. Once any Removable Amusement Park Ride is fully depreciated pursuant to the Internal Revenue Code schedules, ownership of that ride shall transfer to the County. During the Agreement Term, the County shall not remove such fully depreciated rides without the Manager's prior written consent, unless the Manager notifies the County that the ride is no longer needed for use at Playland Park.

Title to Fixed Amusement Park Rides purchased by the Manager or an approved subcontractor for use at Playland Park shall vest in the County at such time as the Fixed Amusement Park Rides are affixed to the County's property at Playland Park. To the extent permitted by law, the Manager, and/or its approved subcontractors, shall have the right, for tax purposes under the Internal Revenue Code, to immediately expense such Fixed Amusement Park Rides.

The Manager may remove, replace, or relocate any Non-Historic Amusement Park Ride, whether a Fixed Amusement Park Ride or a Removable Amusement Park Ride, or install a new Non-Historic Amusement Park Ride, in accordance with the provisions hereof, and provided that the Manager delivers written notice thereof to the County containing drawings, descriptions, plans, and/or specifications reasonably sufficient to identify (i) the subject ride, including the name, manufacturer, model, and manufacturer's specifications for any new ride, (ii) the proposed location of the ride, (iii) the utilities (e.g., electrical, water) needed to support the ride, (iv) the proposed dates and plans for removal, installation and, to the extent applicable, site remediation and (v) a list of the names of the entity(ies) from which the Manager will select a vendor to perform the removal, installation and/or site remediation. The Manager shall deliver all notices

and materials to be submitted or provided to the County hereunder to the Commissioner or such Commissioner's designee, who shall involve other County Departments or personnel in the review process as necessary or appropriate, provided that such involvement shall not expand the scope of the review set forth in this Section 12(B).

Within ten (10) business days of submission by the Manager, the County shall provide written notice to the Manager whether the County intends to evaluate such ride in accordance with this Section 12(B). If such notice is timely received by the Manager and states that the County does not intend to review such ride, or if no such notice is timely received, then the Manager may proceed with such ride without further review under this Section 12(B). If such notice is timely received and states that the County does intend to review such ride, then the Manager may proceed with such ride without further review under this Section 12(B) unless the County has delivered a written report to the Manager on or before the applicable Section 12 Response Date (as defined below), limited to, and describing in detail, the County's finding one or more of the following:

- (i) the ride (including its location) described in the notice violates applicable codes, rules and regulations in effect at the time of construction, and citing the specific violations;
- (ii) the firm(s) on the list provided by the Manager to install the ride is/are not a third-party firm experienced in installing rides in amusement parks, with bonding and insurance reasonably sufficient to cover the installation work;
- (iii) the theming or name of the ride is clearly defamatory or offensive to the reasonable standards of the community;
- (iv) the installation of the ride in, or the removal of the ride from, the location set forth in the notice may result in losing the historic designation of Playland Park, provided that if the parties are unable to agree on this clause (iv), the Parties shall jointly seek guidance from SHPO, and the Manager shall proceed in accordance with any direction or guidance received from SHPO if the Manager proceeds with the installation, removal or relocation of the ride, provided, however, that neither Party shall have any substantive *ex parte* communication with SHPO concerning the subject ride installation or removal; or
- (v) the Manager has not submitted one or more engineering or other report(s) from one or more New York State-licensed professional(s) in the relevant discipline(s) stating that the ride:
  - a. location set forth in the notice is, or is able to be (and the Manager has confirmed it will undertake at its expense to ensure that such location is), serviced by the water and/or electric utilities needed to operate the ride; and
  - b. may be safely operated from such location, including with respect to the soil conditions, foundation, and access to the ride for emergencies (including fire, medical, police, and rescue) and maintenance servicing.



If a report making one (1) or more such findings has been timely delivered, then the County and the Manager shall work together cooperatively and in good faith to resolve the findings cited in the report addressing clauses (i) through and including (v) above. If the Manager submits a revised notice to address the findings, the County shall issue a revised report within ten (10) business days after receipt of such re-submission (including each successive re-submission, if there are more than one) by the Manager. If the County fails to issue a timely revised report in response to the Manager's submission of a revised notice as provided herein, the Manager may proceed as if the County had failed to issue a timely report in response to the Manager's initial notice.

Once either the Manager and the County mutually agree in writing, or the Monitor has determined, that the findings cited in the report addressing clauses (i) through and including (v) above are not substantiated or have been satisfactorily resolved, the Manager may proceed with the ride without further review under this Section 12(B). If the Parties are unable to agree as contemplated hereunder, any Party may at any time submit the disputed finding(s) to the Monitor for resolution.

The Manager shall not remove any Fixed Amusement Park Ride unless the Manager agrees to remediate all resulting damage or destruction (including without limitation any required environmental remediation, other than remediation of environmental conditions that existed in that location prior to the Management Commencement Date ("Pre-Existing Environmental Conditions")) at its own expense to the County's reasonable satisfaction and on a reasonable timetable that will not have a material adverse effect on the County's obligation to maintain Playland Park as a public park. As between the County and the Manager, the County shall be responsible for remediation of all Pre-Existing Environmental Conditions and shall use commercially reasonable efforts to promptly remediate the same as and when required by applicable law. If the Manager's removal or relocation of a Fixed Amusement Park Ride would cause the County to be required by applicable law to remediate a Pre-Existing Environmental Condition that the County otherwise would not be required to remediate at that time, the Manager may nonetheless remove the ride, provided that (a) the ride has reached the end of its useful life or has become unsafe, (b) the Manager has reasonably and in good faith determined that the proposed replacement ride would materially increase ridership and/or revenues, provided, however, that in such case the County may require the Manager to delay any such ride removal until the following County budget year if the County is unable to fund the legally required remediation at the time of the proposed removal under the then-current County budget, or (c) the County consents to the removal. The Manager shall be solely responsible for all costs of acquisition, lease, licensing, removal, relocation, and installation of Non-Historic Amusement Park Rides, including without limitation site preparation, utilities infrastructure, and remediation (other than costs for Pre-Existing Environmental conditions) of any site from which a ride has been removed, provided, however, that with respect to removal of rides, the Manager shall only be required to reasonably disassemble the ride for removal from Playland Park by the County, at the County's risk and expense, as promptly as reasonably possible, but in no event later than nine (9) months after the County's receipt of the notice required herein that the Manager intends to remove the ride. Except for the removal of disassembled rides as provided above and remediation of Pre-Existing Environmental conditions, all work done by the Manager pursuant to this Section 12(B) shall be at the Manager's sole cost and expense. For the avoidance of doubt, the Manager shall have the exclusive right to select the Playland Amusement Park rides it will

procure, operate, relocate and/or remove during the Management Term, except to the extent that right is expressly limited or conditioned in this Agreement. Notwithstanding the foregoing, the Manager shall not remove or relocate any of the Historic Amusement Park Rides without the County's prior written consent.

A "Section 12 Response Date" means, with respect to a notice submitted under this Section 12(B), the twentieth (20<sup>th</sup>) business day after the Manager's submission of such notice containing all of the required information (inclusive of the initial ten (10) business days during which the County may notify the Manager of its decision to review such notice), unless the County is then reviewing notices with respect to three (3) or more rides submitted by the Manager pursuant to this Section 12(B), and for which the applicable Section 12 Response Date has not expired, in which case, the twenty-fifth (25<sup>th</sup>) business day after such submission, provided the County is then diligently conducting all such reviews.

**C. Prohibition against sale or disposal of County property.**

It is recognized and understood by the Parties that the Manager does not have the right to sell or dispose of any County property which the Manager has the right to use to carry out the terms of this Agreement. Such property may only be sold or disposed of by the County in accordance with Section 836.31 of the Laws of Westchester County. The disassembly, relocation or removal of Playland Amusement Park rides in accordance with the provisions of Section 12(B) above shall not be deemed a sale or disposal under this paragraph.

**SECTION 13:      Subject to Appropriations.**

The Parties recognize and acknowledge that the obligations of the County to pay amounts or incur any expense or financial liability under this Agreement are subject to annual appropriations by the Board of Legislators. Therefore, the payment obligations of the County under this Agreement shall be deemed executory only to the extent of the monies appropriated and available for payment. In the event that the County is obligated to pay amounts to the Manager under this Agreement, including amounts due under Section 23B hereof, the County Executive hereby covenants and agrees to:

- (i) include in the next annual County budget (operating or capital) that it submits to the Board of Legislators after any such amounts due to the Manager under this Agreement shall become due and owing by the County, a request for appropriation (including executive authorization for payment) of funds sufficient to pay all such amounts due and owing from the County under this Agreement, and if such appropriation is not made by the Board of Legislators, include a request for appropriation for such amounts due and owing to the Manager in each annual County budget thereafter until such amounts have been paid by the County;
- (ii) use its best efforts to cause the Board of Legislators to appropriate amounts that will be sufficient to enable the County to pay all such amounts due and owing under this Agreement, including exhausting all available reviews and appeals if such amounts are not appropriated; and

- (iii) if appropriated and available for payment, pay to the Manager all amounts due and owing to the Manager under this Agreement.

The Parties understand and intend that the obligation of the County hereunder shall constitute a current expense of the County and shall not in any way be construed to be a debt of the County in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the County, nor shall anything contained in this Agreement constitute a pledge of the general tax revenues, funds or moneys of the County. The County shall pay amounts due under this Agreement exclusively from legally available funds appropriated for this purpose. To the extent any funds due from the County under this Agreement are insufficient in any year, the Manager shall have no obligation to fund such deficiency except as may be specifically set forth herein.

Notwithstanding anything herein to the contrary, the failure of the Board of Legislators to appropriate amounts due under this Agreement in any one fiscal year of the County will not result in a termination or expiration of this Agreement and in the event an appropriation is not made by the Board of Legislators, the obligations of the County Executive set forth in (i), (ii) and (iii) immediately above shall continue in each subsequent fiscal year until amounts due the Manager under this Agreement are appropriated by the Board of Legislators and the Manager is paid in full.

**SECTION 14:        Inspection.**

The Commissioner, or his/her designee, and the County Director of Risk Management, or his/her designee shall be entitled to enter any space assigned to Manager hereunder for the purpose of inspecting, observing and monitoring any aspect of the Manager's operations. Manager shall also permit inspection, observation and monitoring of same by any federal, state, county or municipal officer having jurisdiction, at reasonable times upon reasonable prior notice to Manager. The Manager, at its sole cost and expense, shall promptly, and within a reasonable timeframe, remedy any and all violations issued as a result of such inspection.

**SECTION 15:        Eminent Domain.**

In the event that the space assigned to Manager hereunder, or such a substantial part thereof so as to render impossible the operation of this Agreement, is taken by eminent domain, this Agreement shall terminate on the date upon which title vests in the condemnor and neither party shall have any liability to the other on account of such. If the Agreement is terminated pursuant to this Section 15, the County in accordance with Section 13, will reimburse Manager in accordance with the provisions of Section 23B.

**SECTION 16:        Condition of Playland Park.**

The Manager acknowledges that the County has not made any representation as to the condition of Playland Park or any structures, improvements, equipment (except that equipment transferred from the County to the Manager under Section 12 above shall be in good working order), rides, vehicles, machinery and tools situated at Playland Park and accepts same in "as is" condition. The Manager further acknowledges, that as of the Management Commencement Date, it will have inspected Playland Park and the structures, improvements, equipment, rides,

vehicles, machinery and tools and that it will rely solely upon such inspection. Nothing contained in this section will affect either Party's responsibility for maintenance and repairs outlined in this Agreement.

#### **SECTION 17: Bankruptcy.**

If at any time during the Agreement Term, any petition in bankruptcy shall be filed by or against Manager and if filed against the Manager, remains uncontested by the Manager or if Manager shall be adjudicated as bankrupt, or if a Receiver shall be appointed to take possession of Manager's property, or if Manager shall make any assignment for the benefit of creditors, this Agreement shall, at the option of the Board of Acquisition and Contract of the County, immediately cease, terminate or expire. Nothing hereunder shall relieve Manager from any liability incurred under this Agreement except as same may be discharged in bankruptcy.

#### **SECTION 18: Audit Provisions.**

A. Upon request by the County, no more than once a year and not to extend beyond the prior year, the County may conduct a single audit of the Manager's claimed Manager's Investment expenditures (including the Overhead Allocation) for the prior calendar year. Such annual audit must be concluded within ninety (90) days from the date the County requests to conduct such audit, which request must be made on or before March 31 of the subsequent calendar year (the "Annual Audit Request Date"), provided that the Manager reasonably and timely cooperates with the audit, provides the County with reasonable access to the Manager's books and records within thirty (30) days of the Annual Audit Request Date, and promptly provides all information, other than information protected by the attorney-client privilege, the attorney work-product doctrine, or other applicable privilege against disclosure, in the Manager's possession, custody, or control reasonably requested by the County. All costs and expenses of such audit shall be borne by the County. The County's right to audit the Manager's Investment expenditures (but not the Manager's revenues) shall expire the calendar year following the calendar year when the Manager's Investment has been fully expended.

B. The Commissioner also reserves the right to annually audit the Manager's, and its approved subcontractors', performance under this Agreement at the County's sole cost and expense. Such audit may include requests for documentation or other information which the Commissioner may deem necessary and appropriate to verify the information provided by the Manager under the terms of this Agreement. The County may also make site visits to the location(s) where the services to be provided under this Agreement are performed, upon reasonable prior written notice to the Manager, in order to review the Manager's or approved subcontractor's records and to observe the performance of services, and/or to conduct interviews of staff and patrons, where appropriate and not otherwise prohibited by law. In exercising this right to audit performance hereunder, the Commissioner may not intrude upon or disrupt in any manner the business and activities being conducted by the Manager or an approved subcontractor and any dissatisfaction on the part of the Commissioner observed on site at Playland Park shall be conveyed to the Manager or an approved subcontractor in private and out of earshot of any member of the public or any employee working in the Park. If the Commissioner's dissatisfaction warrants it, any verbal discussion shall be followed up by a written report delivered to the Manager or an approved subcontractor.



**SECTION 19:           Property Insurance, Damage or Destruction.**

To safeguard the interests and property of the County, the County, in its own name as the insured, will procure, maintain and pay for, throughout the Agreement Term, all risk insurance policies covering County-owned structures, County-owned boiler and machinery, County-owned contents, Fixed Equipment, and improvements at Playland Park which the County owns or obtains title to pursuant to this Agreement. Such policies shall cover one hundred (100%) percent of the insurable replacement value thereof, reserving the right to increase such coverage as and when the replacement values increase. Insurance proceeds, if any, shall be paid to the County.

After the Management Commencement Date, the Manager shall provide the Director of Risk Management with a list, to be updated as necessary during the Agreement Term, of any and all improvements upon their completion and any and all Fixed Equipment upon its attachment to the County's property.

The County shall not be responsible to insure non-County property that the Manager and/or its approved subcontractors bring into Playland Park, including but not limited to, Removable Personal Property which the Manager and/or its approved subcontractors shall identify in writing to the Director of Risk Management. It is recognized and understood by the Parties that the Manager and/or its approved subcontractors shall at their sole cost and expense procure insurance for all of their Removable Personal Property and provide evidence of same to the County's Director of Risk Management and that the insurance be for one hundred (100%) percent of the insurable replacement value thereof. To the extent that any loss is recouped by actual payment of the proceeds of any insurance to the Manager and/or its approved subcontractors, all such proceeds must first be used to replace the Removable Personal Property.

In the event any Fixed Equipment installed or improvements made by the Manager at Playland Park, insurable or uninsurable, are damaged or destroyed (except damage or destruction caused by the Manager as set forth below) to the extent that they are unusable by the Manager for the purposes for which they were used prior to such damage, or same are destroyed, the County shall be required to repair, replace or reconstruct such Fixed Equipment and improvements substantially as they were immediately prior to such casualty. The funds for such repair, replacement or reconstruction shall be paid from insurance proceeds, to the extent available.

In the event any portion of Playland Park is damaged or destroyed by fire or other causes, by reason of any act or omission of the Manager, and/or its approved subcontractors, their respective officers, employees or agents, which constitutes negligence or willful misconduct, this Agreement shall continue in full force and effect, and the Manager and/or its approved subcontractors shall be responsible to pay for the cost to repair or rebuild Playland Park or any portion thereof so damaged or destroyed, and unless otherwise reimbursable by insurance hereunder, the same shall be at their own cost and expense. The Manager and/or its approved subcontractors shall be responsible for any deductible under these circumstances. The failure of the Manager and/or its approved subcontractors to pay for the cost to repair or rebuild within a reasonable period of time shall be construed as a material breach of this Agreement.

**SECTION 20:        Standard Insurance and Indemnity.**

A.     The Manager agrees to procure and maintain insurance naming the County as additional insured, as provided and described in **Schedule "E,"** which is attached hereto and made a part hereof. In addition to, and not in limitation of, the insurance provisions contained in **Schedule "E,"** the Manager agrees:

- (i)     that except for the amount, if any, of damage contributed to, caused by, or resulting from the negligent acts or omissions or willful misconduct of the County, its officers, elected officials, employees, contractors or agents, the Manager shall indemnify and hold harmless the County, its officers, elected officials, employees, contractors and agents, from and against any and all liability, damage, claims, demands, costs, judgments, fees, reasonable attorney's fees or loss arising out of the negligent acts or omissions or the reckless or willful misconduct of the Manager, its officers, employees, contractors or agents; and
- (ii)    to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action relating to this Agreement and arising out of the alleged negligent acts or omissions or willful misconduct of the Manager, its officers, employees, contractors or agents and to bear all other reasonable costs and expenses related thereto.

B.     The County shall indemnify and hold the Manager and its members, officers and employees harmless from and against any and all liability, damage, claims, demands, costs, or judgments arising out of any act/occurrence prior to the Management Commencement Date and after said date for any act/occurrence with respect to work undertaken by the County in accordance with its responsibilities under this Agreement and any Pre-Existing Environmental Conditions, and the County shall defend any action arising out of said act/occurrence and be responsible for all costs and expenses relating thereto, including but not limited to Manager's reasonable attorney's fees should it become necessary for the Manager to retain counsel.

**SECTION 21:        Events of Default.**

Any of the following shall be an event of default, the continuation of which beyond the expiration of any time permitted herein to cure shall thereupon be deemed an "Event of Default" under this Agreement:

A.     With respect to the Manager:

- (i)     the Manager shall fail to perform or observe any material obligation of the Manager under any provision of this Agreement, and such failure shall continue and shall not be remedied within thirty (30) days after notice from the Commissioner specifying the nature of the default. Notwithstanding the immediately preceding sentence, it shall not be an Event of Default if, for causes beyond the reasonable control of the Manager, such failure cannot be cured within thirty (30) days, as long as the Manager immediately takes steps necessary to remedy same and duly institutes and diligently prosecutes same to completion. For tasks in this Agreement that require performance within less than thirty (30)

days, e.g., filing an accident report within 24 hours, then the Manager shall only have an equivalent time period from the time of notice within which to cure; or

- (ii) the Manager shall fail to procure and maintain the insurance policies required by this Agreement and such failure shall continue for fifteen (15) days after notice from the County Director of Risk Management specifying the same; provided, however, that should the Manager fail to procure and maintain Commercial General Liability insurance for the operation of Playland Park after the Management Commencement Date, as required by Section 19 and **Schedule “E,”** then this Agreement shall terminate immediately, there shall be no opportunity to cure and the provisions of Section 22 below shall not apply; or
- (iii) the Manager abandons Playland Park after the Management Commencement Date, or ceases to manage Playland Park after the Management Commencement Date; or
- (iv) any or all of the Manager’s interest in this Agreement or Playland Park or any part thereof shall be taken upon execution or by other process of law directed against the Manager, or shall be taken upon or subject to any attachment at the instance of any creditor of or claimant against the Manager, and said attachment shall not be bonded, discharged or disposed of within ninety (90) days after levy thereof.

**B. With respect to the County:**

- (i) the County shall fail to perform or observe any material obligation of the County under any provision of this Agreement, and such failure shall continue and shall not be remedied within thirty (30) days after notice from the Manager specifying the nature of the default. Notwithstanding the immediately preceding sentence, it shall not be an Event of Default if, for causes beyond the reasonable control of the County, such failure cannot be cured within thirty (30) days, as long as the County immediately takes steps necessary to remedy same and duly institutes and diligently prosecutes same to completion. For tasks in this Agreement that require performance by the County within less than thirty (30) days, the County shall only have an equivalent time period from the time of notice within which to cure; or
- (ii) the County or the Board of Legislators willfully and intentionally takes or omits to take any action, directly or indirectly, that is intended to and in fact does materially impede or prevent the Manager from exercising its rights or performing its duties under this Agreement (including, without limitation, the transition of day-to-day management of Playland from the County to the Manager on the Management Commencement Date and the Manager’s operation of Playland after the Management Commencement Date), and such willful and intentional misconduct occurs on or before September 30, 2023. For the avoidance of doubt, “willful and intentional misconduct” within the meaning of this Section 21(B)(ii) shall not include (a) conduct that is negligent or reckless, but not intentional, (b) a breach of contract on the part of the County, no matter how material, unless such

breach is willfully and intentionally committed for the intended purpose of impeding or preventing the Manager from exercising its rights or performing its duties under the Agreement and achieves that intended effect, or (c) the County's reasonable and good faith exercise of its rights under the Agreement. The United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") shall retain jurisdiction to enforce this provision; provided, however, that if it is found that the Bankruptcy Court lacks such jurisdiction, or the Bankruptcy Court declines to exercise such jurisdiction, such dispute shall be resolved by arbitration in accordance with the procedures set forth in Section 43 below.

**SECTION 22: Remedies for Default.**

A. After a material Event of Default on the part of the Manager beyond any applicable notice and cure period that remains uncured, the Commissioner shall have the right to elect to terminate this Agreement by notice to the Manager as provided in Section 23 below, subject to all necessary legal approvals.

B. After a material Event of Default on the part of the County beyond any applicable notice and cure period that remains uncured, the Manager shall have the right to elect to terminate this Agreement by notice to the Commissioner as provided in Section 23 below.

C. The failure of either the County or the Manager to seek redress for any Event of Default, or to insist upon the strict performance of any provision of this Agreement, shall not prevent a subsequent act that would have originally constituted an Event of Default from having all the force and effect of an original Event of Default.

**SECTION 23: Termination.**

A. If the Commissioner elects to terminate this Agreement pursuant to Section 22 above, the Manager shall be given a thirty (30) day written notice of the election to so terminate, specifying in such notice a termination date and on such date the Agreement Term and this Agreement shall terminate in all respects, provided that (except as otherwise provided in this Agreement) no Party hereto shall be relieved of any obligation or liability which accrued prior to such date. After the receipt of such notice and on or before such termination date, unless the Event of Default (if applicable) giving rise to such termination notice has been theretofore cured, the Manager shall vacate Playland Park in accordance with the provisions of this Agreement.

B. If the Manager elects to terminate this Agreement pursuant to Section 22 above, the Manager shall give the Commissioner a thirty (30) day written notice of its election to so terminate, specifying in such notice a termination date, and on such date the Agreement Term and this Agreement shall terminate in all respects, provided that (except as otherwise provided in this Agreement) no Party hereto shall be relieved of any obligation or liability which accrued prior to such date. After the giving of such notice and on or before such termination date, unless the Event of Default (if applicable) giving rise to such termination notice has been theretofore cured, the Manager shall vacate Playland Park in accordance with the provisions of this Agreement.

The date upon which either the Commissioner pursuant to subsection A above, or the Manager pursuant to this subsection B or Section 23A below, may terminate the Agreement Term and this Agreement shall be called the "Termination Date".

C. Unless earlier terminated upon an Event of Default, this Agreement shall expire on the Expiration Date, and on or before such day the Manager shall vacate Playland Park, unless a new agreement for the purposes herein is entered into by the Parties.

D. Upon termination or expiration of this Agreement, the Manager shall assign to the County, at the County's option, any contracts with third parties that shall then be in effect.

E. Upon termination or expiration of this Agreement, all rights of the Manager under this Agreement shall revert to the County or its designee, and the County and the Manager shall have no further responsibility or liability under or with respect to this Agreement, except as provided in Section 23B below and except that within thirty (30) days of the Termination Date or of the Expiration Date, as the case may be, the Manager shall deliver to the Commissioner an accounting for the year prior to the Termination Date or Expiration Date and the Manager shall be obligated to pay the County any sums due and owing under this Agreement as a result of that accounting. Such accounting shall be performed by a certified public accountant licensed in New York State in accordance with generally accepted accounting principles.

#### **SECTION 23A: Termination Due to Unexpected Risk Event.**

The Manager shall have the right to terminate this Agreement if:

- (i) the County fails to appropriate sufficient funds to carry out its responsibilities under this Agreement, which in turn materially impacts the ability of the Manager to carry out its duties under this Agreement; or
- (ii) in the event that damage to the property, buildings and equipment of Playland Park due to Force Majeure is so severe that the material revenue generating operations of the Park cannot be resumed within a period of: three (3) months during the in-season and six (6) months during the off-season; or
- (iii) as a result of a decision in a lawsuit or an administrative proceeding brought by a third party, the rights of the Manager under this Agreement are modified and/or diminished in whole or in part and as a result of such modification or diminution the economic value to the Manager of this Agreement has been substantially reduced; or
- (iv) in the event a law is adopted by the Board of Legislators or a county regulation is adopted or modified which specifically relates to Rye Playland, the result of which substantially reduces the economic value to the Manager of this Agreement or prevents the Manager from performing its obligations under this Agreement (each, an "Unexpected Risk Event"). For the avoidance of doubt, a law that specifically relates to Playland but that does not substantially reduce the economic value of this Agreement to the Manager or prevent the Manager from performing its obligations under this Agreement (e.g., a law prohibiting the construction of



residential housing on Playland property) would not entitle the Manager to terminate this Agreement.

**SECTION 23B: Liquidated Damages Payment.**

It is recognized and understood by the Parties that the Manager is making a large investment in Playland Park. If this Agreement is terminated by either Party as set forth herein, then the County, consistent with Section 13, shall make a liquidated damages payment to the Manager in accordance with the following schedule (each such payment, a "Liquidated Damages Payment"):

**(i) Termination Due to Event of Default on the Part of the County.**

- a. If the Manager elects to terminate this Agreement pursuant to Section 6-a(i) (regarding the County's failure to meet Project Deadlines because of Non-Excused County Delays or the County's failure to meet a Threshold for any reason other than a Force Majeure event or other unavoidable circumstance beyond the County's control), Section 22(B) (in connection with an Event of Default on the part of the County under Section 21(B)(i)), Section 23A(i), or Section 42, before the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) Eleven Million (\$11,000,000.00) Dollars (the "Damages Amount") plus interest accruing at twelve (12%) percent compounded annually from the Effective Date; *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement plus interest accruing at twelve (12%) percent compounded annually from the date each such funds are spent;
- b. If the Manager elects to terminate this Agreement pursuant to Section 22(B) (in connection with an Event of Default on the part of the County under Section 21(B)(ii)) before the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) the Damages Amount plus interest accruing at the Default Rate (as defined below) compounded annually from the Original Agreement Commencement Date by and through December 31, 2021; *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement plus interest accruing at twelve (12%) percent compounded annually from the date each such funds are spent;
- c. If the Manager elects to terminate this Agreement pursuant to Section 6-a(i) (regarding the County's failure to meet Project Deadlines because of Non-Excused County Delays) or the County's failure to meet a Threshold for any reason other than a Force Majeure event or other unavoidable circumstance beyond the County's control), Section 22(B) (in connection with an Event of Default on the part of the County under Sections 21(B)(i)), Section 23A(i), or Section 42, after the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of:

(i) Six Million (\$6,000,000.00) Dollars plus interest accruing at twelve (12%) percent compounded annually from the Effective Date; *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement plus interest accruing at twelve (12%) percent compounded annually from the date each such funds are spent; or

- d. If the Manager elects to terminate this Agreement pursuant to Section 22(B) (in connection with an Event of Default on the part of the County under Section 21(B)(ii)), after the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) Six Million (\$6,000,000.00) Dollars plus interest accruing at the Default Rate (as defined below) compounded annually from the Original Agreement Commencement Date by and through December 31, 2021; *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement plus interest accruing at twelve (12%) percent compounded annually from the date each such funds are spent.

**(ii) Termination Due to Event of Default on the Part of the Manager.**

- a. If the County elects to terminate this Agreement pursuant to Section 3(D) (regarding the Manager's failure to invest the Manager's Investment by no later than five (5) years after the Management Commencement Date), Section 3(G)(i) (regarding the Manager's failure to timely pay any real property tax assessment in excess of One Hundred Thousand (\$100,000) Dollars), or Section 22(A) (in connection with an Event of Default on the part of the Manager under Sections 21(A)(i) through (iv)) before the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) 50% of the Damages Amount without interest (subject to the second-to-last paragraph of this Section 23B); *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement without interest (subject to the second-to-last paragraph of this Section 23B); or
- b. If the County elects to terminate this Agreement pursuant to Section 3(D) (regarding the Manager's failure to invest the Manager's Investment by no later than five (5) years after the Management Commencement Date), Section 3(G)(i) (regarding the Manager's failure to timely pay any real property tax assessment in excess of One Hundred Thousand (\$100,000) Dollars), or Section 22(A) (in connection with an Event of Default on the part of the Manager under Sections 21(A)(i) through (iv)) after the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) Three Million (\$3,000,000.00) Dollars without interest (subject to the second-to-last paragraph of this Section 23B); *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement without interest (subject to the second-to-last paragraph of this Section 23B).

(iii) **Termination Not Due to Event of Default.**

- a. If this Agreement is terminated pursuant to Section 3(G)(ii) (regarding the Manager's election to challenge the real property tax assessment), Section 6a-1 (regarding the County's failure to meet a Threshold as a result of a Force Majeure or other unavoidable circumstance beyond the County's control), Section 15, Section 23A(ii) or Section 23A(iii), or for any other reason not due to an Event Default by a Party before the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) the Damages Amount plus interest accruing at six (6%) percent compounded annually from the Effective Date; *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement plus interest accruing at six (6%) percent compounded annually from the date each such funds are spent;
- b. If this Agreement is terminated pursuant to Section 3(C) (regarding a Revenue Performance Termination) before the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) the Damages Amount, without interest (subject to the second-to-last paragraph of this Section 23B); *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement, without interest (subject to the second-to-last paragraph of this Section 23B);
- c. If this Agreement is terminated pursuant to Section 3(G)(ii) (regarding the Manager's election to challenge the real property tax assessment), Section 6a-1 (regarding the County's failure to meet a Threshold as a result of a Force Majeure or other unavoidable circumstance beyond the County's control), Section 15, Section 23A(ii) or Section 23A(iii), or for any other reason not due to an Event of Default by a Party after the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) Six Million (\$6,000,000) Dollars plus interest accruing at six (6%) percent compounded annually from the Effective Date; *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement plus interest accruing at six (6%) percent compounded annually from the date each such funds are spent; or
- d. If this Agreement is terminated pursuant to Section 3(C) (regarding a Revenue Performance Termination) after the County reaches the 90% Threshold, the Manager shall be entitled to a payment equal to the sum of: (i) Six Million (\$6,000,000) Dollars, without interest (subject to the second-to-last paragraph of this Section 23B); *plus* (ii) all amounts spent toward the Manager's Investment under this Agreement, without interest (subject to the second-to-last paragraph of this Section 23B).

(iv) **Termination Under Section 23A(iv).**



- a. Except as set forth below, if the Manager elects to terminate this Agreement pursuant to Section 23A(iv), the Liquidated Damages Payment applicable to a Termination Due to Event of Default on the Part of the County set forth in Section 23B(i) shall apply. For example, a law imposing a public park fee for visitors to County parks, including Playland, would entitle the Manager to terminate this Agreement under Section 23A(iv) and receive the Liquidated Damages Payment applicable to a Termination Due to Event of Default on the Part of the County.
- b. If the Manager elects to terminate this Agreement pursuant to Section 23A(iv) and the law at issue has not been adopted for the intended purpose of substantially reducing the economic value of this Agreement to the Manager or preventing the Manager from performing its obligations under this Agreement, but has the effect of substantially reducing the economic value of this Agreement to the Manager or preventing the Manager from performing its obligations under this Agreement, the Liquidated Damages Payment applicable to a Termination Not Due to Event of Default set forth in Section 23B(iii) shall apply. For example, a law requiring the temporary closure of Playland Park to remediate the effects of a natural disaster would entitle the Manager to terminate this Agreement under Section 23A(iv) and receive the Liquidated Damages Payment applicable to a Termination Not Due to Event of Default.

In the event of a Liquidated Damages Payment pursuant to Sections 23B(i), (ii), or (iii) hereunder, if the Agreement was terminated (1) within the first twenty-four (24) months from the Management Commencement Date, the County shall reimburse the Manager for the entire amount of the Manager's Investment actually made by the date of termination, and (2) subsequent to the first twenty-four (24) months from the Management Commencement Date, the County shall reimburse the Manager for the unamortized portion of the Manager's Investment actually made by the date of termination as determined on a straight-line depreciation basis over thirty (30) years, net of any insurance proceeds that the Manager is entitled to recover. For purposes of clarifying the Parties' intent, the following examples are provided (without regard to interest or any other amounts that may be owed):

- If the Manager has invested \$30,000,000 and the Agreement is terminated as described above in the third year after the Management Commencement Date, the Manager would be entitled to the return of its \$30,000,000 less one-thirtieth of the investment, or \$29,000,000.
- If the Manager has invested \$30,000,000 and the Agreement is terminated as described above in the seventh year after the Management Commencement Date, the Manager would be entitled to the return of its \$30,000,000 less five-thirtieths (or one-sixth) of the investment, or \$25,000,000.

Any Liquidated Damages Payment to which the Manager is entitled under this Section 23B shall be paid by the County not more than ninety (90) days after this Agreement has been terminated. If any Liquidated Damages Payment due from the County hereunder are not made

within ninety (90) days after this Agreement has been terminated, such Liquidated Damages Payment shall (whether or not the Liquidated Damages Payment itself carries interest) accrue interest at eighteen (18%) percent compounding annually (the "Default Rate") from the date such Liquidated Damages Payment was due until the date the County makes such payment.

The Parties acknowledge and agree that the Manager is making a substantial investment in Playland Park under this Agreement and has previously expended substantial sums under and in reliance on the Original Agreement and the 2016 Agreement that this Agreement amends and replaces. The Parties further acknowledge and agree that the foregoing Liquidated Damages Payments shall not be considered a penalty under New York law, but instead a reasonable estimation of the amount necessary to compensate the Manager for the investment it has made since the Original Agreement and will make to prepare to perform its duties under this Agreement.

**SECTION 24: Non-Discrimination.**

The Manager expressly agrees that neither it nor any approved subcontractor, employee, or any other person acting on its behalf shall discriminate against or intimidate any employee or other individual on the basis of race, creed, religion, color, gender, age, national origin, ethnicity, alienage or citizenship status, disability, marital status, sexual orientation, familial status, genetic predisposition or carrier status during the Agreement Term, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Manager acknowledges and understands that the County maintains a zero tolerance policy prohibiting all forms of harassment or discrimination against its employees by co-workers, supervisors, vendors, contractors, or others. If isolated instances of harassment or discrimination by a person acting on behalf of the Manager should occur (i.e., not part of a pattern of discrimination or harassment by the same person or group of related persons), such isolated instances shall not in and of themselves be deemed a breach of this Agreement, provided that the Manager takes appropriate steps to investigate all allegations of harassment or discrimination and responds appropriately to any substantiated allegation, including where appropriate through termination of the offending subcontractor, employee, or other person acting on its behalf.

**SECTION 25: Compliance with Laws.**

A. The Manager, and all approved subcontractors, shall comply, at their own expense, with the provisions of all applicable local, state and federal laws, rules and regulations, orders and ordinances and other legal requirements ("Law or Laws").

B. Subject to any necessary legal approvals, the Manager may appeal or contest the validity or application of any Law upon the following conditions:

- (i) the Manager shall appeal or contest the same in good faith and by appropriate proceedings;
- (ii) such appeal or contest (or any resulting delay in compliance with any Law) shall not subject the County to any criminal or civil sanction, fine or penalty, or to any other financial obligation or liability, unless the Manager furnishes the County

with a written undertaking, in form acceptable to the County Attorney in his/her reasonable discretion, to indemnify the County against the same; and

- (iii) the Manager from time to time shall advise the County Attorney, upon written request of the County Attorney, as to the status of any such appeal or contest.

**SECTION 26: MBE/WBE.**

Pursuant to Section 308.01 of the Laws of Westchester County, it is the goal of the County to use its best efforts to encourage, promote and increase the participation of business enterprises owned and controlled by persons of color or women in contracts and projects funded by all departments of the County. Attached hereto and forming a part hereof as **Schedule "G"** is a questionnaire entitled "Business Enterprises Owned and Controlled by Persons of Color or Women," which the Manager agrees to complete.

**SECTION 27: Records and Intellectual Property.**

In connection with the performance of the Manager's obligations and the exercise of its rights under this Agreement, the County grants to the Manager an exclusive, non-transferable, royalty-free license during the Term to use the names "Playland" or "Rye Playland" together with all existing and future developed logos, trademarks and copyrights owned by the County and used in connection with Playland Park. Notwithstanding the above, the Manager shall reimburse the County any and all costs and expenses incurred by the County in connection with same. The Manager may grant sublicenses of the same to its subcontractors and to vendors. All logos, trademarks and copyrights owned by the County or licensed by the Manager from and after the Management Commencement Date, or newly created logos, trademarks or copyrights created by the Manager during the Term for use with respect to the operation of Playland Park, shall remain exclusively the property of the County. Notwithstanding the above, all newly created logos, trademarks and copyrights created by the Manager for use with respect to the operation of Playland Park are subject to the prior written approval of the Commissioner, which shall not be unreasonably withheld, conditioned or delayed. Notwithstanding the foregoing, the County shall retain a right to use County-owned logos, trademarks and copyrights licensed to the Manager, so long as such use does not adversely impact the Manager's rights under this Agreement.

All records or recorded data of any kind compiled by the Manager in completing the Work described in this Agreement and relating specifically and exclusively to the Work, including but not limited to written reports, studies, drawings, blueprints, computer printouts, graphs, charts, plans, specifications and all other similar recorded data, shall become and remain the property of the County. The Manager may retain copies of such records for its own use and shall not disclose any such information without the express written consent of the Commissioner. The County shall have the right to reproduce and publish such records, if it so desires, at no additional cost to the County, subject to any third-party restrictions.

Notwithstanding the foregoing, all deliverables that contain or constitute intellectual property (e.g., advertising or signs) created under this Agreement by the Manager specifically and exclusively relating to the Work are to be considered "works made for hire." If any of the

deliverables do not qualify as “works made for hire,” the Manager hereby assigns to the County all right, title and interest (including ownership of copyright) in such deliverables and such assignment allows the County to obtain in its name copyrights, registrations and similar protections that may be available. The Manager agrees to assist the County, if required, in perfecting these rights, at the County’s sole cost and expense. The Manager shall provide the Commissioner with at least one copy of each deliverable.

Notwithstanding the foregoing, any and all intellectual property, including but not limited to the Manager’s trademarks, copyrights and protected property related to the Manager’s general company operations shall remain the property of the Manager.

The Manager agrees to obtain from any approved subcontractor or other third party engaged by the Manager to deliver Work product containing intellectual property a representation and warranty to defend, indemnify and hold harmless the County and the Manager for all damages, liabilities, losses and expenses arising out of any claim that a deliverable infringes upon an intellectual property right of a third party. If such a claim is made, or appears likely to be made, the Manager agrees to require such approved subcontractor or other third party to provide documentation that will enable the County’s continued use of the deliverable, or to modify or replace it. If the Commissioner determines that none of these alternatives is reasonably available, the deliverable shall be returned, to the extent the deliverable can be returned.

Except as provided above, the Manager shall not claim ownership to or use of any County intellectual property such as trademarks, copyrights and other such protected property without written permission from the County.

#### **SECTION 28: Independent Contractors.**

The Manager and the County agree that the Manager, and its approved subcontractors, and their respective officers, employees, agents, and any third parties acting on their behalf, are independent contractors and not employees of the County or any department, agency or unit thereof. In accordance with their status as independent contractors, the Manager covenants and agrees that neither the Manager, nor its approved subcontractors, and their respective officers, employees, agents, and any third parties acting on their behalf, will hold themselves out as, or claim to be, officers or employees of the County or any department, agency or unit thereof.

#### **SECTION 29: Criminal Background Disclosure.**

The Manager agrees to complete the Criminal Background Disclosure as required by Executive Order No. 1-2008 and attached hereto as **Schedule “H”**, which is hereby incorporated by reference.

#### **SECTION 30: MacBride.**

Pursuant to Act No. 56-1999, as codified in Chapter 310 of the Laws of Westchester County, no County procuring officer may award or recommend for award any contract not subject to competitive bidding to a party that does not execute a certification in substantially the



form attached hereto and forming a part hereof as **Schedule "I"**. Therefore, the Manager agrees, as part of this Agreement, to complete the form attached hereto as **Schedule "I"**.

**SECTION 31: Required Disclosure.**

Attached hereto and forming a part hereof as **Schedule "J"** is a questionnaire entitled "Required Disclosure of Relationships to County." The Manager agrees to complete said questionnaire as part of this Agreement. In the event that any information provided in the completed questionnaire changes during the Agreement Term, the Manager agrees to notify the Commissioner in writing within ten (10) business days of such event. The Manager shall also have each approved subcontractor complete this questionnaire and shall advise each approved subcontractor of the duty to report any changes to the information contained therein to the Manager within ten (10) business days of such event and such information shall be forwarded by the Manager to the Commissioner.

**SECTION 32: No Waiver.**

Failure of either Party hereto to insist, in any one or more instances, upon strict performance of any term or condition herein contained shall not be deemed a waiver or relinquishment of such term or condition, but the same shall remain in full force and effect. Acceptance by either Party of any Work or the payment of any fee or reimbursement due hereunder with knowledge of a breach of any term or condition hereof shall not be deemed a waiver of any such breach, and no waiver under such circumstances by a Party of any provision hereof shall be implied.

**SECTION 33: No Lease.**

Neither Playland Park, nor any land, building, space, improvement or equipment is being sold or leased hereunder, nor is any interest in real property being granted, or any possessory right with respect to Playland Park or any part thereof being granted, to the Manager and/or its approved subcontractors; but the Manager shall manage and operate Playland Park at all times on behalf of the County. Under no circumstances shall this Agreement be construed as granting the Manager, or its approved subcontractors, any real property rights, nor any title or interest of any kind or character in, on, or about Playland Park.

**SECTION 34: Notices.**

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 delivered by hand or overnight courier, or sent by facsimile (with acknowledgment received and a copy of the notice sent by registered or certified mail postage pre-paid), or email (with a copy of the notice also sent by overnight, registered or certified mail postage pre-paid) as set forth below or to such other addresses as the respective Parties hereto may designate in writing. All such notices will be deemed received: (a) upon actual receipt thereof by the addressee, or (b) on the day of faxing, e-mailing or sending by other means of recorded electronic communication; provided that such day in any event is a business day and the communication is so delivered, faxed, e-mailed or sent before 11:59 p.m. Eastern Time on such day. Otherwise, such communication will be deemed to have been given and made and to have been received on the next following business day. Any Party may from

time to time change its address under this Section 34 by providing notice to the other Party given in the manner provided by this Section 34. A "business day" means any day on which banks are required by law to be open for business in the State of New York. Notices shall be sent to the following:

To the County:

County Executive  
County of Westchester  
Michaelian Office Building, 9<sup>th</sup> Floor  
148 Martine Avenue  
White Plains, NY 10601

Chair  
County Board of Legislators  
Michaelian Office Building, 8<sup>th</sup> Floor  
148 Martine Avenue  
White Plains, NY 10601

With copies to (which shall not constitute notice for purposes hereof):

Commissioner  
Westchester County Department of Parks, Recreation & Conservation  
450 Saw Mill River Road  
Ardsley, NY 10502

Commissioner  
Westchester County Department of Public Works and Transportation  
Michaelian Office Building, Room 518  
148 Martine Avenue  
White Plains, New York 10601

County Attorney  
Michaelian Office Building, Room 600  
148 Martine Avenue  
White Plains, New York 10601

To the Manager:

Standard Amusements LLC  
PO Box 809  
Rye, New York 10580  
Attn: [●]

With copies to (which shall not constitute notice for purposes hereof):

United Parks LLC  
1395 Brickell Avenue, Suite 800  
Miami, Florida 33131  
Attn: [●]

Greenberg Traurig, LLP  
333 SE 2<sup>nd</sup> Avenue  
Miami, FL 33131  
Attn: Daniella G. Silberstein

Katten Muchin Rosenman LLP  
575 Madison Avenue  
New York, New York 10022  
Attn.: James S. Normile, Esq. and William F. Dudine, Esq.

**SECTION 35:           Definition of Commissioner.**

Notwithstanding anything contained herein to the contrary, it is agreed by the Parties that if it were to be concluded or determined that it has been and now is inappropriate for the Department of Parks, Recreation and Conservation and its Commissioner to manage and operate Playland Park based upon the definitional provisions in Chapter 134 and 249 of the Laws of Westchester County, then the day-to-day management and operations of Playland Park would fall to the DPW&T Commissioner who is "in charge of the preservation and maintenance of all buildings and grounds owned by the county for county purposes, except the lands and buildings under the jurisdiction of the Department of Parks, Recreation and Conservation..." (Laws of Westchester County Section 241.261) or, alternatively, the day-to-day management and operations of Playland Park would fall to the County Executive pursuant to Chapter 110 of the Laws of Westchester County, which provides, among other things, that the County Executive "shall be the chief executive and administrative officer of the county government. It shall be the duty of the County Executive: (1) to supervise, direct and control, subject to law and the provisions of this act and local laws, the administrative services and departments of the county." (Laws of Westchester County Section 110.11).

**SECTION 36:           Entire Agreement.**

This Agreement and its attachments constitute the entire Agreement between the Parties with respect to the subject matter hereof and shall supersede all previous agreements, 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.

**SECTION 37:           No Third Party Rights.**

Nothing herein is intended or shall be construed to confer upon or give to any third party or its successors and assigns any rights, remedies or basis for reliance upon, under or by reason

of this Agreement, except in the event that specific third-party rights are expressly granted herein.

**SECTION 38: Conflict of Interest.**

The Manager shall use all reasonable means to avoid any conflict of interest with the County relating to this Agreement and shall immediately notify the Commissioner in the event of such a conflict of interest. The Manager shall also use all reasonable means to avoid any appearance of impropriety relating to this Agreement.

**SECTION 39: Force Majeure.**

Neither the County nor the Manager, as the case may be, shall be deemed in breach hereof if it is prevented from or materially delayed in performing any of the obligations hereunder by reason of acts of God, acts of terrorism, acts of the public enemy, acts of superior governmental authority, strikes or labor disputes, floods, riots, rebellion, sabotage, pandemics or other government-declared public health crises or public safety emergencies or any other similar circumstances not within its reasonable control. Notwithstanding any other notice obligations of the Parties in this Agreement, if either Party is made aware of or has knowledge of a Force Majeure event that affects such Party's performance of any of its obligations under this Agreement, such Party will notify the other Party reasonably promptly after the occurrence of such Force Majeure event.

**SECTION 40: Authority.**

The Board of Legislators has duly authorized this Agreement by Act No. [●] approved by the Board of Legislators at a meeting duly held on [●] day of [●], 20[●].

The Board of Acquisition and Contract has duly authorized this Agreement by Resolution approved at its meeting held on the [●] day of [●], 20[●].

**SECTION 41: Enforceability.**

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 that is not subject to the Alternative Dispute Resolution procedures provided in Section 43, any such action shall be brought in the County of Westchester, New York. The Bankruptcy Court shall retain sole and exclusive jurisdiction with respect to any matters arising under or related to this Agreement prior to the Effective Date and with respect to any matters arising under Section 21(B)(ii) to the extent provided therein.

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 42: County Attorney Opinion.**

It is recognized and understood by the Parties that, in addition to all other rights of termination set forth herein, the Manager has the option to terminate this Agreement if a separate opinion from the Westchester County Attorney addressed to the Manager is not given stating that when this Agreement has been duly authorized by the Board of Legislators and the Board of Acquisition and Contract and has been fully executed by the Parties, it will be a valid, binding and enforceable agreement. Said form of opinion shall be reasonably acceptable to the Manager and shall be delivered simultaneously with the execution of this Agreement by the Parties hereto.

**SECTION 43: Alternative Dispute Resolution.**

Except for those matters for which the Bankruptcy Court retains jurisdiction pursuant to Section 41 above, the alternative dispute resolution mechanisms set forth in this Section 43 shall control any disputes between the Parties arising under this Agreement ("Disputes").

If a Dispute arises between the Parties that the Parties are unable to resolve within thirty (30) days of the date both Parties become aware of such Dispute, either Party may provide written notice of such Dispute, including a reasonably detailed explanation of the circumstances surrounding such Dispute and a request for escalation, to senior management for each of the County and the Manager, which shall include the County Executive on behalf of the County and Nicholas Singer (or another member of the Manager's Key Personnel) on behalf of the Manager (collectively, the "Representatives"). Upon receipt of such notice and request for escalation, the Representatives shall use their commercially reasonable efforts in good faith to resolve such Dispute. If the Representatives are unable to resolve such disputes within thirty (30) days of receipt of such notice and request for escalation, then:

- (i) For any Dispute concerning a Party's obligation to provide information under this Agreement, any County Capital Project, any Project Deadline, any Manager's Capital Project, the Manager's Operating Plan, inspections by the Commissioner or the DPW&T Commissioner pursuant to Section 6(L), permits for public functions held in Playland Park pursuant to Section 9(B), audits by the County or the Commissioner pursuant to Section 18, whether an Event of Default has been cured, any other operational issues relating to Playland or the Manager, or the performance of the Work or matters relating thereto, or as otherwise expressly provided in this Agreement, such Dispute shall be promptly submitted to David M. Murphy of Phillips ADR Enterprises LLC (the "Monitor"), or in the event the Monitor is unable or unwilling to take such assignment, a successor neutral arbitrator selected as provided in Section 43(a)-(g) below. The Monitor will be required to render a decision within thirty (30) days of submission of the Dispute to the Monitor. The Monitor's decision will be binding on the Parties.
- (ii) All other Disputes (including Disputes arising from Sections 21, 22, 23, 23A and 23B) shall be submitted to binding, expedited arbitration before a panel of three arbitrators (the "Arbitrators") consisting of each Party's party-appointed Arbitrator and a neutral umpire selected by the two party-appointed Arbitrators. Arbitrations hereunder shall be conducted under the JAMS Optional Expedited

Arbitration Procedures, except where such procedures are inconsistent with this Agreement or the Parties otherwise mutually agree in writing, but shall not be conducted under the auspices of JAMS or limited to JAMS arbitrators unless the Parties so agree. All of the Arbitrators shall be retired federal court or New York state appellate court judges. The Parties agree that (i) the initiation of the arbitration will be publicly announced and (ii) all proceedings in the arbitration shall be publicly posted on the County Executive's website, or another forum that is reasonably accessible to the public.

The Monitor or the Arbitrators, as applicable, shall have the power and discretion to direct the specific performance of a Party's obligations under this Agreement and allow that Party to bring itself into compliance with the Monitor's or the Arbitrator's decision by specifically performing those obligations. If the Party directed to specifically perform does so within the timeframe established by the Monitor or the Arbitrators, as applicable, the other Party may not use the decision of the Monitor or the Arbitrators, as applicable, as a basis to terminate this Agreement.

The Monitor or the Arbitrators, as applicable, shall have the power and discretion to award costs and expenses to the prevailing Party in any Dispute, taking into account the extent to which the Monitor or the Arbitrators determined the prevailing Party has prevailed on the issues in such Dispute. The prevailing Party in any Dispute may ask the Monitor or the Arbitrators for, and the Monitor or the Arbitrators shall have the power to award, recovery from the losing Party of the prevailing Party's reasonable legal costs and expenses incurred in connection with the Dispute. The award of such relief shall be in the sole discretion of the Monitor or the Arbitrators, as the case may be, and shall take into account the extent to which the Monitor or the Arbitrators determined the prevailing Party has prevailed on the issues in such Dispute.

Notwithstanding anything to the contrary herein, until the 90% Threshold is satisfied, to assist the Monitor in performing his or her ongoing monitoring role, the Parties shall each provide the Monitor with quarterly status reports, and conduct a quarterly joint meeting with the Monitor, for the purpose of enabling the Monitor to remain informed if, as and when called upon to resolve any disputes between the Parties. The Parties shall split the reasonable costs and expenses of the Monitor's services 50/50 in connection with such quarterly meetings and reports.

Within 30 days of notice to the Parties that the incumbent Monitor intends to resign or has become unable to serve due to death, illness, incapacity, or other reason, the Parties shall select a successor Monitor as follows:

- a. Each Party shall propose three candidates. Each such candidate shall (i) have substantial experience as an arbitrator or mediator of commercial disputes, (ii) have an office or residence located within 100 miles of Playland Park, and (iii) not have a prior or existing commercial relationship with either Party (other than in the candidate's capacity as an arbitrator or mediator).
- b. A Party may strike up to three candidates proposed by the other Party if in the reasonable, good-faith judgment of the striking Party the candidate is biased or unqualified to serve as the Monitor.

- c. The Parties shall jointly interview at least four candidates, of which at least two have been proposed by each Party. If the number of candidates stricken by a Party has caused less than two candidates proposed by each Party to remain as candidates, the Party whose candidates were stricken shall propose enough substitute candidates to ensure that at least two candidates proposed by that Party will remain to be interviewed. For example, if the County strikes two of the three candidates proposed by the Manager, the Manager shall propose one substitute candidate so that two candidates proposed by the Manager remain as candidates.
- d. Following the interviews, the Parties shall endeavor to agree on a jointly appointed successor Monitor.
- e. In the event that the Parties are unable to agree on a successor Monitor within 30 days from notice that the incumbent Monitor intends to resign, the incumbent Monitor shall consider each Party's reasons for preferring or disfavoring each candidate under consideration and shall select the successor Monitor from among the candidates.
- f. If the incumbent Monitor is unable or unwilling to select a successor Monitor as provided above, each Party shall rank the candidates in order of preference (a rank of 1 representing the Party's first choice) and the candidate ranked the highest (i.e., the candidate for whom the sum of each Party's respective rankings is the lowest) shall be the successor Monitor. In the event of a tied ranking, the successor Monitor shall be selected by lot (i.e., randomly) from the tied candidates.
- g. If a Party does not comply with any of the foregoing procedures and fails to cure such non-compliance within ten (10) days' notice of such non-compliance by the other Party, the other Party shall have the right to select the successor Monitor, provided that such successor Monitor meets the criteria set forth in Section 43(a) above.

**SECTION 44: Mutual Release.**

Attached hereto and forming a part hereof as **Schedule "N"** is a mutual release of claims and causes of action entitled "Mutual Release" that each Party agrees to execute as part of this Agreement (the "Mutual Release"), which Mutual Release shall be effective as of the Effective Date of this Agreement.

**SECTION 45: Non-Disparagement.**

The Manager and the County Executive's Office of the current administration (including the administration of the current County Executive if he is reelected) each acknowledge and agree that it will not, and will cause each of its affiliates not to, directly or indirectly engage in any conduct or make (or cause to be made) to any person any statement concerning the other

Party or its or its affiliates conduct that is reasonably likely to have the effect of undermining or disparaging the reputation of the other Party, or that Party's good will, products, or business opportunities.

**SECTION 46: Estoppel Letters.**

Upon reasonable request from the Manager from time to time, the County shall furnish the Manager with estoppel letters (including for delivery to third parties, including, without limitation, potential investors and lenders). Such estoppel letters shall be in a form that is customary for estoppel letters requested by such third parties, but shall include, at a minimum, those certifications set forth in the form of Estoppel Letter attached hereto as **Schedule "O"**; provided, that the County may qualify such estoppel letter to the extent any statements in the estoppel letter are not true or accurate in the County's reasonable opinion.

**IN WITNESS WHEREOF**, the County and the Manager have caused this Agreement to be executed on the day and year first above written.

**THE COUNTY OF WESTCHESTER**

By: \_\_\_\_\_

**STANDARD AMUSEMENTS LLC**

By: \_\_\_\_\_

Approved by the Board of Legislators at a meeting duly held on \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Act No. [●] at a meeting duly held on \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Approved by the Board of Acquisition and Contract on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ and \_\_\_\_\_, 20\_\_.

Approved as to form  
and manner of execution

\_\_\_\_\_  
Associate County Attorney  
County of Westchester

**ACKNOWLEDGMENT**

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

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20[ ] before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity(ies) as \_\_\_\_\_, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**CERTIFICATE OF AUTHORITY-LIMITED LIABILITY COMPANY**

I, \_\_\_\_\_,  
(member or manager other than person executing the agreement)

certify that I am a \_\_\_\_\_ of \_\_\_\_\_  
(member/manager) (Name of Limited Liability Company)

(the "LLC") duly organized under the Laws of the State of \_\_\_\_\_; that  
(Name of State)

\_\_\_\_\_ who signed said Agreement on behalf of the LLC  
(Person Executing Agreement)

was, at the time of execution, a manager of the LLC; that said Agreement was duly signed for and on behalf of said LLC and as the act of said LLC for the purposes therein mentioned.

\_\_\_\_\_  
(Signature)

STATE OF NEW YORK    )  
                                  ss.:  
COUNTY OF \_\_\_\_\_)

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year 20[ ] before me, the undersigned, a Notary Public in and for said State, \_\_\_\_\_ personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the member/manager described in and who executed the above certificate, who being by me duly sworn did depose and say that he/she resides at \_\_\_\_\_, and he/she is a member/manager of said LLC; that he/she is duly authorized to execute said certificate on behalf of said LLC, and that he/she signed his/her name thereto pursuant to such authority.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**SCHEDULE "A"**  
**DRAWING OF PLAYLAND PARK**  
**[ATTACHED, STARTING ON NEXT PAGE]**



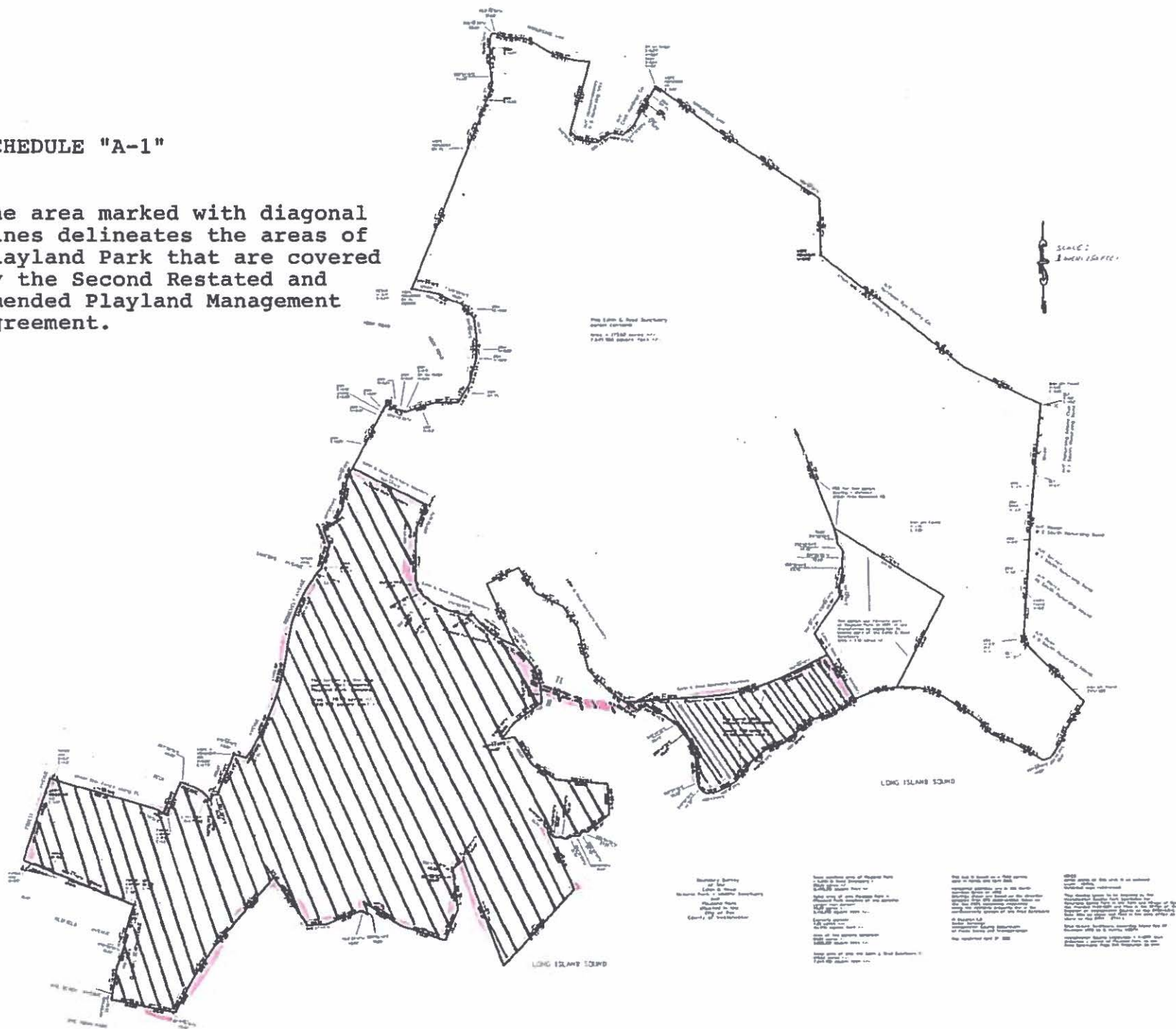


**SCHEDULE "A-1"**  
**SURVEY OF PLAYLAND PARK**  
**[ATTACHED, STARTING ON NEXT PAGE]**



# SCHEDULE "A-1"

The area marked with diagonal lines delineates the areas of Playland Park that are covered by the Second Restated and Amended Playland Management Agreement.



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**SCHEDULE "B"**

**To be attached at conclusion of Co-Management Period**

**List of County-owned items of personal property and equipment  
located at Playland Park to be transferred to the Manager**

**SCHEDULE "C-1"**  
**MANAGER'S CAPITAL PLAN**  
**[ATTACHED, STARTING ON NEXT PAGE]**

**SCHEDULE C-1**

<b>Standard Amusements Schedule C-1</b>		
<b>Attractions</b>	\$	<b>18,360,000</b>
Arcade	\$	650,000
Games	\$	1,275,000
Kiddyland	\$	6,805,000
Rides	\$	9,630,000
<b>Guest Experience</b>	\$	<b>7,865,000</b>
Audio	\$	425,000
Beach	\$	375,000
Entertainment Stage	\$	500,000
F&B Concessions	\$	600,000
Fountain Plaza	\$	2,015,000
Landscaping	\$	1,500,000
Lighting	\$	1,500,000
Retail	\$	450,000
Signage	\$	500,000
<b>Operations</b>	\$	<b>1,525,000</b>
IT	\$	1,000,000
Tools	\$	350,000
Waste Transfer Site	\$	175,000
<b>Overhead</b>	\$	<b>5,000,000</b>
Working Capital	\$	5,000,000
<b>Sub Total</b>	\$	<b>32,750,000</b>
<b>Tiki Bar Restaurant</b>	\$	<b>2,250,000</b>
<b>Grand Total</b>	\$	<b>35,000,000</b>

**SCHEDULE "D"**  
**DRAW CONDITIONS FOR IRREVOCABLE, STANDBY LETTER OF CREDIT**

The irrevocable, standby letter of credit referred to in Section 1(D) may be drawn down by the Manager upon presentation of a certificate in substantially the following form:

**\*\***

The undersigned executive officer of Standard Amusements LLC (the "Beneficiary") hereby certifies that:

- (i) he/she is an executive officer of Beneficiary;
- (ii) Beneficiary is obligated to fund the "Manager's Investment" as defined in that certain Second Restated and Amended Playland Management Agreement dated as of \_\_\_\_\_, 2021, by and between The County of Westchester and Beneficiary (the "Management Agreement");
- (iii) the portion of the Manager's Investment required to be funded by Beneficiary under the Management Agreement is \$\_\_\_\_\_ (the "Current Funding Obligation");
- (iv) the amount of the accompanying draft (the "Required Amount") equals the portion of the Current Funding Obligation exceeding Beneficiary's liquid assets on the date of the accompanying draft; and
- (v) the Required Amount does not exceed the least of,
  - a. the Current Funding Obligation,
  - b. the sum of \$17,750,000 less the aggregate amount of all previous draws under the Letter of Credit<sup>1</sup>, and
  - c. the unpaid balance of Manager's Investment.

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<sup>1</sup> Definition to match body of L/C

**SCHEDULE "E"**  
**INSURANCE PROVISIONS**  
**(Contractor)**

1. Prior to commencing work, the Contractor shall obtain at its own cost and expense the required insurance from insurance companies licensed in the State of New York, carrying a Best's financial rating of A- or better, and shall provide evidence of such insurance to the County of Westchester, as may be required and approved by the Director of Risk Management of the County. The policies or certificates thereof shall provide that thirty days prior to cancellation or material change in the policy, notices of same shall be given to the Director of Risk Management of the County of Westchester by registered mail, return receipt requested, for all of the following stated insurance policies. All notices shall name the Contractor and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the County, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the County, the Contractor shall upon notice to that effect from the County, promptly obtain a new policy, submit the same to the Department of Risk Management of the County of Westchester for approval and submit a certificate thereof. Upon failure of the Contractor 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 Contractor to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Contractor from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Contractor concerning indemnification. All property losses shall be made payable to and adjusted with the County, subject to the County's obligations under Section 3(H) of the Agreement.

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 any operations under the Agreement, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Contractor until such time as the Contractor shall furnish such additional security covering such claims in form satisfactory to the County of Westchester.

2. The Contractor shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the "Special Conditions" of the contract specifications):

(a) Workers' Compensation. Certificate form C-105.2 (9/07) 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: [www.wcb.state.ny.us](http://www.wcb.state.ny.us) (click on Employers/Businesses, then Business Permits/Licenses/Contracts to see instruction manual).



If the employer is self-insured for Worker's 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) Employer's Liability with minimum limit of \$100,000.

(c) Commercial General Liability Insurance with a minimum limit of liability per occurrence of \$10,000,000\* for bodily injury and \$1,000,000 for property damage or a combined single limit of \$10,000,000 (c.s.1), naming the County of Westchester as an additional insured. 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

(v) Liquor Liability

(vi) Food Products Liability

\*Any combination of primary and/or umbrella/excess coverage shall satisfy the 10,00,00,00 limit of liability as set forth herein.

All Contracts involving the use of explosives and demolition shall provide the above coverage with elimination of the XCU exclusion from the policy, or proof that XCU is covered.

(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:

(i) Owned automobiles.

(ii) Hired automobiles.

(iii) Non-owned automobiles.

(e) Owners Protective Liability Policy naming the County as insured, with a minimum limit of liability per occurrence of \$3,000,000. A copy of which shall be delivered to the County prior to the commencement of any capital improvements.

(f) For the construction of any capital improvement or the alteration, addition or improvement of any existing building encompassing any structural change Builder All Risk

Insurance in the amount of one hundred (100%) percent of the estimated completion cost of the project shall be required. This policy shall be written on a completed value form. Any proceeds from the Builder All Risk Insurance policy must be used to complete the insured capital improvement.

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

(a) Insurers shall have no right to recovery or subrogation against the County of Westchester (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 of Westchester is named as an insured, shall not apply to the County of Westchester.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County of Westchester (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 Contractor.

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**SCHEDULE "F"**  
**FORM OF MONTHLY REPORTS**  
**[ATTACHED, STARTING ON NEXT PAGE]**

	A	B	C	D	E	F	G	H
1	Standard Amusements Summary Monthly Report							
2								
3	(Identify month/year reporting)							
4								
5								
6								
7								
8		Start	Completion	Monthly	Ytd	Inception	Total	Description
9	Project	Date	Date	Expenditures	Expenditures	to Date	Projected	
10						Expenditures	Expenditures	
11								
12								
13								
14								
15								
16								
17								
18								
19								
20	Totals			\$ -	\$ -	\$ -	\$ -	
21								
22								
23								
24								
25								
26				Expenditures	Expenditures	to Date	Expenditures	
27								
28								
29								
30								
31								
32								
33	Totals			\$ -	\$ -	\$ -	\$ -	

	A	B	C	D	E	F	G
1	Standard Amusements						
2	Project Expenditures - Supporting Schedule						
3							
4	(Identify period reporting)						
5							
6							
7							
8				Invoice	Invoice	Invoice	
9				Number	Date	Amount	
10		Project	Vendor				Description
11							
12							
13							
14							
15	Project	Sub total				\$ -	
16							
17							
18							
19							
20	Project	Sub total					
21							
22							
23							
24							
25							
26	Project	Sub total					
27							
28							
29							
30							
31	Totals					\$ -	
32	Total must match Project Summary Sheet for the month.						
33							
34				Invoice	Invoice	Invoice	
35				Number	Date	Amount	
36		Overhead	Vendor				Description
37							
38							
39							
40							
41							
42							
43							
44	Totals					\$ -	

**SCHEDULE "G"**  
**QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES**  
**OWNED AND CONTROLLED BY WOMEN OR PERSONS OF COLOR**

As part of the County's program to encourage the meaningful and significant participation of business enterprises owned and controlled by persons of color or women in County contracts, and in furtherance of Section 308.01 of the Laws of Westchester County, completion of this form is required.

A "business enterprise owned and controlled by women or persons of color" means a business enterprise, including a sole proprietorship, limited liability partnership, partnership, limited liability corporation, or corporation, that either:

- 1.) meets the following requirements:
  - a. is at least 51% owned by one or more persons of color or women;
  - b. is an enterprise in which such ownership by persons of color or women is real, substantial and continuing;
  - c. is an enterprise in which such ownership interest by persons of color or women has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise; and
  - d. is an enterprise authorized to do business in this state which is independently owned and operated.
- 2.) is a business enterprise certified as a minority business enterprise ("MBE") or women business enterprise ("WBE") pursuant to Article 15-a of the New York State Executive Law and the implementing regulations, 9 New York Code of Rules and Regulations subtitle N Part 540 et seq., **OR**
- 3.) is a business enterprise certified as a small disadvantaged business concern pursuant to the Small Business Act, 15 U.S.C. 631 et seq., and the relevant provisions of the Code of Federal Regulations as amended.

Please note that the term "persons of color," as used in this form, means a United States citizen or permanent resident alien who is and can demonstrate membership of one of the following groups:

- (a) Black persons having origins in any of the Black African racial groups;
- (b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin regardless of race;
- (c) Native American or Alaskan native persons having origins in any of the original peoples of North America; or
- (d) Asian or Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian subcontinent or the Pacific Islands.

1. Are you a business enterprise owned and controlled by women or persons of color in accordance with the standards listed above?

\_\_\_\_\_ No

\_\_\_\_\_ Yes

**Please note: If you answered "yes" based upon certification by New York State and/or the Federal government, official documentation of the certification must be attached.**

2. If you answered "Yes" above, please check off below whether your business enterprise is owned and controlled by women, persons of color, or both.

\_\_\_\_\_ Women

\_\_\_\_\_ Persons of Color (*please check off below all that apply*)

\_\_\_\_\_ Black persons having origins in any of the Black African racial groups  
\_\_\_\_\_ Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban,  
Central or South American descent of either Indian or Hispanic origin  
regardless of race

\_\_\_\_\_ Native American or Alaskan native persons having origins in any of  
the original peoples of North America

\_\_\_\_\_ Asian or Pacific Islander persons having origins in any of the Far East  
countries, South East Asia, the Indian sub-continent or the Pacific  
Islands

Name of Business Enterprise: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Name and Title of person completing questionnaire: \_\_\_\_\_

\_\_\_\_\_  
Signature: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

## **SCHEDULE "H"**

### **CRIMINAL BACKGROUND DISCLOSURE INSTRUCTIONS**

Pursuant to Executive Order 1-2008, the County is required to maintain a record of criminal background disclosure from all persons providing work or services in connection with any County contract, including leases of County-owned real property and licenses:

- a.) If any of the persons providing work or services to the County in relation to a County contract are not subject to constant monitoring by County staff while performing tasks and/or while such persons are present on County property pursuant to the County contract; and
- b.) If any of the persons providing work or services to the County in relation to a County contract may, in the course of providing those services, have access to sensitive data (for example SSNs and other personal/secure data); facilities (secure facilities and/or communication equipment); and/or vulnerable populations (for example, children, seniors, and the infirm).

In those situations, the persons who must provide a criminal background disclosure ("Persons Subject to Disclosure") include the following:

- a.) Consultants, Contractors, Licensees, Lessees of County-owned real property, their principals, agents, employees, volunteers or any other person acting on behalf of said Contractor, Consultant, Licensee, or Lessee who is at least sixteen (16) years old, including but not limited to Subconsultants, subcontractors, Sublessees, or Sublicensees who are providing services to the County, and
- b.) Any family member or other person, who is at least sixteen (16) years old, residing in the household of a County employee who lives in housing provided by the County located on County property.

Under Executive Order 1-2008, it is the duty of every County Consultant, Contractor, Licensee, or Lessee to inquire of each and every Person Subject to Disclosure and disclose whether they have been convicted of a crime or whether they are subject to pending criminal charges, and to submit this form with that information.<sup>1</sup> Accordingly, you are required to complete the attached Criminal Background Disclosure Form and Certification.

Please note that under no circumstances shall the existence of a language barrier serve as a basis for the waiver of or an exception from the disclosure requirements of Executive Order 1-2008. If translation services are required by the Consultant, Contractor, Licensee, or Lessee to fulfill this obligation, it shall be at the sole cost and expense of the Consultant, Contractor, Licensee, or Lessee.

Please also note that the conviction of a crime(s) and/or being subject to a pending criminal charge(s) will not automatically result in a denial of a person's right to work on a County contract, right to be on County property, or license, but may, if the County determines that the prior conviction(s) or pending criminal charge(s) create an unacceptable risk. However, if a person fails to list or falsifies any part of his/her conviction history or any pending criminal charge(s) for any reason, he/she may be prohibited from working or being on County property without any risk assessment. If it is later determined that a Person Subject to Disclosure failed to disclose a criminal conviction or pending criminal charge for any reason, his/her right to work on a County contract, be on County property, or license may be terminated at any time.

Please further note that, pursuant to Executive Order 1-2008, and subject to the applicable provisions of New York Correction Law §§ 752 and 753, the County has the right to bar a Person Subject to Disclosure from providing work or services to the County or from being on County property if any such person has:

- a.) A conviction of a crime(s);
- b.) A pending criminal proceeding for a crime(s); or
- c.) Refused to answer questions concerning his/her criminal background

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<sup>1</sup> For these disclosures, a "crime" or "pending criminal charge" includes all felonies and misdemeanors as defined under the New York State Penal Law or the equivalent under Federal law or the laws of any other State.



Please finally note that any failure by a County Consultant, Contractor, Licensee, or Lessee to comply with the disclosure requirements of Executive Order 1-2008 may be considered by the County to be a material breach and shall be grounds for immediate termination by the County of the related County contract.

#### **Exemptions**

Executive Order 1-2008 exempts from the aforementioned disclosure requirements Persons Subject to Disclosure:

- a.) for whom the County has already conducted a background check and issued a security clearance that is in full force and effect; and
- b.) for whom another state or federal agency having appropriate jurisdiction has conducted a security and/or background clearance or has implemented other protocols or criteria for this purpose that apply to the subject matter of a County contract that is in full force and effect.

If you are claiming an exemption for one or more Persons Subject to Disclosure, you must notify the Procuring Officer<sup>2</sup>. The Procuring Officer will then determine whether the Person(s) Subject to Disclosure are actually exempt, and provide written notification of his/her determination. If the Procuring Officer determines that a Person Subject to Disclosure is not exempt, the Procuring Officer will notify you of that determination, and you will have to include disclosures for that person on your Criminal Background Disclosure Form and Certification.

#### **Subconsultants, Subcontractors, Sublessees, or Sublicensees**

Under Executive Order 1-2008, it is your duty to ensure that any and all approved subconsultants, subcontractors, sublessees, or sublicensees complete and submit the attached Criminal Background Disclosure Form and Certification for all of their respective Persons Subject to Disclosure. This must be done before such a subconsultant, subcontractor, sublessees, or sublicensees can be approved to perform work on a contract.

#### **New Persons Subject to Disclosure**

Under Executive Order 1-2008, you have a **CONTINUING OBLIGATION** to maintain the accuracy of the Criminal Background Disclosure Form and Certification (and any accompanying documentation) for the duration of this contract, including any amendments or extensions thereto. Accordingly, it is your duty to complete and submit an updated Criminal Background Disclosure Form and Certification whenever there is a new Person Subject to Disclosure for this contract. **NO NEW PERSON SUBJECT TO DISCLOSURE SHALL PERFORM WORK OR SERVICES OR ENTER ONTO COUNTY PREMISES UNTIL THE UPDATED CRIMINAL BACKGROUND DISCLOSURE FORM AND CERTIFICATION IS FILED WITH THE PROCURING OFFICER.** You shall also provide the County with any other updates that may be necessary to comply with the disclosures required by Executive Order 1-2008.

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*PLEASE CONTINUE TO THE*

*Criminal Background Disclosure Form and Certification*

*BEGINNING ON THE NEXT PAGE*

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<sup>2</sup> Procuring Officer" shall mean the head of the department or the individual or individuals authorized by the head(s) of the department(s) undertaking the procurement and with respect to those matters delegated to the Bureau of Purchase and Supply pursuant to Section 161.11(a) of the Laws of Westchester County, the Purchasing Agent.

**CRIMINAL BACKGROUND DISCLOSURE**  
**FORM AND CERTIFICATION**

If this form is being completed by a subconsultant, subcontractor, sublessee, or sublicensee, please consider all references in this form to "consultant, contractor, lessee, or licensee" to mean "subconsultant, subcontractor, sublessee, or sublicensee" and check here: \_\_\_\_\_

I, \_\_\_\_\_, certify that I am a principal or a  
(Name of Person Signing Below)

representative of the Consultant, Contractor, Lessee, or Licensee and I am authorized to complete and execute this Criminal Background Disclosure Form and Certification. I certify that I have asked each Person Subject to Disclosure the following questions:

**Have you or your company ever been convicted of a crime (all felonies and misdemeanors as defined under the New York State Penal Law or the equivalent under Federal law or the laws of any other State) including, but not limited to, conviction for commission of fraud, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property?**

**Are you or your company subject to any pending criminal charges (all felonies and misdemeanors as defined under the New York State Penal Law or the equivalent under Federal law or the laws of any other State)?**

I certify that the names and titles of Persons Subject to Disclosure who refused to answer either of the questions above are:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

(If more space is needed, please attach separate pages labeled "REFUSED to Answer - Continued.")

I certify that the names and titles of Persons Subject to Disclosure who answered "Yes" to either of the questions above are:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

5. \_\_\_\_\_

(If more space is needed, please attach separate pages labeled "YES Answers - Continued.")

Each Person Subject to Disclosure listed above who has either **been convicted of a crime(s) and/or is subject to a pending criminal charge(s)** must answer additional questions. Those questions are below.

A Person Subject to Disclosure who has been convicted of a crime(s) must respond to the following (please attach separate pages with responses for each person, with their name and title):

- 1.) Describe the reason for being on County property if applicable, identify the specific duties and responsibilities on this project which you intend to perform for the County, including but not limited to, access to sensitive data and facilities and access to vulnerable populations.
- 2.) Please list all criminal convictions along with a brief description of the crime(s) (including all felonies and misdemeanors as defined under the New York State Penal Law or the equivalent under Federal law or the laws of any other State).
- 3.) Please provide the date and place of each conviction.
- 4.) Please provide your age at the time of each crime for which you were convicted.
- 5.) Please provide the legal disposition of each case.
- 6.) Please provide any information either produced by yourself or someone on your behalf in regards to your rehabilitation and good conduct.

A Person Subject to Disclosure who is subject to a pending criminal charge(s) must respond to the following (please attach separate pages with responses for each person, with their name and title):

- 1.) Describe the reason for being on County property and if applicable, identify the specific duties and responsibilities on this project which you intend to perform for the County, including but not limited to, access to sensitive data and facilities and access to vulnerable populations.
- 2.) Please identify all pending criminal charges (all felonies and misdemeanors as defined under the New York State Penal Law or the equivalent under Federal law or the laws of any other State).
- 3.) Please briefly describe the nature of the pending charges and the date upon which it is alleged that a crime was committed.

I hereby certify that all of the information provided herein (and in any and all attachments) is true and accurate and that all disclosures required by Executive Order 1-2008 and this Criminal Background Disclosure Form and Certification have been completed. By my signature below, I hereby affirm that all of the facts, statements and answers contained herein (and in any and all attachments) are true and correct. I understand that providing false or incomplete information or withholding by omission or intention pertinent information will be cause for refusing further consideration of my being utilized under this contract.

It is understood and agreed that no Person Subject to Disclosure shall perform work or services or enter onto County property until this required Criminal Background Disclosure Form and Certification is filed with the Procuring Officer.

**It is understood and agreed that to the extent that new Persons Subject to Disclosure are proposed to perform work or provide services under this contract after filing of this Criminal Background Disclosure Form and Certification with the Procuring Officer, such new Persons Subject to Disclosure shall not perform work or provide services or enter into County property until an updated Criminal Background Disclosure Form and Certification has been filed with the Procuring Officer.**

**It is further understood and agreed that the consultant, contractor, lessee, or licensee has a continuing obligation to maintain the accuracy of the Criminal Background Disclosure Form and Certification for the duration of this contract, including any amendments or extensions thereto, and shall provide any updates to the information to the County as necessary to comply with the requirements of Executive Order 1-2008.**

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Title:

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Date

**SCHEDULE "I"**  
**CERTIFICATION REGARDING BUSINESS DEALINGS WITH NORTHERN**  
**IRELAND**

A. The Contractor and any individual or legal entity in which the Contractor holds a ten percent (10%) or greater ownership interest and any individual or legal entity that holds a ten percent (10%) or greater ownership interest in the Contractor (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Principles.

B. For purposes of this Certification, "MacBride Principles" shall mean those principles relating to nondiscrimination in employment and freedom of workplace opportunity which require employers doing business in Northern Ireland to:

(1) increase the representation of individuals from underrepresented religious groups in the work force, including Managerial, supervisory, administrative, clerical and technical jobs;

(2) take steps to promote adequate security for the protection of employees from underrepresented religious groups both at the workplace and while traveling to and from work;

(3) ban provocative religious or political emblems from the workplace;

(4) publicly advertise all job openings and make special recruitment efforts to attract applicants from underrepresented religious groups;

(5) establish layoff, recall and termination procedures which do not in practice favor a particular religious group;

(6) abolish all job reservations, apprenticeship restrictions and differential employment criteria which discriminate on the basis of religion;

(7) develop training programs that will prepare substantial numbers of current employees from underrepresented religious groups for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade and improve the skills of workers from underrepresented religious groups;

(8) establish procedures to assess, identify and actively recruit employees from underrepresented religious groups with potential for further advancement; and

(9) appoint a senior management staff member to oversee affirmative action efforts and develop a timetable to ensure their full implementation.

C. For purposes of this Certification, "Northern Ireland" shall be understood to be the six counties partitioned from the Irish Province of Ulster, and administered from London and/or from Stormont.

D. The Contractor agrees that the warranties and representation in paragraph "A" are material conditions of this Agreement. If the County receives information that the Contractor is

in violation of paragraph "A," the County shall review such information and give the Contractor opportunity to respond. If the County finds that such a violation has occurred, the County may declare the Contractor in default, and/or terminate this Agreement. In the event of any such termination, the County may procure the supplies, services or work from another source in accordance with applicable law. The Contractor shall pay to the County the difference between the contract price for the uncompleted portion of this Agreement and the cost to the County of completing performance of this Agreement either by itself or by engaging another contractor. If this is a contract other than a construction contract, the Contractor shall be liable for the difference in price if the cost of procurement from another source is greater than what the County would have paid the Contractor plus any reasonable costs the County incurs in any new procurement and if this is a construction contract, the County shall also have the right to hold the Contractor in partial or total default in accordance with the default provisions of this Agreement. In addition, the Contractor may be declared not to be a responsible bidder or proposer for up to three (3) years, following written notice to the Contractor, giving the Contractor the opportunity for a hearing at which the Contractor may be represented by counsel. The rights and remedies of the County hereunder shall be in addition to, and not in lieu of, any rights and remedies the County has pursuant to this Agreement or by operation of law or in equity.

Agreed:

Name of Contractor \_\_\_\_\_

By: (Authorized Representative) \_\_\_\_\_

Title: \_\_\_\_\_ Date \_\_\_\_\_

**SCHEDULE "J"**  
**REQUIRED DISCLOSURE OF RELATIONSHIPS TO COUNTY**

*A potential County contractor must complete this form as part of the proposed County contract.*

1.) Are any of the employees that the Contractor will use to carry out this contract also a County officer or employee, or the spouse, child, or dependent of a County officer or employee?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide details (attach extra pages, if necessary): \_\_\_\_\_  
\_\_\_\_\_

2.) Are any of the owners of the Contractor or their spouses a County officer or employee?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide details (attach extra pages, if necessary): \_\_\_\_\_  
\_\_\_\_\_

3.) Do any County officers or employees have an interest in the Contractor or in any approved subcontractor that will be used for this contract?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide details (attach extra pages, if necessary): \_\_\_\_\_  
\_\_\_\_\_

By signing below, I hereby certify that I am authorized to complete this form for the Contractor.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

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**SCHEDULE "K"**  
**COUNTY CAPITAL PLAN**  
**[ATTACHED, STARTING ON NEXT PAGE]**



# Playland Park Capital Program Overview

June 10, 2019

(Updated January 11, 2021)



# **Program Highlights:**

The attached Proposed Playland Capital Plan proposes the following major goals:

## **Opening Day 2021**

- Reopening of the fully restored Historic Carousel
- Reopening of the fully restored Historic Derby Racer

## **Opening Day 2022**

- Reopening of the new Pool and fully restored Bathhouse and Pool Parking Lot
  - Completion of the Historic Towers
- Opening of the new Cross Axis, west side, Restroom Facility
  - Reopening of the Main Restroom Facility
- Reopening of the fully restored Entrance Plaza including completion of:
  - Both the South and North Administration buildings
  - The Employee Facility Building
  - The Entrance Plaza Pavement and Fountain

## **Opening Day 2023**

- Opening of the new Cross Axis, east side, Restroom Facility

## Playland Park Capital Program Overview

### 2019 Projects

Capital Project Number	Project	2016 Estimated Project Cost	2019 Estimated Project Cost	Proposed Bid and Construction Schedule
RP006	Rehabilitation of the Historic Carousel and Derby Racer	\$3,714,000	\$11,014,000	Project Bid 2nd quarter 2019 <u>Carousel:</u> Construction Start: 3rd quarter 2019 - Finish: 2nd quarter 2021 <u>Derby Racer:</u> Construction Start: 4th quarter 2019 - Finish 2nd quarter 2021
RP031	New Switchgear Facility	\$5,125,000	\$6,375,000	Project Bid 3rd quarter 2020 Construction Start: 1st quarter 2021 - Finish 2nd quarter 2022
RP033	Fire Suppression System Upgrades	\$850,000	\$2,850,000	Project Bid 3rd quarter 2020 Construction Start: 4th quarter 2020 - Finish 2nd quarter 2021
RP053 and RP025	Pool Reconstruction and Rehabilitation of the Bathhouse	\$9,540,000	\$18,040,000	Project Bid 4th quarter 2020 Construction Start: 1st quarter 2021 - Finish 2nd quarter 2022 Note: Playland Pool will not be in operation for the 2021 Park season
RP054	Bathhouse Canopy Replacement	N.A.	\$1,400,000	Project Bid 3rd quarter 2019 Construction Start: 4th quarter 2019 - Finish 2nd quarter 2020
TOTAL 2019 ESTIMATED PROJECT COST:			\$39,679,000	

## Playland Park Capital Program Overview

### 2020 Projects

<u>Capital Project Number</u>	<u>Project</u>	<u>2016 Estimated Project Cost</u>	<u>2020 Estimated Project Cost</u>	<u>Proposed Bid and Construction Schedule</u>
RP23F and RP028	Reconstruction of the Historic Towers and Cross Axis West Side Food Facilities	\$1,000,000	\$12,500,000	Project Bid 4th quarter 2020 Construction Start: 1st quarter 2021 - Finish: 2nd quarter 2022
RP028	Restroom Upgrades Phase I	\$2,400,000	\$9,400,000	Project Bid 4th quarter 2020 Construction Start: 1st quarter 2021 - Finish: 2nd quarter 2022
RP040	Rehabilitation of the Historic Administration Buildings	\$2,921,000	\$7,421,000	Project Bid 4th quarter 2020 Construction Start: 1st quarter 2021 - Finish: 2nd quarter 2022
RP047	Rehabilitation of the Pool Parking Lot	\$0	\$2,500,000	Project Bid 2nd quarter 2021 Construction Start: 3rd quarter 2021 - Finish 2nd quarter 2022
<b>TOTAL 2020 ESTIMATED PROJECT COST:</b>			<b>\$31,821,000</b>	

## Playland Park Capital Program Overview

### 2021 Projects

<u>Capital Project Number</u>	<u>Project</u>	<u>2016 Estimated Project Cost</u>	<u>2021 Estimated Project Cost</u>	<u>Proposed Bid and Construction Schedule</u>
RP028	Rehabilitation of the Employee Facilities	\$1,440,000	\$2,440,000	Project Bid 2nd quarter 2021 Construction Start: 3rd quarter 2021 - Finish 2nd quarter 2022
RP042	Rehabilitation of the Entrance Plaza and Fountain	\$3,000,000	\$4,000,000	Project Bid 2nd quarter 2021 Construction Start: 3rd quarter 2021 - Finish 2nd quarter 2022
RP047	Rehabilitation of the Access and Entrance Roads	\$2,100,000	\$8,300,000	This project will be bid as a combined Access Road & Parking Lot Rehabilitation Project and will include the 2021 allocation for the Access and Entrance Roads, the 2022 allocation for the Main Parking Lot and the 2023 allocation for the "Green" Parking Lot
TOTAL 2021 ESTIMATED PROJECT COST:			\$14,740,000	

## Playland Park Capital Program Overview

### 2022 Projects

<u>Capital Project Number</u>	<u>Project</u>	<u>2016 Estimated Project Cost</u>	<u>2022 Estimated Project Cost</u>	<u>Proposed Bid and Construction Schedule</u>
RP028	Rehabilitation of the Food Shop Facilities	\$3,598,000	\$7,098,000	<p>Project Bid 2nd quarter 2022</p> <p>Construction Start: 4th quarter 2022 - Finish 2nd quarter 2024</p> <p>Note: Food Shop rehabilitation will be phased to allow for operation during the 2023 Park Season</p>
RP028	Restroom Upgrades Phase II	\$0	\$3,000,000	<p>Project Bid 2nd quarter 2022</p> <p>Construction Start: 4th quarter 2022 - Finish 2nd quarter 2023</p>
RP047	Rehabilitation of the Main Parking Lot	\$2,400,000	\$9,400,000	<p>This project will be bid as a combined Access Road &amp; Parking Lot Rehabilitation Project and will include the 2021 allocation for the Access and Entrance Roads, the 2022 allocation for the Main Parking Lot and the 2023 allocation for the "Green" Parking Lot</p>
<b>TOTAL 2022 ESTIMATED PROJECT COST:</b>			<b>\$19,498,000</b>	

## Playland Park Capital Program Overview

### 2023 Projects

<u>Capital Project Number</u>	<u>Project</u>	<u>2016 Estimated Project Cost</u>	<u>2023 Estimated Project Cost</u>	<u>Proposed Bid and Construction Schedule</u>
RP025	Rehabilitation of the Bathhouse/Boardwalk Shops	\$1,000,000	\$1,500,000	Note: This project was included as a component of the 2019 Project for Pool Reconstruction and Rehabilitation of the Bathhouse
RP028	Rehabilitation of the Arcade Facilities	\$480,000	\$8,480,000	Project Bid 2nd quarter 2023 Construction Start: 4th quarter 2023 - Finish 2nd quarter 2025 Note: Arcades rehabilitation will be phased to allow for operation during the 2024 Park Season
RP028	Rehabilitation of the Game Facilities	\$1,680,000	\$6,180,000	Project Bid 2nd quarter 2023 Construction Start: 4th quarter 2023 - Finish 2nd quarter 2025 Note: Games rehabilitation will be phased to allow for operation during the 2024 Park Season
RP047	Construction of the "Green" Parking Lot	\$1,500,000	\$4,800,000	Project Bid 2nd quarter 2023 Construction Start: 4th quarter 2023 - Finish 2nd quarter 2024 Note: This project will be bid as a combined Access Road & Parking Lot Rehabilitation Project and will include the 2021 allocation for the Access and Entrance Roads, the 2022 allocation for the Main Parking Lot and the 2023 allocation for the "Green" Parking Lot
<b>TOTAL 2023 ESTIMATED PROJECT COST:</b>			<b>\$20,960,000</b>	

**SCHEDULE "L"**  
**LIST OF HISTORIC AMUSEMENT PARK RIDES**

**7 Historic Rides (County-owned)**

Kiddyland Rides:

Kiddy Carousel

Kiddy Coaster

Major Rides:

Derby Racer

Dragon Coaster

Grand Carousel

The Whip

Ye Old Mill



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**SCHEDULE "M"**  
**INTRA-GOVERNMENTAL MEMORANDUM OF UNDERSTANDING**

**[ATTACHED, STARTING ON NEXT PAGE]**

INTRA-GOVERNMENTAL MEMORANDUM OF UNDERSTANDING

BY AND AMONG

THE COUNTY EXECUTIVE

AND

THE COUNTY BOARD OF LEGISLATORS

OF WESTCHESTER COUNTY, NEW YORK

DATED THE 10<sup>th</sup> DAY OF AUGUST, 2015

It is hereby agreed by and amongst the parties that the following options will be in place for full-time employees should (a) the BOL approve the Playland Management Agreement ("PMA") between the County of Westchester and Standard Amusements LLC; and (b) provided that Standard Amusements LLC decides to proceed with management pursuant to the PMA:

1. All full-time County employees currently working at Playland will be free to discuss separating from County employment and becoming employees of Standard Amusements LLC (or an entity that Standard Amusements LLC creates to manage Playland). This is an option for full-time County employees that Standard Amusements LLC wishes to hire and that wish to avail themselves of the opportunity to work for Standard Amusements LLC.

2. Some full-time County employees currently working at Playland will continue to be County employees and may be reassigned to work at other County facilities, after discussions with the Parks Commissioner or his/her designee and with the Commissioner's approval, in accordance with Civil Service rules and regulations and any applicable collective bargaining agreement provisions. If the County employee currently working at Playland is reassigned to work at another County facility, the employee shall retain, subject to applicable Civil Service Laws, Rules and Regulations at the very least, his or her title, grade and level.
3. Some full-time County employees currently working at Playland will continue to be County employees and may, after discussions with the Parks Commissioner or his/her designee, be assigned to Playland as County employees either (a) at the request of Standard Amusements LLC and with the approval of the Parks Commissioner and with fair and reasonable reimbursement by Standard Amusements, LLC; or (b) at the direction of the Parks Commissioner. In either case the employee will continue to be a County employee under the control of the Parks Commissioner and working under the direction of Standard Amusements LLC as appropriate.

If Standard Amusements LLC becomes the Playland Manager, no full-time County employee will lose his/her employment as a result of the PMA; however, an employee may be subject to layoff or dismissal as a result of considerations unrelated to the PMA.

**IN WITNESS WHEREOF**, the parties have caused this MOU to be executed on the day  
and year first above written.

**THE COUNTY EXECUTIVE**

Kerry Phunkett  
Acting County Executive

**CHAIRMAN OF THE COUNTY BOARD OF  
LEGISLATORS**

By: 200/1/18

## **SCHEDULE "N"**

### **MUTUAL RELEASE**

This Mutual Release (this "Mutual Release") is made as of [●], 2021, by and between The County of Westchester, a municipal corporation of the State of New York (the "County"), and Standard Amusements LLC, a for-profit Delaware limited liability company (the "Manager"). The County and the Manager are sometimes referred to herein individually as a "Party" and collectively as the "Parties."

### **RECITALS**

WHEREAS, the County and the Manager previously entered into that certain Playland Management Agreement, dated August 10, 2015, as amended and restated by that certain Restated and Amended Playland Management Agreement, dated May 3, 2016 (the "2016 Agreement"), pursuant to which the County engaged the Manager to manage and operate Playland Park in Rye, New York, on the terms and subject to the conditions set forth therein;

WHEREAS, in May 2019, the County notified the Manager that it intended to terminate the 2016 Agreement for alleged breaches of contract by the Manager;

WHEREAS, the Manager subsequently commenced a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. § 101 et seq., in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"), where such bankruptcy case was administered under Case No. 19-23061 (the "Chapter 11 Case"), and a lawsuit against the County, which sought to prevent the County from terminating the 2016 Agreement (the "Adversary Proceeding");

WHEREAS, the Bankruptcy Court confirmed the *Debtor's Combined Disclosure Statement and Plan of Reorganization under Chapter 11 of the Bankruptcy Code* [ECF No. 167 (the "Plan") on December 18, 2020 [ECF No. 174], which provides, among other things, for approval of the Second Restated and Amended Playland Management Agreement (the "Management Agreement") as a settlement of the Chapter 11 Case under Federal Rule of Bankruptcy Procedure 9019;

WHEREAS, as a condition to the effectiveness of the Plan, the Parties dismissed their respective claims in the Adversary Proceeding;

WHEREAS, in accordance with the Plan, the Parties entered into the Management Agreement on [●], 2021 to amend and restate the 2016 Agreement in its entirety; and

WHEREAS, as a condition to the effectiveness of the Management Agreement, the Parties have agreed to enter into this Mutual Release, to assure that all claims, demands, liabilities, damages, obligations, actions, or causes of action of any kind between the Parties related to or arising out of the 2016 Agreement, the Chapter 11 Case and the Adversary Proceeding are fully and finally discharged, released, and resolved, without any admission of wrongdoing, guilt, liability, obligation or otherwise.

NOW, THEREFORE, in consideration of the foregoing and the representations, warranties, covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the Parties hereby agree as follows:

1. **Definitions.** Capitalized terms used but not otherwise defined herein shall have the meanings given to such terms in the Management Agreement, except that the following capitalized terms shall have the following meanings:
  - a. "Claim" shall mean any and all actions, causes of action, counterclaims, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, rights, claims, demands, liabilities, losses, rights to reimbursement, subrogation, indemnification or other payment, costs or expenses, and reasonable attorneys' fees, whether in law or in equity, of any nature whatsoever, known or unknown, suspected or unsuspected, fixed or contingent, direct or derivative, and whether representing a past, present or future obligation.
  - b. "Governmental Entity" shall mean any domestic, foreign, federal, state, municipal or other government, or other department, commission, board, bureau, agency, public authority or instrumentality thereof or any other court or arbitrator.
  - c. "Person" shall mean any individual, firm, corporation, business enterprise, trust, association, joint venture, partnership, any Governmental Entity or any other entity, whether acting in an individual, fiduciary or other capacity.
  - d. "Released Claims" shall mean, collectively, the County Released Claims and the Manager Released Claims.
  - e. "Released Party" or Released Parties" shall mean, collectively, the County Released Parties and the Manager Released Parties.
  - f. "Releasing Party" or Releasing Parties" shall mean, collectively, the County Releasing Parties and the Manager Releasing Parties.
2. **Mutual Release.**
  - a. Effective as of the date hereof, the County, on behalf of itself and any Person claiming by, through or under it, including its subsidiaries, affiliates, predecessors, successors, and assigns, and all of its or their respective directors, managers, officers, agents, advisors, and representatives in their capacity as such (collectively, the "County Releasing Parties") hereby irrevocably and unconditionally releases and forever discharges the Manager, its subsidiaries, affiliates, predecessors, successors, and assigns, and each of its and their past, present, and future officers, directors, security holders, partners, agents, representatives, employees, advisors, and attorneys in their capacity as such, and all Persons acting by, through, for, under, or in concert with any of the foregoing (collectively, the "Released Manager Parties"), from any and all Claims which any County Releasing Party now has, have ever had or may hereafter

have against any Released Manager Party with respect to the Original Agreement, the 2016 Agreement, the Chapter 11 Case and the Adversary Proceeding (the "County Released Claims").

- b. Each County Releasing Party hereby irrevocably covenants, from and after the date hereof, to refrain from, directly or indirectly, asserting any Claim or demand, or commencing, instituting or causing to be commenced any proceeding of any kind, against any of the Released Manager Parties based upon, arising from or relating to any County Released Claim.
- c. Effective as of the date hereof, the Manager, on behalf of itself and any Person claiming by, through or under it, including its subsidiaries, affiliates, predecessors, successors, and assigns, and all of its or their respective directors, managers, officers, agents, advisors, and representatives in their capacity as such (collectively, the "Manager Releasing Parties") hereby irrevocably and unconditionally releases and forever discharges the County, its subsidiaries, affiliates, predecessors, successors, and assigns, and each of its and their past, present, and future officers, directors, security holders, partners, agents, representatives, employees, advisors, and attorneys in their capacity as such, and all Persons acting by, through, for, under, or in concert with any of the foregoing (collectively, the "Released County Parties"), from any and all Claims which any Manager Releasing Party now has, have ever had or may hereafter have against any Released County Party with respect to the Original Agreement, the 2016 Agreement, the Chapter 11 Case and the Adversary Proceeding (the "Manager Released Claims").
- d. Each Manager Releasing Party hereby irrevocably covenants, from and after the date hereof, to refrain from, directly or indirectly, asserting any Claim or demand, or commencing, instituting or causing to be commenced any proceeding of any kind, against any of the Released County Parties based upon, arising from or relating to any Manager Released Claim.
- e. It is the intention of the Releasing Parties that the execution of this Release will forever bar every Claim or demand with respect to the Released Claims. Each of the Releasing Parties further understands and agrees that the Released Claims are intended to and do include any and all Claims of every nature and kind whatsoever, known, unknown, suspected or unsuspected, which a Releasing Party has, or may have, against any Released Party with respect to the Released Claims.
- f. Each Releasing Party expressly waives and relinquishes all rights and benefits provided to it by any statute or other law that prohibits the release of unspecified Claims and acknowledges that the release of the Released Claims is intended to include and does include all Claims it has or may have with respect to the Released Claims, whether it is aware of them or not, and that all such Claims with respect to the Released Claims are released by this Mutual Release. Each Releasing Party hereby waives all rights it may have under Section 1542 of the Civil Code of California and any similar statute or common law of any state or jurisdiction with respect to the Released Claims. Section 1542 provides as follows:



"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY."

- g. Each Releasing Party further acknowledges that it may hereafter discover facts different from, or in addition to, those which it now knows or believes to be true with respect to the Released Claims, and agrees that, in such event, this Mutual Release shall nevertheless be and remain effective in all respects, notwithstanding such different or additional facts or the discovery thereof.
  - h. Each Releasing Party represents and warrants that it has not heretofore assigned or transferred, or purported to assign or transfer, to any Person whatsoever any Claims or demands related to the Released Claims, and agrees to indemnify and hold harmless the Released Parties from and against any and all Claims or demands based on, arising out of or connected with any such transfer or assignment or purported transfer or assignment.
  - i. Notwithstanding anything in this Mutual Release to the contrary, if any Released Manager Party or Released County Party is found by a court of competent jurisdiction in a final non-appealable order to have breached this Mutual Release, then this Mutual Release shall thereupon, without further action, notice or deed, be void *ab initio* with respect to such Released Manager Party or Released County Party.
- 3. Disclaimer of Reliance. In executing this Mutual Release, the Parties intend this instrument to be effective as a full and final accord and satisfaction of the Released Claims. Each Party expressly warrants and represents that no promise or agreement that is not expressed in this Mutual Release has been made to such Party as an inducement to execute this Mutual Release and each Party expressly disclaims reliance upon any statement or representation of any Person or entity released hereby other than those expressly stated in this Mutual Release. In entering into this Mutual Release, the Parties each expressly disclaim and waive any reliance on any written or oral representations, other than those expressly stated herein.
- 4. Miscellaneous.
  - a. Representations and Warranties. Each Party hereby represents and warrants to the other Party that (i) such Party has had the opportunity to review this Mutual Release with counsel, (ii) such Party has been fully advised as to the terms herein and fully appreciates and understands such terms, (iii) such Party has all requisite power and authority to execute and deliver this and to perform its obligations hereunder, and (iv) this Mutual Release has been duly and validly executed and delivered by such Party and, assuming the valid execution and delivery by the other Party, constitutes a valid and binding agreement of such Party enforceable against such Party in accordance with its terms. except as the same may be limited by bankruptcy, insolvency, reorganization.

moratorium or similar laws now or hereafter in effect relating to creditors' rights generally and subject to general principles of equity.

- b. No Admission of Liability. The execution of this Mutual Release and the fulfillment of its terms is not to be construed as, and does not constitute, an admission of liability or wrongdoing or responsibility on the part of any Released Party.
- c. Amendment. No provision or term hereof may be amended, supplemented, or otherwise modified except by an instrument in writing, specifying the same, duly executed by each of the Parties.
- d. Assigns. Neither Party shall assign any of its rights or obligations hereunder without the written consent of the other Party.
- e. Heading References. The heading references herein are for convenience purposes only, do not constitute a part of this Mutual Release, and shall not be deemed to limit or affect any of the provisions hereof.
- f. Severability. Should any portion of this Mutual Release be held invalid by operation of law or by a court with proper jurisdiction, the remaining portion of this Mutual Release shall be given full force and effect and shall not in any way be affected thereby.
- g. Counterparts. This Mutual Release may be executed in one or more counterparts (including by facsimile or electronic .pdf submission), each of which shall be deemed an original, and all of which shall constitute one and the same agreement and shall become effective when one or more counterparts have been signed by each Party and delivered (by telecopy, portable document format (.pdf) or otherwise) to the other Party, it being understood that the Parties need not sign the same counterpart.
- h. Governing Law. This Mutual Release shall be construed and enforced in accordance with the laws of the State of New York, without regard to any conflict of laws provisions thereof that would result in the application of the laws of any other jurisdiction. In addition, the Parties hereby agree that for any cause of action arising out of this Mutual Release, any such action shall be brought in the County of Westchester, New York.
- i. Interpretation. Whenever the words "include," "includes" or "including" are used in this Mutual Release, they shall be deemed to be followed by the words "without limitation." The words "hereof," "herein" and "hereunder" and words of similar import shall refer to all applicable provisions of this Mutual Release and not to any particular provision. This Mutual Release is the result of negotiation and, accordingly, no presumption or burden of proof will arise with respect to any ambiguity or question of intent concerning this Mutual Release favoring or disfavoring any Party by virtue of the authorship of any provision of this Mutual Release. Words denoting the singular tense or person shall include the plural and vice versa and references to the masculine gender shall, where the context permits, include the feminine and/or neuter genders and vice versa.

IN WITNESS WHEREOF, each of the undersigned has executed and delivered this Mutual Release effective as of the date first above written.

**THE COUNTY OF WESTCHESTER**

By: \_\_\_\_\_

**STANDARD AMUSEMENTS LLC**

By: \_\_\_\_\_

## SCHEDULE "O" FORM OF ESTOPPEL LETTER

The undersigned (the "**County**") is a party to that certain Second Restated and Amended Playland Management Agreement dated [        ] [        ], 2021 (as amended or modified to the extent set forth herein, the "**Agreement**") between the County and Standard Amusements LLC, a Delaware limited liability company ("**Manager**"), with respect to real property and improvements known as Playland Park in Rye, New York (the "**Property**"). The Manager is a wholly owned subsidiary of United Parks, LLC, a Delaware limited liability company. [The County understands that [        ], a [        ] ("**Investor**")<sup>1</sup>, proposes to make an investment in [        ]]. Investor is requiring, as a condition precedent to the making of such investment, that the County provide Investor with this Estoppel Letter (this "**Letter**").

The County hereby certifies as follows as of the date hereof:

1. The County is the sole owner of the Property.
2. Exhibit A sets forth a true and complete copy of all the documents constituting the Agreement. The Agreement is valid and binding and in full force and effect and there has been no amendment, modification, or supplement of any kind or nature varying the stated terms and conditions of the Agreement, except as so attached. The Agreement represents the entire Agreement between the County and the Manager regarding the Property and there are no other agreements or understandings, whether written or oral, between the Manager and the County with respect to the Agreement or the Property. All capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement.
3. [The Agreement is currently in the Co-Management Period during which time the Property is being co-managed by the County and the Manager. The Manager shall commence full management and operation of the Property on the Management Commencement Date, which is expected to be on or around December 1, 2021] / [The Manager commenced full management and operation of the Property on [December 1, 2021]]. The term of the Agreement is for 30 years from the first November 1<sup>st</sup> occurring after the date on which the County reaches the 90% Threshold, subject to further extensions as a result of any Non-Excused County Delays.
4. To the best of the County's knowledge, both the Manager and the County have performed all of their respective obligations under the Agreement and the County has no knowledge of any event which with the giving of notice, the passage of time or both would constitute a default by the County or the Manager under the Agreement.
5. The County has no claim against the Manager and, to the best of the County's knowledge, the Manager has no claim against the County and the County has no defenses, counterclaims, liens or claims of offset or credit under the Agreement or any other claims against Manager. The County has no disputes with the Manager that arise out of the Agreement or in any way relate to the Agreement or arise out of any other transaction between the County and the Manager.

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<sup>1</sup> NTD: Add investor information and state of formation

6. The Manager has not advanced any funds for or on behalf of the County for which the Manager has a right to deduct from or offset against future payments.

7. The County is in compliance with all of the terms and conditions of the County Capital Plan.

8. The County has no right to terminate the Agreement except in accordance with Sections 3(C), 3(D), 3(G) and 22(A) of the Agreement.

9. To the County's knowledge, the Manager has not assigned the Agreement, nor delegated or subcontracted any part of its Work under the Agreement, without the County's prior express written consent, to the extent such consent was required thereunder. The County has not assigned the Agreement.

10. The Manager has no right or option pursuant to the Agreement to purchase or lease all or part of the Property.

The County has read this Letter and acknowledges and understands the certifications and representations made herein. The County hereby executed this Letter, intending reliance hereon by [ ]. The undersigned individual hereby certifies that he or she is duly authorized to sign, acknowledge and deliver this Letter on behalf of the County.

The County hereby acknowledges and agrees that [ ] and its successors and assigns will rely on this Letter and that this Letter will inure to the benefit of [ ] and its successors and assigns and will be binding upon the County, and its successors and assigns. The County hereby agrees that the information furnished herein may be supplied to others and that such others may rely upon the truth and accuracy of all statements herein contained.

Dated: \_\_\_\_\_, 20\_\_.

**COUNTY:**

COUNTY OF WESTCHESTER,  
a municipal corporation of the State of New York

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

January 26, 2021

Benjamin Boykin II  
Chairman  
Board of Legislators  
Westchester County  
800 Michaelian Office Building  
148 Martine Avenue, 8<sup>th</sup> Floor  
White Plains, NY 10601

Dear Chairman Boykin and Members of the Board of Legislators,

We are writing to request that the County Board of Legislators include a number of important issues related to public access in your review of the proposed Playland settlement agreement, e.g., parkland use and the ability of the public, through the County government, to have a say in any future changes that may occur over the long life of the proposed agreement. We also have some operational questions we believe deserve analysis.

We hope the attached memo will assist you in reviewing issues regarding future operation of the park. We assume that many of the issues we raise have already been addressed or can be addressed through your review process.

You have all been active stewards of this important county resource, enjoyed by parkgoers throughout Westchester for a variety of uses throughout the year. Before the pandemic, the amusement park enjoyed successful seasons in 2018 and 2019, a positive sign for the future.

The non-amusement activities at the park are very important parts of this great facility, visited by residents from all parts of the county twelve months of the year. A pivotal focus for the Board should be to review provisions of the proposed agreement that control the ability to change uses, restrict public access, remove historic structures, create new activities or relocate activities on the property. The amusement park contains historic rides, and the design, layout and architectural style of the park is a very important feature of Playland. Will removal of these features be allowed without the approval of the county?

We hope the agreement can be modified to guarantee that Westchester County have final say on changes on these issues. If the goal of the agreement is that the outside entity is operating the park on behalf of people of Westchester County, then significant decisions about the operation, use and public access to Playland should involve the County.

These are issues that have been brought to our attention. We are awaiting the integration of the new settlement terms arrived at under the direction of the bankruptcy court with the original agreement so we may have additional questions when that complete proposed agreement is available. More broadly, it would be helpful for the Board to have a clear understanding in what areas the County will retain approval rights. Will the county retain approval rights over matters such as hours of operation, days of operation, access to amusement park and non-amusement park parts of the property?

We believe that the issues raised in this letter deserve the time it takes to properly research, analyze, hear public comment and, where appropriate, make modification, before acting on any agreement.

The stated term in the proposed agreement is thirty years. Over the passage of time, the individuals currently in county government and the individuals currently in control of the corporate entity, "Standard Amusements", will no longer be involved. The decision-making issues raised in this letter, and other issues you on the County Board of Legislators may be raising, cannot be addressed with oral assurances by representatives of the manager or the county.

We believe that these issues can be addressed in the agreement as a prerequisite for Board approval. We hope these issues will help you in your review.

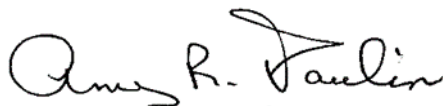
Warm regards,



Steven Otis  
AD 91



Gary Pretlow  
AD 89



Amy Paulin  
AD 88



Nader J. Sayegh  
AD 90



Sandy Galef  
AD 95



Tom Abananti  
AD 92



Chris Burdick  
AD 93

## **Playland Agreement Public Access and Operation Questions and Issues**

1. **Playland Pool.** The pool is a major part of the park use of Playland, enjoyed by families and competitive swimmers for generations. Playland pool and beach are often used by families and children who do not have access to other swimming options. A few years ago the proposed manager suggested replacing the iconic Playland pool with a patio restaurant area. At other times the county explored replacing the pool with a spray park design. The Board of Legislators rejected those proposals and instead committed to continuation of the Playland pool with the needed design and capital plan for a modernized pool which is proceeding to construction.

Does the manager have the ability to change that use? What guarantee does the public have that the modernized pool will be completed? Any change on this issue should be approved by the county. Does the agreement guarantee that decisions such as these be approved by the county?

Similar change of use and access questions should be raised in connection to beach access. Will pricing for the beach and pool continue to be affordable? Will the county have a say when fee increases are considered? Will pricing for any activities at Playland be subject to the approval of the Westchester County Parks Board? Will the county have approval authority over fees?

2. **Playland Entrance.** The pastoral entryway into Playland from Playland Parkway is a beautiful green space, part of the rejuvenated scenic trailway the county is currently completing. Over 15 years ago, the county considered amusement park or water park uses for this historic entrance. Those plans were rejected after public opposition. Does the settlement agreement protect the entryway from change of use or development? Does the agreement guarantee that any changes along the entrance be approved by the county?
3. **Access to Playland Boardwalk and Pier.** Playland Park is a year-round destination for walkers, joggers, and individuals who want to enjoy the vistas of Long Island Sound by taking the seaside path or sitting on a park bench. Will the manager have the ability to restrict access to these important parts of Playland Park? What say will the County have? It should be noted that access to parts of the boardwalk exist 24/7, with portions behind the amusement park and the pier restricted for some portions of the overnight hours. Does the agreement guarantee that any changes of the current practices be approved by the county?
4. **Access to the Read Sanctuary** through the Playland parking lot has been protected and organized in cooperation with the Friends of Read not-for-profit. Does the agreement guarantee that any changes to the current practices be approved by the county?
5. **The areas between the Playland boathouse and the official entrance of the Read Sanctuary** has long been used for informal recreation, walking and jogging. It is a launching area for kayakers. This has been especially true since the arrival of the



pandemic. The section is included as part of the seaside walk. The coast is popular for walking and for fishing. The area is frequented by birders. The field is commonly used by families for an informal catch, kicking around a soccer ball, kite-flying or other non-structured informal recreation. Other than the one or two days a year when these areas are needed for overflow parking for the amusement park, will these uses continue? Will the manager require county approval to make any adjustments to these activities?

6. Does the agreement ensure that many of the year-round maintenance and operation tasks of the park are carried out to make the park fully available to the public throughout the year? Will the manager be responsive to the snow removal needs of the park's roads, parking areas, walking paths and boardwalk areas on a timely basis? Will the manager be responsive to removal of garbage and recycling containers during the non-amusement park months of the year? Will the manager be responsible for OSHA compliance and reporting?

After a snowfall, Playland is immediately visited by walkers, joggers and others who are attracted to the beautiful winter vistas that the seaside walk and coastal areas offer. To meet this need, Playland snow removal currently is conducted whenever needed, including the overnight hours. Park staff makes sure that the park is ready in the morning when visitors arrive after a storm. Prompt snow removal is also important for maintaining public safety in order to allow for ambulance, police and firefighter response in the case of emergency as well as access to fire hydrants.

In addition, who will be responsible for plowing Playland Parkway and the new trailway after a snowfall? The County Board should inquire with the Parks Department regarding other ongoing maintenance and operations issues that occur in the non-amusement park months of the year.

7. For many years Playland Beach has been made available during the non-amusement park seasons as a safe, off-leash dog area that attracts residents from throughout the county. The County Parks Department has made a great commitment to making this park use a success with numerous garbage cans and clear and effective signage and rules. This has become a very popular use of the park. Does the agreement guarantee that any changes of the current practice be approved by the county?
8. Playland Ice Casino has provided ice skating, figure skating and ice hockey for decades. Westchester County and our region do not have enough ice rinks to meet the demand for school, family, youth and adult uses. The facility has been managed by an outside operator through an agreement that will be coming up for a new RFP competition. The settlement agreement allows the manager to submit a bid for operation of the facility and requires the county to consider that bid fairly. Does the county retain the ability to require that the facility is used as an ice rink facility whether or not the manager or another vendor is selected? Will the county consider retaining the operation of the Ice Casino through the County Parks department as was the case before the current contract?

9. A number of years ago, another prospective private operator proposed expanding the activity areas of the park through most of the Playland parking lot. This type of action would have deprived the park of significant parking revenue and use of the space for temporary activities (emergency staging area for Con Ed during storm recovery and household hazardous waste recycling days). It also would have violated one of the basic design elements of Playland Park since it was constructed in the 1920's: the park's activity areas were never placed abutting the residential neighborhoods that border the park. In the summer, neighbors to the park know that for a few weeks a year the parking lots will be active, but none of the actual activity areas of the park are next door to their homes. Plans to violate that principle were actively opposed by the park's residential neighbors. Will the county have veto power over actions by the manager to move activities next to homes?
10. How will the terms of the agreement encourage Playland employees with unique knowledge and expertise to remain employed at Playland Park? The special skills required to maintain and operate a one-of-a-kind historic amusement park are not easily replicated. Making sure we do not lose these skills at Playland should be a priority. Do the options available to employees through the proposed agreement adequately maximize the possibility that these valued employees stay at Playland?
11. The amusement park utilizes a number of outside vendors and concessionaires to operate some of popular rides and attractions. Many provide longstanding attractions that are part of the Playland experience. Will the county be involved in decision-making related to these concessions? Will the county have a say regarding the continuation or cancellation of individual concessions?
12. Westchester Children's Museum has been a tremendous success. Many Westchester residents have contributed to the financing of the WCM. The museum has also been the recipient of state grants. When the WCM lease is up for future renewals, those contracts should be approved directly with Westchester County. For the county to shift that responsibility to the manager would present conflicts of interest on the part of the manager who, at some point in the future, may determine that it is in their interest to gain control over that space. The parties to that contract should remain Westchester County and the museum.
13. We would like to suggest that you request a further explanation of the financial terms of the proposed agreement as they relate to the ability of the county or the manager in case of cancellation by either party. Are those terms fair and equitable to both parties, if either party seeks to end the agreement? Are the terms fair to county taxpayers?
14. During the summer months, the amusement park, beach and pool have been major seasonal employers of youths from communities throughout Westchester. Those employment opportunities provide work experience and income that help launch these young Westchester residents towards a successful future. Will the operation plan for the amusement park, beach and pool continue to offer these employment opportunities?

15. As the home community to the park, the City of Rye has always had an ongoing interest in the operation of Playland and a special interest in changes in use that may affect neighborhoods, traffic and noise. Over the years the county has generally been responsive to the issues raised by residents or by City of Rye officials. When working with another level of government and with elected officials representing the same constituents, one would expect communication and cooperation. An additional reason that policy decisions detailed in this letter should remain with the county government is that the public, throughout Westchester or in the City of Rye, can expect a level of responsiveness to concerns that may be raised when change of use issues are presented. What is the process by which community issues or disputes will be resolved? What is the process by which issues or disputes raised by the public will be resolved?
16. We suggest that the County Board seek an accounting of all state and federal grants that have been secured for the amusement park, boardwalk, pier, railway and coastal areas of the Playland property. This review should include all restrictions tied to any grants.

February 2021

To Whom It May Concern:

My name is Hilary Chernin and I am not only a County resident, a taxpayer, but the small business owner. My family and I currently hold a License Agreement with the County to operate the new Charley's Pier Restaurant on Playland's boardwalk. Its no secret that the plans for Playland amusement park and the Tiki Bar site face an uncertain future as Westchester County Executive George Latimer's administration pushes to renegotiate the terms of a 2016 contract with Standard Amusements.

Upon the death of the former licensee-operator, John Ambrose, my family and I enthusiastically entered into the RFP bid process to operate the site. Our vision throughout the bid process was to re-brand the restaurant to make it a more family-friendly dining and entertainment experience with a focus on higher quality food and top-notch service, all the while maintaining the fun and peaceful atmosphere of this unique waterfront destination. For those who know and have visited the site, being at the "Tiki Bar" is a mini vacation destination just steps from home.

In addition to the traditional live music offerings, we were committed to put on and sponsor weekly free kid-friendly shows as a nod to the parents in the community, and as a means to give back for the opportunity to do business in such a wonderful town. Had COVID-19 not reared its ugly head, Charley's would have been open for business Summer 2020 and we have no doubt that the Community and all those who visited Playland would have enjoyed the dining and entertainment experience.

Since I was a child, Playland has played an important part in my life. But even before it was my childhood amusement park, it was that of my mother and that of her mother. The Playland Ice Casino was where I learned to figure skate as a child and would watch the New York Rangers practice. I can still remember the sense of local pride and sheer excitement seeing Playland on the big screen in the movie "Big." Now, as an adult, Playland holds an even more special place in my heart, after being able to see and experience the same rides, sights, and attractions through the eyes of my children. My childhood amusement park has now become their childhood amusement park, the beach and boardwalk their happy place where they're free to run, jump, laugh, dig, and take-in the fresh salt air. The simplicity, the consistency, and old-world charm, experienced by generation after generation is what makes Playland the Crown Jeweler of Westchester County.

### *The RFP Process*

In October 2019, Westchester County put out a formal RFP seeking a new operator for the "Tiki Bar" site. The RFP invited experienced restaurateurs and food concessionaires to submit plans on how they'd operate the restaurant and bar, as well as the marina for visitors coming to Playland via the Long Island Sound. In their RFP, the County offered a five-year operating license with an option to extend for an additional five years, at the option of the County. It would require the

operator to pay a designated percentage of gross sales or a minimum guarantee, whichever greater. In Attachment 4 of the RFP, on page 32, the County listed the following “Historical Financial Information” as it pertained to the operation of the site: In 2014, the Licensee fee paid to Westchester County was \$130,452.88; in 2015, the Licensee fee paid to Westchester County was \$189,990.28; in 2016, the Licensee fee paid to Westchester County was \$181,031.62; in 2017, the Licensee fee paid to Westchester County was \$223,548.44; and in 2018 the Licensee fee paid to Westchester County was \$228,848.39.

The RFP required that the winning applicant make mandatory improvements to the facility, more specifically upgrades to the plumbing and electrical systems, renovations to the existing bathrooms and kitchen, power washing and painting of the interior and exterior, and the replacement of damaged wood and patio slate.

In November 2020, I enthusiastically submitted a proposal detailing the following proposed improvements with an overall capital investment of approximately \$600,000, all of which was to be completed prior to the opening of Playland’s 2020 season. The specific proposed improvements are detailed below.

#### *Proposed Improvements*

1. Relocate and expand the men’s bathroom and women’s bathroom, and make them handicap compliant under the ADA.
2. Upgrade the sanitary line that runs through the Ice Casino.
3. Install enclosed (fenced-in) Dumpster/Compactor area at the rear of the Park with locking system for safety.
4. Upgrade and renovate the kitchen in accordance with the New York State building code.
5. Upgrade the plumbing and electric to comply with current building codes and Department of Health regulations.
6. Power wash and clean interior of the licensed area.
7. Power wash and paint exterior, scrape and paint soffits and replace any damaged wood and patio slate.
8. Develop and install Family Game Area with oversized lawn games and relaxed seating.
9. Upgrade and renovate the Tiki Bar, including adding a direct draft beer line from the refrigerated walk-in box to the bar
10. Repair existing dock and moorings, and add an additional eight moorings.
11. Remove and replace existing metal gates located at the entrance to the Pier.
12. Convert existing men’s bathroom to Employee’s Only area for storage.
13. Convert existing women’s bathroom to kitchen dishwashing area.
14. Expand children’s menu options.
15. Institute new Closing Hours of 11:00 PM Monday-Wednesday and 12:00 Midnight Thursday-Sunday & Holidays.
16. Purchase new high-end tables and chairs for dining areas.
17. Purchase and utilize heat lamps for use in main patio area.
18. Purchase and utilize ID Scanners at all bars.
19. Permanently eliminate the Ms. Tiki Contest.

20. Host one free family event a month, such as a Bubble Show, Magician, Music Performance, etc.
21. Develop new website that promotes family-oriented atmosphere and highlights dock-and-dine option.
22. Institute new conservative uniform of Khaki Shorts & Polo Shirt.

In terms of a fee proposal, for the first five year, I offered an annual percentage license fee of 9% of the gross sales or an annual minimum guarantee of \$235,000, whichever was greater. After five years, the proposed fee was 10% of the gross sales or an annual minimum guarantee of \$250,000, whichever was greater. Despite our enthusiasm for the project, we were not the only bidders, several others submitted plans with their own vision and numbers for the site, including Standard Amusement. The Tiki Bar site was not part of Standard's 2016 contract with the County.

Standard's RFP proposal for the Tiki Bar at that time included a complete demolition of the site and a license term in excessive of ten years, directly contradictory to 5-year term outlined in the County's RFP. Ultimately, Standard was not selected by the County perhaps because they were already contracted to open **at least six** new restaurants on the boardwalk, fountain plaza and within the amusement park. Selecting Standard for the Tiki Bar site would ultimately given them a complete monopoly over the food services offered at Playland.

Albeit excited to be selected as the new operator, we were disappointed to learn that the County would only offer us a two-year contract due to the ongoing litigation with Standard in Bankruptcy Court. Nevertheless, we accepted the two years, confident in our vision and plan, and willing to rebid in two years. Certainly, after two years of building a following and doing a good job for the residents, visitors of Playland, and the County, we'd have a fair shake at the rebid process. At that point, it was common knowledge that the Tiki Bar site was (intentionally) not incorporated in Standard's 2016 contract, and would go back up for RFP after the expiration of our two-year license agreement. Or so we thought that is, until the County Attorney proposed an amended agreement with Standard to "throwing in" the Tiki Bar in exchange for Standard paying the County an additional \$100,000 a year.

Perhaps most disheartening in this whole situation is the County's lack of transparency in this new amended "deal" and the fact that I, the current license holder, received the news of the change in the newspapers at the same time as everyone else, after already investing over \$99,000 dollars into the site, including the complete renovation of two new state-of-the-art bathrooms and the construction of a family-handicap bathroom (which never existed on-site before). Not to mention the investment made in the purchase of new signage, new indoor and outdoor furniture, lighting fixtures, and kitchen equipment. But even worse than wasted money is the time and effort that has been put into a new venture that now already has an expiration date (with no chance of survival). Adding insult to injury is the fact that, under the amended agreement, Standard has already come out and said that in 2022 it will completely demolish the existing Tiki Bar site and invest 2.5 million dollars into the development of a new all-season restaurant venue.

But is bigger always better? What happened to the simple charm of the old-world boardwalk and pier? And what about those two beautiful trees that have stood unharmed in the middle of the patio for over twenty-five years? The current patio was actually designed and concrete poured around those very two trees but now they too, like Charley's, have an expiration date. What will stand in their place? Due to Standard's vague plan no one knows, but more oddly no one is asking. For only an additional \$100,000, the County has sold out the last free piece of Playland and given Standard carte blanche to demolish the Tiki Bar and build as they see fit. Do the taxpayers and those who know and love the Tiki Bar site have any say in what becomes of their mini vacation destination.

Sentiments aside, how does this amended agreement benefit anyone other than Standard? The County itself in its 2019 RFP listed the license fee paid to Westchester County for operation of the Tiki Bar site at over \$200,000 for a single amusement Season. Unlike the current site, which is only conducive to being open May through September, a year-round restaurant like Standard intends to build and operate is surely worth more than a scanty \$100,000 payment to the County.

That being said, while the County may not be able to undo its original 2016 Agreement with Standard, that sold our local Gem to the mega hedge fund, it can certainly send the message to Standard and the Community at large that we value local, small business, incidentally in my case women-owned. Or, if nothing else, keep Standard honest and the process fair so that future generations of entrepreneurs can fairly and openly bid on the last piece of County owned land that hasn't been sold out from under our noses.

Your time and attention to this matter is greatly appreciated, and I would welcome the opportunity to discuss it further or attend the next virtual next on the Amended Agreement.

Very truly yours,

*Hilary K. Chernin*

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February 12, 2021

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Honorable Benjamin Boykin  
Westchester County Board of Legislators  
148 Martine Avenue, 8th Fl.  
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Dear Legislator Boykin:

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After text of the proposed amended Playland Management Agreement was made public and your Honorable Board held the first public committee meetings on this critically important matter, Westchester Parks Foundation respectfully offers some further thoughts for your consideration.

Initially, we compliment County Attorney John M. Nonna and his team on the remarkable improvements made to the document he inherited during a challenging Bankruptcy Court proceeding. What your Board has now received for discussion was negotiated in very difficult circumstances. Mr. Nonna's extraordinary skill obtained a better deal for the County than was presented at the start of the review process.

However, the length of this complex document, important questions about it stated by seven Westchester Assembly Delegation Members and our concern about potential parkland alienation implications require your Board should provide careful analysis to avoid unexpected consequences from hasty approval of the proposed Act.

We find the new agreement still contains language and terms that are typical of a lease, despite the document's label. Although the County could have more control over Playland than was permitted by the previous agreement, the lack of final decision making authority over the use of County property clearly creates a relationship that delegates "full, exclusive management and operation" of this iconic park to a private business.

We strongly urge your Board to request opinions by the State Attorney General, Comptroller and Office of Parks, Recreation and Historic Preservation answering whether, in the context of the questions raised by the Assembly Members and Parks Foundation's worry about lack of an "at will" clause or other controls, the proposed Amended Agreement is actually a lease which would require State Legislature approval mandated by the Public Trust Doctrine.

We are also interested in whether your Honorable Board has investigated whether or not Judge Drain has been informed that this is a potential issue.

The lack of sufficient explicit controls that could be available for the County's response to public concerns, including those related to use fees or access, is disturbing. The fact there is no way, except because of material breach, for the County to terminate the agreement or to modify it in the public interest creates a bad precedent that would be difficult to prevent being repeated at any other County park in the future.

New York City is involved in unpleasant controversy now while attempting to escape from the requirements of a contract with the manager of a particular golf course in the Bronx. We don't want Westchester to confront a similar problem in the distant future because of failure to analyze the proposed agreement as thoroughly as possible.



The County Attorney's transmittal letter says adoption of the proposed Act would be a "Type II" action under State Environmental Quality Review Act but doesn't explain the specific reasoning for this determination or cite the applicable "SEQRA Type II" listing. We request clarity on this important point.

Protection of our public parks under the long-established Public Trust Doctrine is among the most sacred duties delegated to your Board. Playland was purchased to be a public park nearly 100 years ago and has been used as park continuously after it was opened in 1928.

Your Board must respect and rely upon every potential way to protect these precious lands that belong to all of us and to untold millions of future visitors. Preserving the park so it remains in public, not private control, is the Board's responsibility.

Asking independent but clearly qualified authorities to opine on whether the terms of the proposed agreement comply with State law would be a prudent, practical, and easy way to verify it follows all required legal processes and is in the public interest.

Very truly yours,

Joseph A. Stout  
Executive Director

Cc: The Honorable George Latimer, Westchester County Executive  
The Honorable Ken Jenkins, Westchester Deputy County Executive  
The Honorable Joan McDonald, Westchester Director of Operations  
The Honorable John Nonna, Westchester County Attorney  
The Honorable Letitia James, New York State Attorney General,  
c/o Gary S. Brown, Assistant Attorney General in Charge – Westchester  
The Honorable Thomas DiNapoli, New York State Comptroller  
The Honorable Andrea Stewart Cousins, State Senator, 35<sup>th</sup> District, President Pro Tempore and Majority Leader;  
The Honorable Alessandra Biaggi, State Senator, 34<sup>th</sup> District;  
The Honorable Jamaal Bailey, State Senator, 36<sup>th</sup> District;  
The Honorable Shelley Mayer, State Senator, 37<sup>th</sup> District;  
The Honorable Elijah Reichlin-Melnick, State Senator, 38<sup>th</sup> District;  
The Honorable Peter Harckham, State Senator, 40<sup>th</sup> District;  
The Honorable Amy Paulin, State Assemblywoman, 88<sup>th</sup> District;  
The Honorable Gary Pretlow, State Assemblyman, 89<sup>th</sup> District;  
The Honorable Nader Sayegh, State Assemblyman, 90<sup>th</sup> District;  
The Honorable Steve Otis, State Assemblyman, 91<sup>st</sup> District;  
The Honorable Tom Abinanti, State Assemblyman, 92<sup>nd</sup> District;  
The Honorable Chris Burdick, State Assemblyman, 93<sup>rd</sup> District;  
The Honorable Kevin Byrne, State Assemblyman, 94<sup>th</sup> District;  
The Honorable Sandra Galef, State Assemblywoman, 95<sup>th</sup> District.  
The Honorable Linda Cooper, Taconic Regional Director, NYS OPRHP

*Westchester Parks Foundation is a 501(c)(3) not for profit corporation.  
With the passage of the federal CARES (Coronavirus Aid, Relief, and Economic Security) ACT, the limits on tax deductibility for gifts to not-for-profits were removed.*