

Board of Legislators Meeting Agenda



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

Monday, September 12, 2022

7:00 PM

Legislative Chambers

Regular Meeting

CALENDAR 17 (CONSENT)

CALL TO ORDER

MINUTES APPROVAL

August 1, 2022 at 10am

PUBLIC COMMENT

Speakers_____

PUBLIC HEARING

1. [2022-397](#) **PH - Westchester County Agricultural District 1 - Add Parcels**

A Public Hearing on the proposed inclusion of additional parcels of land within Westchester County Agricultural District No. 1 and the recommendations of the Westchester County Agricultural and Farmland Protection Board. [Public Hearing set for September 12, 2022 at 7:30 p.m.].

SUBMITTED BY: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

Speakers_____

***Please see Standing Committee Item Nos. 2022-398 and 399 for back-up.**

2. [2022-316](#) **PH-Airport Parking Garage Lease Termination**

A Public Hearing on "A LOCAL LAW authorizing the County of Westchester to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. ("WAA") to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA's construction and operation of a parking garage thereon". [Public Hearing set for September 12, 2022 at 7:30 p.m.]. LOCAL LAW INTRO: 2022-317.

SUBMITTED BY: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Speakers_____

*Please see Standing Committee Item No. 2022- 317 for back-up.

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [2022-426](#) **PH-Sewer District Mod-Removal-Mount Pleasant**

A RESOLUTION to set a Public Hearing on an ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant. [Public Hearing set for _____, 2022 at _____ .m.] ACT INTO: 2022-428.

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

2. [2022-427](#) **ENV RES-Sewer District Mod-Removal-Mount Pleasant**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the removal of one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District.

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

3. [2022-428](#) **ACT-Sewer District Mod-Removal-Mount Pleasant**

AN ACT to modify the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant.

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

4. [2022-429](#) **BOND ACT(Amended)-SM018, SM019, SM021, SM030, SM075, SM095**

AN Amended BOND ACT authorizing the issuance of additional bonds of Westchester County in the amount of EIGHT MILLION, FIVE HUNDRED THOUSAND (\$8,500,000) DOLLARS to finance six Capital Projects - SM018 Mamaroneck Water Resource Recovery Facility ("WRRF") - Odor Control and HVAC System Rehabilitation, SM019 - Mamaroneck WRRF Emergency Power Upgrades, SM021 - Mamaroneck WRRF Blower Replacement, SM030 - Mamaroneck WWTP - Roof Replacements, SM075 - Pump Station Rehabilitation Program - Mamaroneck Sanitary Sewer District and SM095 - Pumping Station Rehabilitation Program - Mamaroneck SSD.

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

5. [2022-430](#) **CBA-SBV95-Pumping Station Rehab Prgm-Bronx Valley SSD**

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project SBV95 - Pumping Station Rehabilitation Program - Bronx Valley SSD.

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

6. [2022-431](#) **BOND ACT-SBV95-Pumping Station Rehab Prgm-Bronx Valley SSD**

A BOND ACT authorizing the issuance of ELEVEN MILLION, FIVE HUNDRED THOUSAND (\$11,500,000) DOLLARS in bonds of Westchester County to finance Capital Project SBV95 - Pumping Station Rehabilitation Program - Bronx Valley SSD.

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

7. [2022-432](#) **BOND ACT(Amended)-Ref. SM095, SNR95, SNY95, SPK95**

A BOND ACT (Amended) removing the authorization for design and construction management costs (ACT No. 6-2021) of the rehabilitation of the Jackson Avenue Pumping Station in the Bronx Valley Sanitary Sewer District and that the estimated maximum cost of the aforesaid specific object or purpose is FOUR MILLION, THREE HUNDRED THOUSAND (\$4,300,000) DOLLARS, a decrease of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS.

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

8. [2022-443](#) **APPT-Emergency Medical Services Advisory Board-de Cerreno**

A RESOLUTION appointing Allison C. de Cerreno, Ph.D. as a member of the Westchester County Emergency Medical Services Advisory Board for the term August 11, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

9. [2022-444](#) **APPT-African American Advisory Board-Bell-Smith**

A RESOLUTION appointing Juliene Bell-Smith as a member of the Westchester County African American Advisory Board for the term June 29, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

10. [2022-445](#) **APPT-Domestic Violence Council-Benson**

A RESOLUTION appointing Doris Benson as an at-large member of the Westchester County Domestic Violence Council for the term June 23, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

11. [2022-446](#) **REAPPT-Housing Opportunity Commission-Hyman**

A RESOLUTION reappointing Richard Hyman as a Planning Board member of the Westchester County Housing Opportunity Commission for the term June 24, 2022 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**12. [2022-447](#) REAPPT-Housing Opportunity Commission-Carden**

A RESOLUTION reappointing Lindsay Carden as a Hudson River member of the Westchester County Housing Opportunity Commission for the term June 24, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**13. [2022-448](#) REAPPT-Women's Advisory Board-van Dijk**

A RESOLUTION reappointing Susan van Dijk as the District 7 representative member of the Westchester County Women's Advisory Board for the term July 18, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**14. [2022-449](#) REAPPT-Women's Advisory Board-Kanusher**

A RESOLUTION reappointing Cindy Kanusher as the District 12 representative member of the Westchester County Women's Advisory Board for the term July 21, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**15. [2022-450](#) REAPPT-Women's Advisory Board-Keller**

A RESOLUTION reappointing Michelle Keller as the District 1 representative member of the Westchester County Women's Advisory Board for the term July 18, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**16. [2022-451](#) REAPPT-Women's Advisory Board-Saul**

A RESOLUTION reappointing Myra Saul as the District 5 representative member of the Westchester County Women's Advisory Board for the term July 18, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**17. [2022-452](#) REAPPT-Women's Advisory Board-Powell**

A RESOLUTION reappointing Shannon Powell as an at-large member of the Westchester County Women's Advisory Board for the term July 25, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**18. [2022-453](#) REAPPT-Council for Seniors-McNair**

A RESOLUTION reappointing Theresa McNair as the District 2 representative member of the Westchester County Council for Seniors for the term June 27, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS**19. [2022-454](#) REAPPT-Professional Prequalification Board-Senor**

A RESOLUTION reappointing Eliot Senor, PE, LS, as the Land Surveyor member of the Westchester County Professional Prequalification Board, for the term June 23, 2022 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

20. [2022-455](#) REAPPT-Emergency Medical Svcs Adv Bd-Franzoso

A RESOLUTION reappointing Dominic Franzoso as a member of the Westchester County Emergency Medical Services Advisory Board for the term July 11, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

21. [2022-456](#) REAPPT-Emergency Medical Svcs Adv Bd-Marelo

A RESOLUTION reappointing Steven Marelo as a member of the Westchester County Emergency Medical Services Advisory Board for the term July 11, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

22. [2022-463](#) BOND ACT-BPL35-Hilltop Hanover Farm & Environmental Center

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL35 - Hilltop Hanover Farm and Environmental Center.

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

23. [2022-468](#) RES-Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022

A RESOLUTION supporting the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND ENVIRONMENT, ENERGY & CLIMATE

24. [2022-469](#) REAPPT-Women's Advisory Board-Troilo

A RESOLUTION reappointing Judy Troilo as an at-large member of the Westchester County Women's Advisory Board for the term July 25, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

25. [2022-470](#) REAPPT-Women's Advisory Board-Smith

A RESOLUTION reappointing Lauren H. Smith as the District 3 representative member of the Westchester County Women's Advisory Board for the term July 18, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

26. [2022-471](#) REAPPT-Women's Advisory Board-Guzman-Santana

A RESOLUTION reappointing Anietra Guzman-Santana as the District 15 representative member of the Westchester County Women's Advisory Board for the term July 21, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

27. [2022-472](#) REAPPT-Emergency Medical Svcs Adv Bd-Costable

A RESOLUTION reappointing Justin Costable as a member of the Westchester County Emergency Medical Services Advisory Board for the term July 11, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

28. [2022-473](#) REAPPT-Board of Ethics-French

A RESOLUTION reappointing Douglas French as a member of the Westchester County Board of Ethics for the term May 9, 2022 to December 31, 2026.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

SI. [29.2022-474](#) PH-Sewer District Mod-Add-Cortlandt

A RESOLUTION to set a Public Hearing on an ACT to modify the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt. [Public Hearing set for _____, 2022 at _____ .m.]. ACT INTRO: 2022-474.

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

SI. [30.2022-475](#) ACT-Sewer District Mod-Add-Cortlandt

AN ACT to modify the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt.

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

SI. [31.2022-476](#) PH-WD104-Shaft 22 & Kensico Dam Performance Maintenance

A RESOLUTION to set a Public Hearing on Capital Project WD104 - Shaft 22 & Kensico Dam Performance Maintenance for the benefit of County Water District No. 1. [Public Hearing set for _____, 2022 at _____ m.].

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

SI. 32.2022-477 ACT-2022 Operating Budget Amendment-Woodfield Cottage

AN ACT authorizing an amendment of the 2022 County Operating Budget in the amount of FIVE MILLION (\$5,000,000) DOLLARS for the Dormitory of the State of New York ("DASNY") project at the site of the Woodfield Cottage Youth Facility.

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

SI. 33.2022-478 RES-Declaring County's Intent to Reimburse Expenditures from County's Operating Funds with Proceeds of DASNY Bonds

A RESOLUTION declaring the County of Westchester's ("County") intent to make expenditures as set forth herein for the DASNY Project - Woodfield Cottage.

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

SI. 34.2022-479 ACT-WCHCC-Medical Surveillance Program

AN ACT authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for the term commencing January 1, 2022 through December 31, 2026, to provide medical examinations and monitoring services for the employees of the Department of Health's Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND HEALTH

B. COUNTY ATTORNEY**1. 2022-467 ACT - Lawsuit Settlement of Dewaters v. County of Westchester**

AN ACT authorizing the County Attorney to settle the lawsuit of Alice P. Dewaters v. County of Westchester, et al, in the amount of ONE HUNDRED THOUSAND (\$100,000) DOLLARS, inclusive of attorney's fees.

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

SI. 2. 2022-480 ACT - Lawsuit Settlement McCalla v County of Westchester

AN ACT authorizing the County Attorney to remit payment for the lawsuit of Jamar McCalla v. Westchester County, et. al.

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

C. LEGISLATORS**1. 2022-435 HON. NANCY E. BARR - Sewer District Removal - 246 Old Lake**

Street, Harrison

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 246 Old Lake Street Harrison, from the Mamaroneck Valley Sewer District.

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

2. [2022-436](#) **HON. NANCY E. BARR - Sewer District Removal - 2481 Purchase Street, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 2481 Purchase Street, Harrison, from the Blind Brook Sewer District.

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

3. [2022-437](#) **HON. NANCY E. BARR - Sewer District Removal - 10 Kenilworth Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 10 Kenilworth Lane, Harrison, from the Blind Brook Sewer District.

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

4. [2022-438](#) **HON. NANCY E. BARR - Sewer District Removal - 9 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Twon/Village of Harrison requesting the removal of a parcel of property, 9 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

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

5. [2022-439](#) **HON. NANCY E. BARR - Sewer District Removal - 15 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 15 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

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

6. [2022-440](#) **HON. NANCY E. BARR - Sewer District Removal - 12 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 12 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE**7. [2022-441](#) HON. NANCY E. BARR - Sewer District Removal - 5 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 5 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE**8. [2022-442](#) HON. NANCY E. BARR - Sewer District Removal - 8 Oak Valley Lane, Harrison**

Forwarding correspondence received from the Town/Village of Harrison requesting the removal of a parcel of property, 8 Oak Valley Lane, Harrison, from the Blind Brook Sewer District.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE**9. [2022-460](#) LEGISLATORS WILLIAMS JOHNSON, PIERCE, BARR AND SHIMSKY - PH - Prohibiting the Sale or Distribution of Flavored Tobacco Products**

A RESOLUTION to set a Public Hearing on A LOCAL LAW adding a new Chapter 539 of the Laws of Westchester County in relation to prohibiting the sale or distribution of flavored tobacco products. [Public Hearing set for _____, 2022 at _____.m.]. LOCAL LAW INTRO: 2022-461.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**10. [2022-461](#) LEGISLATORS WILLIAMS JOHNSON, PIERCE, BARR AND SHIMSKY - LL - Prohibiting the Sale or Distribution of Flavored Tobacco Products**

A LOCAL LAW adding a new Chapter 539 of the Laws of Westchester County in relation to prohibiting the sale or distribution of flavored tobacco products.

COMMITTEE REFERRAL: COMMITTEES ON LEGISLATION AND HEALTH**D. OTHERS****1. [2022-457](#) COMM-Pay Plan Amendment-Assistant District Attorneys**

Forwarding correspondence from Westchester County District Attorney Miriam E. Rocah requesting that a Pay Plan Amendment be enacted reflecting an adjustment to the 2022 Pay Plan for all Assistant District Attorney positions with the exception of the First Deputy District Attorneys.

COMMITTEE REFERRAL: COMMITTEE ON BUDGET & APPROPRIATIONS

II. NOTICES & PETITIONS

III. STANDING COMMITTEES

1. [2022-375](#) **BOND ACT-B0108-85 Court St. Bldg Improvements-White Plains**

A BOND ACT authorizing the issuance of TWO MILLION, SEVEN HUNDRED TEN THOUSAND (\$2,710,000) DOLLARS in bonds of Westchester County to finance Capital Project B0108 - 85 Court Street Building Improvements, White Plains (2015-2019).

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

2. [2022-381](#) **ENV RES-P0024-1886, P0028-1887-Bronx River Pkwy.**

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Projects P0024 (Unique ID# 1886) - Bronx River Parkway Rehabilitation Program and P0028 (Unique ID#1887) - Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670).

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

RESOLUTION _____ - 2022

VOTE _____

3. [2022-382](#) **CBA-P0029-Bronx River Pkwy over Bronx River, Eastchester**

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project P0029 - Bronx River Parkway Over Bronx River (North & South of Leewood Dr.), Eastchester.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

ACT _____ - 2022

VOTE _____

4. [2022-383](#) **BOND ACT(Amended)-P0024-1886, P0028-1887, P0029-1908-Bronx River Pkwy**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of EIGHT MILLION, SIXTY-FIVE THOUSAND (\$8,065,000) DOLLARS to finance Capital Project P0024 (Unique ID 1886) - Bronx River Parkway Rehabilitation Program, Capital Project P0028 (Unique ID 1887) Bronx River Parkway (NB-North of County Center over Bronx River, Greenburgh and Capital Project P0029 (Unique ID 1908) Bronx River Parkway over Bronx River (North & South of Leewood Drive), Eastchester.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

5. [2022-384](#) BOND ACT-P0024-1937-Bronx River Rehab Prgm

A BOND ACT authorizing the issuance of ONE MILLION, ONE HUNDRED THOUSAND (\$1,100,000) DOLLARS in bonds of Westchester County to finance a component of Capital Project P0024 - Bronx River Parkway Rehabilitation Program.

SUBMITTED BY COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

6. [2022-385](#) BOND ACT-P0024-1927-Bronx River Pkwy Rehab Prgm

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS in bonds of Westchester County to finance Capital Project P0024 (Unique ID 1927) - Bronx River Parkway Rehabilitation Program.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

7. [2022-398](#) ENV RES - Westchester County Agricultural District 1 - Add Parcels

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from the inclusion of additional parcels of land within the Westchester County Agricultural District No. 1.

SUBMITTED BY: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

RESOLUTION _____ - 2022

VOTE _____

8. [2022-399](#) RES - Westchester County Agricultural District 1 - Add Parcels

A RESOLUTION approving the inclusion of additional parcels of land within the Westchester County Agricultural District No. 1 as recommended by the Agricultural and Farmland Protection Board.

SUBMITTED BY: COMMITTEE ON ENVIRONMENT, ENERGY & CLIMATE

RESOLUTION _____ - 2022

VOTE _____

9. [2022-414](#) CBA-B0117-Infrast. Rehab., 450 Saw Mill River Rd., Ardsley

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project B0117 - Infrastructure Rehab. 450 Saw Mill River Rd., Ardsley.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

ACT _____ - 2022

VOTE _____

10. [2022-415](#) BOND ACT(Amended)-BCR5E, BCR57, BCR60, B0114, B0117, T0068

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of ONE HUNDRED TWENTY-FIVE THOUSAND (\$125,000) DOLLARS to provide additional construction funding for the design, construction and construction management of ventilation improvements at the County-owned building located at 450 Saw Mill River Road in Ardsley - Capital Project B0117 - Infrastructure Rehab. 450 Saw Mill River Rd., Ardsley.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC SAFETY AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

11. [2022-416](#) BOND ACT-BLR13-Labs & Research Infrast. Improvements '22-'26

A BOND ACT authorizing the issuance of up to ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BLR13 - Labs & Research Infrastructure Improvements 2022-2026.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, HEALTH AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

12. [2022-424](#) BOND ACT(Amended)-BIT32-1961-Radio System Replacement

A BOND ACT (Amended) authorizing the issuance of additional bonds in the amount of EIGHT MILLION FIVE HUNDRED THOUSAND (\$8,500,000) DOLLARS to finance a component of Capital Project BIT32- Radio System replacement, as well as to expand the scope of services under BIT32.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

13. [2022-458](#) PH - The Senior Citizens and Persons with Disabilities Home Owner's Tax Exemption

A RESOLUTION to set a Public Hearing on A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to allow senior citizens and persons with disabilities to reduce their income by the amount of unreimbursed medical and prescription drug expenses in order to qualify for tax exemptions and to increase the maximum eligible income. [Public Hearing set for _____, 2022 at _____ .m.]. LOCAL LAW INTRO: 2022-459.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

****Please note: This Standing Committee Item was placed directly into committee for immediate consideration.***

RESOLUTION _____ - 2022**VOTE _____****SI. 14.2022-365 ACT-WCHCC-SAAVE Program-Bilingual Services**

AN ACT authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for the term commencing January 1, 2022 through December 31, 2024 pursuant to which the WCHCC shall provide free culturally-competent bilingual services for victims of sexual assault residing in Westchester County.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, HUMAN SERVICES, HUMAN RIGHTS & EQUITY AND HEALTH

ACT _____ - 2022**VOTE _____****SI. 15.2022-366 ACT-WCHCC-FACT Program-Forensic Medical Care**

AN ACT authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for a term commencing January 1, 2022 through December 31, 2024 pursuant to which the WCHCC shall operate its Forensic Acute Care Team (FACT) Program and provide forensic medical care for children/adolescents and adults.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, HUMAN SERVICES, HUMAN RIGHTS & EQUITY AND HEALTH

ACT _____ - 2022**VOTE _____****SI. 16.2022-370 IMA-Virginia Road Ballfield-Mount Pleasant**

AN ACT authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Mount Pleasant whereby the Town shall operate and maintain the facilities of the park known as the Virginia Road BallField for municipal recreation purposes.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PARKS & RECREATION

ACT _____ - 2022**VOTE _____****SI. 17.2022-372 BOND ACT-BSS14-1955-Infrast. Improves. to Shelter Facilities**

A BOND ACT authorizing the issuance of NINE HUNDRED SIXTY-FIVE THOUSAND (\$965,000) DOLLARS in bonds of Westchester County to finance the cost of replacement and upgrade of the playground at the Coachman Family Center in White Plains - Capital

Project BSS14 - Infrastructure Improvements to Shelter Facilities - Coachman Family Center (2015-2019).

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

SI. 18.2022-373 BOND ACT-BSS14-1956-Infrast. Improves. to Shelter Facilities

A BOND ACT authorizing the issuance of FOUR HUNDRED THIRTY-FIVE THOUSAND (\$435,000) DOLLARS in bonds of Westchester County to finance the cost of mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains - Capital Project BSS14 - Infrastructure Improvements to Shelter Facilities - Coachman Family Center (2015-2019).

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

SI. 19.2022-374 BOND ACT-SBB95-Playland Pumping Station Rehabilitation

A BOND ACT authorizing the issuance of SIX MILLION (\$6,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SBB95 - Playland Pumping Station Rehabilitation.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

SI. 20.2022-386 BOND ACT(Amended)-SBB30-Blind Brook WWTP Roof Replacements

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of THREE MILLION, FIVE HUNDRED THOUSAND (\$3,500,000) DOLLARS to finance Capital Project SBB30 - Blind Brook Waste Water Treatment Plant Roof Replacements.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

SI. 21.2022-387 BOND ACT(Amended)-RD017-MRF and Transfer Station Rehabilitation

A BOND ACT (Amended) authorizing the County of Westchester by and on behalf of the Refuse Disposal District #1 to revise the scope of prior Bond Act No. 100-2019 ("Act 100-2019") in connection with the following Capital Project - RD017 - Material Recovery

Facility and Transfer Station Rehabilitation.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2022

VOTE _____

SI. 22.2022-402

ACT - Retainer Amendment with Sheppard Mullin

AN ACT authorizing the County of Westchester to further amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with the civil matter Yonkers Contracting Company, Inc. v. County of Westchester, et al, by increasing the not-to-exceed amount authorized thereunder by ONE HUNDRED THOUSAND (\$100,000) DOLLARS and by extending the term thereof through December 31, 2023.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

ACT _____ - 2022

VOTE _____

SI. 23.2022-403

IMA-Summer Youth Employment & Training Srvcs.-Municipalities

AN ACT authorizing the County of Westchester to enter into inter-municipal agreements with the cities of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, Yonkers and White Plains, through their respective youth bureaus, and the Town of Greenburgh, through its community center, pursuant to which the municipalities will provide summer youth employment and training services to eligible Westchester youth.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND SENIORS & YOUTH

ACT _____ - 2022

VOTE _____

SI. 24.2022-406

ACT - Lawsuit Settlement of Klass v. Hogue, Town/Village of Harrison and County of Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of Doreen D. Klass v. Gayle E. Hogue, Town/Village of Harrison and County of Westchester in an amount not to exceed EIGHTY-FIVE THOUSAND (\$85,000) DOLLARS, inclusive of counsel fees.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

ACT _____ - 2022

VOTE _____

SI. 25.2022-417

ACT-Amend IMA-Hawthorne Fire District

AN ACT amending Act. No. 2021-30, which authorized the County of Westchester to enter into an intermunicipal agreement with the Hawthorne Fire District to provide specialized

training and fire suppression services for a two (2) year term commencing on January 1, 2021 and expiring on December 31, 2022 in an aggregate amount not to exceed TWENTY-SIX THOUSAND (\$26,000) DOLLARS in order to increase the not to exceed aggregate amount by FORTY-THREE THOUSAND, SIX HUNDRED TWENTY-FOUR (\$43,624) DOLLARS to compensate the District for the purchase of additional fire suppression equipment.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC SAFETY AND PUBLIC WORKS & TRANSPORTATION

ACT _____ - 2022 VOTE _____

SI. 26.2022-423 **ACT-Retainer Agreement with Sheppard Mullin for Sherwani Contracting v. County of Westchester**

AN ACT authorizing the County of Westchester to retain, at County expense, the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with the civil matter Sherwani Contracting Inc. v. County of Westchester.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

ACT _____ - 2022 VOTE _____

SI. 27.2022-434 **ACT - Davis Lawsuit Settlement**

AN ACT authorizing the County of Westchester to settle the lawsuit of James Darrell Davis v. Westchester County and Leandra Eustache in the amount of NINETY THOUSAND (\$90,000) DOLLARS, inclusive of attorney's fees.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

ACT _____ - 2022 VOTE _____

SI. 28.2022-464 **ACT - Wilson's Woods Pool Improvements (RWW05)**

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project RWW05 - Wilson's Woods Pool Improvements.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PARKS & RECREATION

ACT _____ - 2022 VOTE _____

SI. 29.2022-465 **BOND ACT - Wilson's Woods Pool Improvements (RWW05)**

A BOND ACT authorizing the issuance of SEVEN MILLION (\$7,000,000) DOLLARS in bonds of Westchester County to finance the cost of the construction of improvements to Wilson's Woods Pool - Capital Project RWW05.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PARKS & RECREATION

BOND ACT _____ - 2022 VOTE _____

IV. SPECIAL ORDERS

1. [2022-317](#) **LOCAL LAW-Airport Parking Garage Lease Termination**

A LOCAL LAW authorizing the County of Westchester to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. ("WAA") to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA's construction and operation of a parking garage thereon.

SUBMITTED BY: COMMITTEES ON LEGISLATION, BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Local Law Intro No. 317 - 2022

VOTE _____

MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS

1. [2022-433](#) **Memorial Resolutions 13-2022**

HON. BENJAMIN BOYKIN: Thomas Malmud

HON. MARGARET A. CUNZIO: George A. Letscher, Eileen Marie Imondo, Nicola DeFrenza, Dolores Malizio

HON. MARYJANE SHIMSKY: Linda Maher Smith, Arnold Nager, David Fractenberg, Anthony Stephen DiFilippo

HON. DAVID J. TUBIOLO: George I. Preston, Edward Borrelli, Dr. Gerald M. Shaw, Donald Lierni, Mary Treglia

LEGISLATORS TUBIOLO AND WOODSON-SAMUELS: Hon. William Edwards

HON. JEWEL WILLIAMS JOHNSON: Father Bartholomew Daly

ADJOURNMENT

Next meeting: October 3, 2022 at 7pm

RESOLUTION NO. 152 - 2022

RESOLVED, THAT THIS Board hold a public hearing pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017 upon the proposed inclusion of additional parcels of land within Westchester County Agricultural District No. 1. The public hearing will be held at 7:30 p.m. on the 12 day of Sept, 2022 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 this hearing, in the form annexed hereto, 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 and shall further provide written notice, in the form annexed hereto, to each municipality with territory that would be encompassed within the proposed district and to the New York State Commissioner of Agriculture and Markets.

RESOLUTION NO. - 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. -2022 entitled "A LOCAL LAW authorizing the County of Westchester to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. ("WAA) to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA's construction and operation of a parking garage thereon". The public hearing will be held at ____ m. on the ____ day of _____, 2022 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.

July 28, 2022

W. N. M. S.

Chiff
Debat Jadh

Catharine R

W. N. M. S.

Let

Debat Jadh

May Jane Shinnick

Colin O'Brien

James B. ...

Debat Jadh

Catharine R

Budget & Appropriations

May Jane Shinnick

Colin O'Brien

Debat Jadh

Catharine R

Public Works & Transportation 19

Legislation

Dated: July 28, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Legislation

Margaret A. Cunzio

Budget & Appropriations

[Signature]

[Signature]

Public Works & Transportation

[Signature]

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Local Law which, if adopted by your Honorable Board, would authorize an agreement (“Termination Agreement”) between the County of Westchester (“County”), the County of Westchester Industrial Development Agency (“Agency”), and Westchester Airport Associates L.P. (“WAA”) to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993 (“Ground Lease”) for property located at the Westchester County Airport in connection with WAA’s construction and operation of a parking garage thereon.

By way of background, it should be noted that after the County and WAA entered into the Ground Lease for a term of 30 years, WAA assigned its interest therein to the Agency pursuant to the terms of an Assignment dated February 1, 1994 (the “Assignment”). The Agency subsequently entered into a Sublease and Assignment Agreement dated February 1, 1994 (the “Sublease”). The Ground Lease was thereafter amended by a First Amendment dated August 11, 1994 (the “First Amendment”), a Second Amendment dated May 23, 2001 (the “Second Amendment”), and a Third Amendment dated April 8, 2003. The County and WAA entered into a Settlement Agreement dated February 28, 2013, to resolve claims related to WAA withholding rent as well as the County’s operation of a cell phone waiting lot. More recently, the parties entered into a Payment Agreement dated September 28, 2018, to resolve claims over the payment of Percentage Rent owed by WAA from 2016-2017 by requiring the payment of \$775,000.00 in three annual installments through September 2020. Your Honorable Board authorized all of these amendments and subsequent agreements. The term of the Ground Lease will expire on July 31, 2024.

Your Committee has been advised that since early 2020, the COVID-19 pandemic has caused a major disruption to air travel and has significantly reduced WAA’s

revenues from public parking. In recognition of this, the County abated WAA's Base Rent by \$727,083.34 from June 1, 2020 through June 30, 2021. However, this abatement has not completely offset WAA's lost revenue. Therefore, the parties propose to enter into the Termination Agreement to terminate the Ground Lease retroactive to December 31, 2021. WAA still owes the County \$326,000 under the Settlement Agreement and \$175,000 under the Payment Agreement for a total of \$501,000.00. The Termination Agreement provides that WAA will pay this amount within 30 days after the Ground Lease is canceled.

The Ground Lease provides for termination in only two instances: default by the tenant, subject to notice and the opportunity to cure; and cancellation by the County on the 7th, 14th or 21st anniversary of the lease commencement for the purpose of buying the garage. As neither of these situations is present in the current circumstances, the Termination Agreement requires the same approval as the Ground Lease and its amendments, namely a Local Law approved by a two-thirds majority of your Honorable Board.

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 and its implementing regulations, 6 NYCRR Part 617 ("SEQRA") have been met. The Planning Department advises that the proposed Settlement Agreement is classified as a Type II action. Therefore, no further action is required by your Honorable Board. Your Committee has reviewed the annexed SEQRA memo and concurs with that conclusion.

Date: July 28, 2022
White Plains, New York

COMMITTEE ON
Legislation
DLV/24-2022

Budget & Appropriations

Public Works & Transportation

Dated: July 28, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Legislation

Margaret A. Cunzio (WOP)

Budget & Appropriations



Tye H. [unclear] (WOP)

Public Works & Transportation

Tye H. [unclear] (WOP)

FISCAL IMPACT STATEMENT

SUBJECT: Airport Parking Lease

☐ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

X AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense	\$	0
-----------------------------------	-----------	----------

Total Current Year Revenue	\$	(1,517,000)
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Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

Additional Appropriations

☒ Other (explain)

Identify Accounts: 161-44-4110-9096

Potential Related Operating Budget Expenses:

Annual Amount

Describe:

Potential Related Operating Budget Revenues:

Annual Amount

Describe:

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

Current Year: Estimated Net Revenue Loss of \$1,517,000

Next Four Years: Assuming that the successor agreement is terminated by mutual consent on

August 1, 2024, there is no projected net revenue loss for CFY 2023 and \$1.1 million projected net revenue loss for CFY 2024.

Prepared by: Lawrence Soule

Title: _____ **Director:** _____

Department: Department of Budget


Date: May 5, 2022

Reviewed By:

Budget Director

Date:

TO: David Vutera, Associate County Attorney
Department of Law

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

DATE: February 18, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR AIRPORT PARKING
GARAGE LEASE TERMINATION**

PROJECT/ACTION: Termination of a lease agreement with the County of Westchester Industrial Development Agency (IDA) and Westchester Airport Associates, L.P. in connection with the construction and operation of a parking garage at the Westchester County Airport. Initiated in 1993 and amended from time to time, the lease agreement is currently due to expire on July 31, 2024. Early termination is being sought to allow for the same parties to enter into a new 5-year lease agreement that would better adjust for lost revenues associated with the pandemic. The termination will be retroactive to December 31, 2021.

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(S):**
- **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 anticipated new lease agreement will be retroactive to January 1, 2022 and will provide for continued maintenance and operations of the parking garage by Westchester Airport Associates L.P. for 5 additional years. This action may also be classified as Type II pursuant to section 617.5(c)(32).

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Hugh Greechan, Jr., Commissioner of Public Works & Transportation
Norma Drummond, Commissioner
Tami Altschiller, Assistant Chief Deputy County Attorney
Claudia Maxwell, Associate Environmental Planner

LOCAL LAW NO. ____ - 2022

A LOCAL LAW authorizing the County of Westchester to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. (“WAA”) to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA’s construction and operation of a parking garage thereon.

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

Section 1. The County of Westchester is authorized to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. (“WAA”), in substantially the same form as attached hereto, to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA’s construction and operation of a parking garage thereon.

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

§3. This Local Law shall take effect immediately.

[Attach Termination Agreement]

LEASE TERMINATION AND SURRENDER AGREEMENT

AGREEMENT made as of the ____ day of _____, 2022, by and among

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,

COUNTY OF WESTCHESTER INDUSTRIAL DEVELOPMENT AGENCY, a corporate governmental agency constituting a public benefit corporation of the State of New York, having an office at 148 Martine Avenue, White Plains, New York, 10601 (hereinafter referred to as the "Agency")

and,

WESTCHESTER AIRPORT ASSOCIATES L.P., a Delaware limited partnership qualified to do business in the State of New York, having an office at 1 Renaissance Square, 4th Floor, White Plains, New York 10601 (hereinafter referred to as the "Tenant").

WITNESSETH:

WHEREAS, the County and Tenant entered into an Agreement of Lease dated October 19, 1993, (the "Ground Lease") of certain property located at the Westchester County Airport in connection with the Tenant's construction and operation of a Parking Facility thereon (the "Parking Facility"); and

WHEREAS, the Tenant thereafter assigned its interest in the Ground Lease to the Agency pursuant to the terms of an Assignment dated February 1, 1994 (the "Assignment"); and

WHEREAS, the Agency thereafter entered into a Sublease and Assignment Agreement, dated February 1, 1994 (the "Sublease"); and

WHEREAS, in order to facilitate the financing of the construction of the Parking Facility at the Airport, the Agency on February 1, 1994 issued certain

Airport Facility Revenue Bonds (Westchester Airport Associated, LP Project) comprised of Series A Bonds and Series B Bonds (Federally Taxable)(collectively, the "Bonds") and the Agency entered into a Leasehold Mortgage and Security Agreement, dated March 1, 1994 (the "Leasehold Mortgage") in favor of the bond trustee (or its successors and assigns, the "Leasehold Mortgagee"); and

WHEREAS, the Ground Lease was thereafter amended by a First Amendment of Ground Lease dated August 11, 1994 (the "First Amendment") to revise the property description as set forth in Exhibit "A" of the Ground Lease; and

WHEREAS, the Ground Lease was thereafter amended by a Second Amendment of Ground Lease, dated May 23, 2001 (the "Second Amendment") to, among other things, modify the Parking Facility's hours of operation and agree to arbitrate a dispute as to the calculation of Excess Rent; and

WHEREAS, the Ground Lease was thereafter amended by a Third Amendment of Ground Lease, dated April 8, 2003 (the "Third Amendment") to clarify the calculation of Excess Revenue; and

WHEREAS, the County, the Tenant, and the Agency entered into a Settlement Agreement dated February 28, 2013 in order to, among other things, settle the claims between the parties as to the payment of Excess Rent by requiring the Tenant to pay the County \$10,416.67 per month through the expiration of the Ground Lease ("Settlement Agreement"); and

WHEREAS, the County, the Tenant, and the Agency entered into a Payment Agreement dated September 28, 2018 in order to resolve unpaid Percentage Rent for 2016-2017 by requiring the Tenant to pay \$775,000.00 in three annual installments through September 2020 ("Payment Agreement"); and

WHEREAS, the County, the Tenant, and the Agency recognize that the COVID-19 pandemic ("COVID-19") has caused a major disruption to air travel and as a result, revenues under the Ground Lease have been impacted; and

WHEREAS, in recognition of the impact of COVID-19 on the Tenant's revenues, the County for the period from June 1, 2020 through June 30, 2021, abated the Tenant's Base Rent by an amount of \$727,083.34; and

WHEREAS, the Tenant still owes the County \$326,000 under the Settlement Agreement and \$175,000 under the Payment Agreement for a total of \$501,000.00; and

WHEREAS, the County, the Tenant, and the Agency desire to terminate the Ground Lease and simultaneously enter into the new ground lease of even date herewith (the "New Lease")(attached hereto as Schedule 1).

NOW, THEREFORE, in consideration of the premises and covenants herein, the parties agree as follows:

1. All initially capitalized terms shall have the meaning ascribed to them in the Ground Lease.
2. Conditioned upon the full execution of the New Lease, the Ground Lease is hereby canceled and terminated effective as of midnight December 31, 2021, and the term demised is brought to an end as of midnight December 31, 2021 (the "Cancellation Time") with the same force and effect as if the term of the Ground Lease was fixed to expire on the Cancellation Time. The parties acknowledge that the Cancellation Time is subject to the approval of the Westchester County Board of Legislators and the Westchester County Board of Acquisition and Contract.
3. Effective on the Cancellation Time, the parties mutually agree that all obligations under the Ground Lease shall be extinguished, except that the Tenant's obligations under the Settlement Agreement and the Payment Agreement shall continue in full force and effect.
4. This Lease Surrender Agreement may not be changed orally, and shall be binding upon and inure to the benefit of the parties to it, their respective heirs, successors, and, as permitted, their assigns.
5. As of the Cancellation Time, neither Landlord, Agent, nor Tenant shall have any further rights against the other under the Ground Lease nor any further obligations or liabilities under the Ground Lease, except that the Tenant shall remain obligated under the Settlement Agreement and the Payment Agreement to pay the County any amounts due thereunder . No later than thirty (30) days after the Cancellation Time, the Tenant shall pay the County

\$501,000.00 in full satisfaction of the amounts owed under the Settlement Agreement and the Payment Agreement.

6. The Tenant shall indemnify, defend and hold harmless the County and the Agency against any claim or action brought by an Institutional Lender or any other party for amounts owed by the Tenant.
7. This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney.
8. To facilitate execution, this Agreement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of both parties hereto appear on each counterpart hereof. All counterparts hereof shall collectively constitute a single agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement

THE COUNTY OF WESTCHESTER

By: _____
Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works
and Transportation

COUNTY OF WESTCHESTER
INDUSTRIAL DEVELOPMENT
AGENCY

By: _____
(Name and Title)

WESTCHESTER AIRPORT
ASSOCIATES, L.P.

By: _____
Louis R. Cappelli, President
Airport Parking Associates, General
Partner

Approved by the Board of Legislators of the County of Westchester on
_____, 2022.

Approved by the Board of Acquisition and Contract of the County of Westchester
on _____, 2022.

Approved:

County Attorney

County of Westchester

Vutera/DTR/124200/WAA Termination Agr draft 2-3-22

DRAFT

RESOLUTION NO. 153 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. -2022 entitled "A LOCAL LAW authorizing the County of Westchester to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. ("WAA) to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA's construction and operation of a parking garage thereon". The public hearing will be held at 7:30 p.m. on the 12 day of Sept, 2022 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.

July 28, 2022

W.D. M. M.

[Signature]
[Signature]
 Robert J. L. L.

Catherine R.

W.D. M. M.

L. L.

Robert J. L. L.

[Signature]
 Mary Jane M. M.

[Signature]
 Colin J. J.

[Signature]
 David B. B.

Catherine R.

Budget & Appropriations

[Signature]
 Mary Jane M. M.

[Signature]
 Colin J. J.

[Signature]
 David B. B.

Catherine R.

Public Works & Transportation 35

Legislation



George Latimer
County Executive

August 10, 2022

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

Dear Honorable Members:

I have been advised by the Commissioner of Environmental Facilities that the Town of Mt. Pleasant (the "Town") has requested pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is being requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

I am advised that the analysis prepared by the Department of Environmental Facilities in the attached feasibility report ("Feasibility Report") dated June 23, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0073% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcel from the District is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

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

Office of the County Executive

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

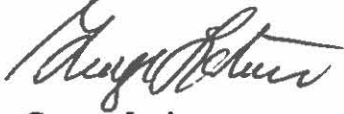
Telephone: (914)995-2900



The Planning Department has advised that based upon its review, the proposed removal of the Parcel constitutes an Unlisted Action under the State Environmental Quality Review Act and its implementing regulations 6 NYCRR, Part 617 ("SEQR"). The Planning Department has prepared the attached Short Environmental Assessment Form to assist your Honorable Board in making the required determination of significance or non-significance pursuant to SEQR.

Based upon the foregoing, 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 which details the Parcel involved in the proposed change to the District boundaries, and, after the public hearing, adopt an Act which will accomplish the removal of the Parcel from the District.

Sincerely,

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

George Latimer
County Executive

GL/VK/jpg
Attachments

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

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Mt. Pleasant (the "Town") has requested, pursuant to the attached Resolution of the Town, that the Saw Mill Valley Sanitary Sewer District (the "District") be modified to remove one (1) parcel of property more particularly described by street address and tax map designation as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6 (the "Parcel") from the District, which Parcel is not currently connected to the County sewer system. This removal is being requested because the Parcel is not serviced by sanitary sewers and it is not anticipated that sanitary sewers will be constructed for this Parcel in the foreseeable future.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities ("Feasibility Report") dated June 23, 2022 indicates that the proposed removal of the Parcel represents a net decrease of 0.0073% to the Equalized Full Value of the District. Therefore, the removal of the Parcel will not cause significant changes in the tax rate of the District.

According to the Department of Environmental Facilities, the proposal to remove the Parcels is feasible because: (1) the proposed change was requested by the Town; (2) the subject change requires no engineering modifications to the District facilities and there is no impact on the County facilities because the Parcel was never connected to the sewerage system; (3) the subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town; (4) the subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities; (5) the subject Parcel, once removed from the District, will be required to petition the County to re-enter the District and the County is not obligated to reserve any capacity for the Parcel once it has been removed; and (6) the subject Parcel was reviewed by the Westchester County Health Department.

Your Committee notes that Chapter 237.131 of the County Administrative Code authorizes the Board of Legislators (the "Board") to alter or change the sewer districts. However, the Board may only alter or change the districts after a public hearing is held thereon by the Board, upon notice thereof given by publication in such manner and for such time as the Board shall direct. Therefore, attached hereto is a Resolution which will authorize Legal Notice for the public hearing as required by the Administrative Code.

Your Committee is advised that the removal of the Parcel would constitute an Unlisted Action under Article 8 of the Environmental Conservation Law, which requires an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (EAF) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQR 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 adopt the annexed resolution by which this Board would issue a Negative Declaration for this proposed action.

Based on the above facts, the Feasibility Report prepared by the Department of Environmental Facilities and the review by the Planning Department, your Committee concurs with the recommendation of the County Executive and recommends your Honorable Board adopt the annexed Resolution which will authorize Legal Notice for the public hearing which is required by the Administrative Code in such matters, and, after such hearing, urges your Honorable Board to adopt the annexed Act which accomplishes the removal of said Parcel from the District. 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 this Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

SUBJECT: 25 Cecilia Lane, Saw Mill SSD, Mt. Pleasant

☒ 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: None. Parcel is not connected to public sanitary sewer.

Potential Related Operating Budget Revenues: Annual Amount \$ -

Describe: Parcel represents 0.0073% of the Full Equalized Value of the Saw Mill SSD

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

Current Year:

Next Four Years:

Prepared by: CJ Gelardo, P.E.

Title: Associate Engineer (Construction)

Department: Environmental Facilities

Date: June 23, 2022

Reviewed By: *WO* Mark Medwed

Budget Director

Date: 7/29/2022



EMILY COSTANZA
Town Clerk

EXTRACT OF THE MINUTES
OF THE REGULAR MEETING
OF THE TOWN BOARD
TOWN OF MOUNT PLEASANT
WESTCHESTER COUNTY, NY
HELD FEBRUARY 22, 2022

REQUEST FOR REMOVAL FROM WESTCHESTER COUNTY SAW MILL SANITARY
SEWER – Mr. & Mrs. KAMAL MOHIDEEN 625 CHAPPAQUA ROAD, CHAPPAQUA,
NEW YORK, SECTION 91.17-1-6

RESOLUTION 114-22

Upon motion of Mr. Schulman, seconded by Mr. Sialiano and unanimously carried, it
was

WHEREAS, certain property owners(s) within the County of Westchester Sewer
District have requested removal of their property from the Westchester County Saw
Mill Sanitary Sewer District because their property is not serviced by sanitary sewers
and it is not anticipated that sanitary sewers will be construct in this area in the
foreseeable future, and

WHEREAS, certain properties are similarly situated,

NOW THEREFORE IT IS RESOLVED: That the County Board of Legislators is
requested to remove the following parcel and such other parcels as may be appropriate
from the Westchester County Saw Mill Sanitary Sewer District.

<u>Name</u>	<u>Tax Map</u>	<u>Address</u>
Mr.& Mrs. Kamal Mohideen	91.17-1-6	625 Chappaqua Road Chappaqua, NY

EMILY COSTANZA
TOWN CLERK
TOWN OF MOUNT PLEASANT

COUNTY OF WESTCHESTER

DEPARTMENT OF ENVIRONMENTAL FACILITIES

June 23, 2022

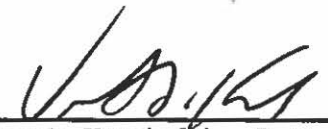
FEASIBILITY REPORT
IN THE MATTER OF

THE REMOVAL OF A CERTAIN PARCEL

IN THE

SAW MILL VALLEY SANITARY SEWER DISTRICT

TOWN OF MOUNT PLEASANT



VJK
Vincent Kopicki, P.E.
Commissioner
Environmental Facilities

The Town of Mount Pleasant has petitioned that one (1) property currently included in the Saw Mill Valley Sanitary Sewer District be removed from the Saw Mill Valley Sewer District.

A. The identification of the property presently within the Saw Mill Sewer District and to be removed is contained on the attached Town Resolution of the Town of Mount Pleasant, Request for Removal from the Saw Mill Valley Sanitary Sewer District as prepared by the Mount Pleasant Town Clerk. The Town of Mount Pleasant is petitioning to remove said property from the Saw Mill Valley Sewer District. The property to be removed is known as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6.

B. EFFECT ON SEWER DISTRICT TAX RATE:

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 2022 levy pertinent to the subject parcels:

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUES</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Greenburgh	\$10,078,128,479	100.00%	\$10,078,128,479
-Mt. Pleasant-			
All except-			
(Briarcliff Manor)	\$153,827,617	1.31%	\$11,742,566,183
Mt. Pleasant-			
Briarcliff Manor	\$ 2,683,687	1.31%	\$ 204,861,603
New Castle	\$284,722,412	19.38%	\$1,469,155,893
-Ossining-			All
Except			
(Briarcliff Manor)	\$114,782,400	100.00%	\$ 114,782,400
Ossining-			
Briarcliff Manor	\$978,054,493	100.00%	\$ 978,054,493
Yonkers	\$ 84,378,344	2.09%	\$4,037,241,340
TOTAL:			\$28,624,790,391
(TOWN OF MOUNT PLEASANT)Total Value Removed:			<u>(-2,087,786)</u>

TOTAL FULL VALUE OF DISTRICT AS AMENDED: \$28,622,702,605*

*Represents a 0.0073% decrease in the FEV of the District

C. Summary and Recommendations

The proposal to remove a certain parcel in the Saw Mill Valley Sanitary Sewer Districts is feasible because:

1. The proposed change was requested by the Town of Mount Pleasant.
2. The subject change requires no engineering modifications to the district facilities and there is no impact on the County facilities because this parcel was never connected to the sewerage system.
3. The subject change removes from ad valorem taxation a property that has not benefited and foreseeably will not benefit from connection to District facilities based on information received from the Town of Mount Pleasant.
4. The subject change frees reserve capacity at the District treatment plant for future enlargement of the District from surrounding areas without the capital costs of expanding treatment facilities.
5. The subject parcel once removed from the district will be required to petition the County to re-enter the district. The County is not obligated to reserve any capacity for this parcel once it has been removed.
6. The subject parcel was reviewed by the Westchester County Health Department.

FileName:FEAS_625_Chappaqua_Road.docx

RESOLUTION NO. – 2022

RESOLVED, that this Board hold a public hearing on the proposed modification to the Saw Mill Valley Sanitary Sewer District by the removal of one (1) parcel of property located in the Town of Mt. Pleasant, more particularly described by street address and tax map designation as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6, pursuant to Section 237.131 of the Laws of Westchester County. The Public Hearing will be held at m. on the day of , 2022 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 SAW MILL VALLEY SANITARY SEWER DISTRICT BY THE REMOVAL OF ONE (1) PARCEL OF PROPERTY IN THE TOWN OF MT. PLEASANT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF , 2022 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 REMOVAL FROM THE SAW MILL VALLEY SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF MT. PLEASANT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED JUNE 23, 2022, BY STREET ADDRESS AND TAX MAP DESIGNATION AS FOLLOWS:

625 CHAPPAQUA ROAD, SECTION 91.17, BLOCK 1, LOT 6; and

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.

CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: , 2022

White Plains, New York

RESOLUTION NO -2022

WHEREAS, there is pending before this Honorable Board an Act to authorize the County to modify the Saw Mill Valley Sanitary Sewer District (the “District”) by removing one (1) parcel of property in the Town of Mt. Pleasant, which parcel is not currently connected to the County sewer system; and

WHEREAS, this Honorable Board has determined that the proposed removal would constitute an action under Article 8 of the Environmental Conservation Law, known as the State Environmental Quality Review Act (“SEQR”); and

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

WHEREAS, the County of Westchester is the only involved agency for this action and, therefore, is assuming the role of Lead Agency; 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 a significant adverse 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 this Honorable Board’s review of the Short Environmental Assessment Form and the reasons set forth therein, this Board finds that

there will be no significant adverse impact on the environment from the removal of the one (1) parcel of property from the Saw Mill Valley Sanitary Sewer District; 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 is attached and made a part hereof, as responsible officer in Lead Agency; to issue this "Negative Declaration" on behalf of this Board in satisfaction of SEQRA; 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 this Resolution shall take effect immediately.

TO: Vincent Kopicki, P.E., Commissioner
Department of Environmental Facilities

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

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR MODIFICATION OF
SAW MILL VALLEY SANITARY SEWER DISTRICT – REMOVAL
625 CHAPPAQUA ROAD, TOWN OF MOUNT PLEASANT**

In response to your request for an environmental review of the above referenced action, the Planning Department has prepared the attached documentation.

The proposed removal of a parcel from the sewer district 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 consideration by the Board of Legislators.

Please contact me if you require any additional information regarding these documents.

DSK/cnm
Att.

cc: Joan McDonald, Director of Operations
Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Jeffrey Goldman, Senior Assistant County Attorney
Marian Pompa, Director of Maintenance
C.J. Gelardo, Associate Engineer
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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Saw Mill Valley Sanitary Sewer District - Removal of One Parcel			
Project Location (describe, and attach a location map): 625 Chappaqua Road (Tax Map ID: 91.17-1-6), Chappaqua (Town of Mount Pleasant), Westchester County, New York			
Brief Description of Proposed Action: Removal of one parcel from the Saw Mill Valley Sanitary Sewer District. At the request of the property owners, the Town of Mount Pleasant has petitioned the County to remove the subject parcel from the County sewer district on the basis that the parcel is not serviced by sanitary sewers and the Town does not anticipate that sanitary sewers would be constructed in this area in the foreseeable future. The parcel is approximately 2.33 acres in size and is developed with a single-family residence. The residence is served by an on-site septic system. The proposed district modification will remove from ad valorem taxation, a property that has not, does not, nor is anticipated to receive district benefits.			
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 type="checkbox"/>	YES <input checked="" 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:		NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 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 type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

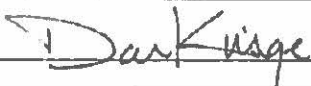
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input 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 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: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input 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 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 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 type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

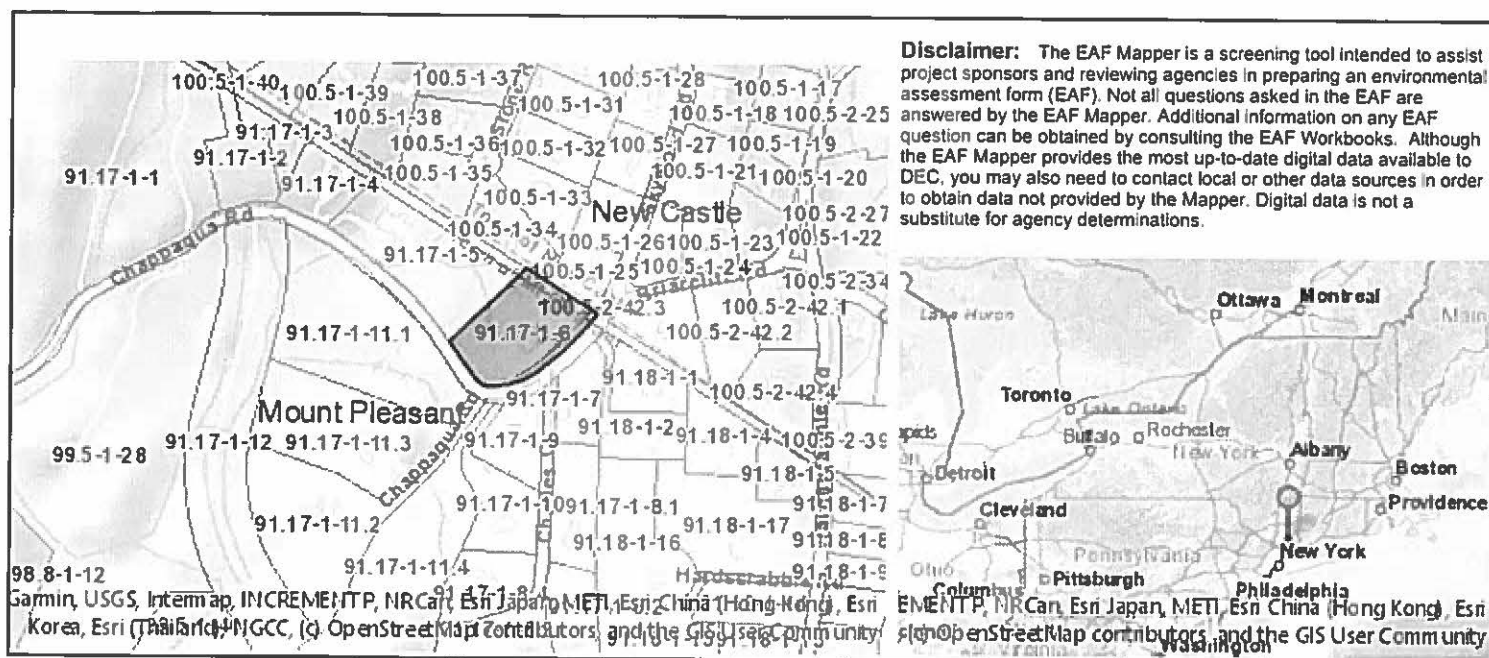
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> 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 type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input 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
	<input type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input 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 type="checkbox"/>

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 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 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 type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>July 26, 2022</u>		
Signature: <u></u> Title: <u>Assistant Commissioner</u>		



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]	No
Part 1 / Question 20 [Remediation Site]	No

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.

The proposed action involves an act by the County Board of Legislators in order to modify a County-established sewer district, which is similar in nature to "the legislative adoption of a plan" in that there are no direct impacts to the environment because the action does not involve physical changes. The proposed action would remove from a district property that is not receiving nor is anticipated to receive district services. The parcel is already developed with a large residence that is served by a functioning on-site septic system. The Health Department has no record of septic problems or failures occurring at this site within the past five years, which may otherwise warrant inclusion in the district. The property is located in the Town's R-40 One Family Residential zoning district. At 2.33 acres, only one new residence may be developed under the present zoning, although unlikely due to the layout of the existing residential development which boasts a 6,000+ square-foot home. As such, no new development is anticipated that would warrant a sewer connection. The nearest local sewer is located over 1,000 feet away. The Town does not have any plans to extend its local sewer lines to serve this/these property. Since the property was never connected to the sewer system, its removal from the district will have no physical impact on the County's sewer infrastructure.

- ☐ 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 and Chief Administrator of the Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

ACT NO. – 2022

**AN ACT to Modify the Saw Mill Valley
Sanitary Sewer District by the Removal of
One (1) Parcel of Property located in the
Town of Mt. Pleasant.**

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

Section 1. The property located in the Town of Mt. Pleasant, more particularly described as 625 Chappaqua Road, Section 91.17, Block 1, Lot 6 (the “Parcel”), is hereby removed from the Saw Mill Valley Sanitary Sewer District (the “District”).

Section 2. The Parcel is to be forgiven its obligation for future debt service requirement and is to relinquish its equity in existing sewage facilities in the District, and in return the District is relieved of its responsibility to provide sanitary sewer service and sewerage facilities to the Parcel.

Section 3. This Act, and the assessment area of the District 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 roles 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 parcels were assessed on the roll on which said tax is levied.

Section 4. The County Executive or his authorized designee be and hereby is authorized and empowered to execute instruments and to take any and all action necessary and appropriate to accomplish the purposes hereof.

Section 5. This Act shall take effect immediately.

George Latimer
County Executive

August 10, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an amended Bond Act ("Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of \$8,500,000 to finance the following six capital projects:

Capital Project Number	Unique ID	Project Name	Change to Prior Amount Authorized	Scope of Work
SM018	n/a	Mamaroneck Water Resource Recovery Facility ("WRRF") - Odor Control and HVAC System Rehabilitation ("SM018")	n/a	Rehabilitation of the HVAC system at the Mamaroneck WRRF
SM019	n/a	Mamaroneck WRRF Emergency Power Upgrades ("SM019")	n/a	Emergency power upgrades at the Mamaroneck WRRF
SM021	n/a	Mamaroneck WRRF Blower Replacement ("SM021")	n/a	Blower replacement at the Mamaroneck WRRF
SM030	n/a	Mamaroneck WWTP - Roof Replacements ("SM030")	n/a	Replacement of roofs at the Mamaroneck WRRF
SM075	n/a	Pump Station Rehabilitation Program - Mamaroneck Sanitary Sewer District ("SSD") ("SM075")	n/a	Rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet well at the Edgewater Pumping Station
SM095	1971	Pumping Station Rehabilitation Program - Mamaroneck SSD ("SM095")	\$8,500,000 increase	Rehabilitation of the Fenimore Road and Weaver Street Pumping Stations

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

The Amended Bond Act, in the total amount of \$49,205,000, which includes \$40,705,000 in previously authorized bonds of the County, would finance the costs of design, construction management and construction costs for various improvements to the facilities of the County's Mamaroneck Valley Sanitary Sewer District, including the following projects:

- (i) rehabilitation of the HVAC system at the Mamaroneck WRRF (SM018)
- (ii) emergency power upgrades at the Mamaroneck WRRF (SM019),
- (iii) blower replacement at the Mamaroneck WRRF (SM021),
- (iv) replacement of roofs at the Mamaroneck WRRF (SM030),
- (v) rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet well at the Edgewater Pumping Station (SM075), and
- (vi) rehabilitation of the Fenimore Road and Weaver Street Pumping Stations (SM095),

The Department has advised that due to an inadvertent clerical error the dollar amount in the previous bond act for SM095 was incorrect and needs to be increased by an additional \$8,500,000. SM095 provides for the rehabilitation of the Weaver Street Pumping Station, including significant flood mitigation measures. The project is being prioritized due to damage that occurred during Hurricane Ida. Design is underway and construction is anticipated to start in the fourth quarter of 2022. It is anticipated that construction will take 12 months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance the above-referenced capital projects, as indicated in the annexed fact sheet and as follows: Bond Act No. 52-2022 in the amount of \$40,705,000 which was authorized to finance the same scope of work presently described in connection with the above-referenced capital projects. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 52-2022 be amended to increase the total amount authorized by \$8,500,000, for a total authorized amount, as amended, of \$49,205,000.

The Planning Department has advised that based on its review, the above-referenced capital projects have been classified as "Type II" actions 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.

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

Sincerely,


George Latimer
County Executive

Attachments

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

Your Committee is in receipt of an amended bond act ("Amended Bond Act") in the total amount of \$49,205,000, which includes \$40,705,000 in previously authorized bonds of the County of Westchester ("County") was prepared by the law firm Norton Rose Fulbright and is required to finance the following six capital projects:

Capital Project Number	Unique ID	Project Name	Change to Prior Amount Authorized	Scope of Work
SM018	n/a	Mamaroneck Water Resource Recovery Facility ("WRRF") - Odor Control and HVAC System Rehabilitation ("SM018")	n/a	Rehabilitation of the HVAC system at the Mamaroneck WRRF
SM019	n/a	Mamaroneck WRRF Emergency Power Upgrades ("SM019")	n/a	Emergency power upgrades at the Mamaroneck WRRF
SM021	n/a	Mamaroneck WRRF Blower Replacement ("SM021")	n/a	Blower replacement at the Mamaroneck WRRF
SM030	n/a	Mamaroneck WWTP - Roof Replacements ("SM030")	n/a	Replacement of roofs at the Mamaroneck WRRF
SM075	n/a	Pump Station Rehabilitation Program - Mamaroneck Sanitary Sewer District ("SSD") ("SM075")	n/a	Rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet well at the Edgewater Pumping Station
SM095	1971	Pumping Station Rehabilitation Program - Mamaroneck SSD ("SM095")	\$8,500,000 increase	Rehabilitation of the Fenimore Road and Weaver Street Pumping Stations

The Amended Bond Act, in the total amount of \$49,205,000, which includes \$40,705,000 in previously authorized bonds of the County, would finance the costs of design, construction management and construction costs for various improvements to the facilities of the County's Mamaroneck Valley Sanitary Sewer District, including the following projects:

- (i) rehabilitation of the HVAC system at the Mamaroneck WRRF (SM018)
- (ii) emergency power upgrades at the Mamaroneck WRRF (SM019),
- (iii) blower replacement at the Mamaroneck WRRF (SM021),
- (iv) replacement of roofs at the Mamaroneck WRRF (SM030),

- (v) rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet well at the Edgewater Pumping Station (SM075), and
- (vi) rehabilitation of the Fenimore Road and Weaver Street Pumping Stations (SM095),

The Department has advised that due to an inadvertent clerical error the dollar amount in the previous bond act for SM095 was incorrect and needs to be increased by an additional \$8,500,000. SM095 provides for the rehabilitation of the Weaver Street Pumping Station, including significant flood mitigation measures. The project is being prioritized due to damage that occurred during Hurricane Ida. Design is underway and construction is anticipated to start in the fourth quarter of 2022. It is anticipated that construction will take 12 months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance the above-referenced capital projects, as indicated in the annexed fact sheet and as follows: Bond Act No. 52-2022 in the amount of \$40,705,000 which was authorized to finance the same scope of work presently described in connection with the above-referenced capital projects. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 52-2022 be amended to increase the total amount authorized by \$8,500,000, for a total authorized amount, as amended, of \$49,205,000.

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

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

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

COMMITTEE ON

CMG 6-15-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SM095

☐ 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 \$ 49,205,000 PPU 30 Anticipated Interest Rate 2.87%

Anticipated Annual Cost (Principal and Interest): \$ 2,378,205

Total Debt Service (Annual Cost x Term): \$ 71,346,150

Finance Department: Interest rates from August 3, 2022 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: 534

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF


Date: 8/5/22

Reviewed By: 

Budget Director

Date: 8/9/22

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

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

DATE: June 16, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SM095 Pumping Station Rehabilitation Program – Mamaroneck SSD**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-07-2022 (Unique ID: 1971)

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.
 - **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
-

COMMENTS: None.

DSK/cnm

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 Marzola, Associate Budget Director
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 52-2022, WHICH PROVIDED FOR THE ISSUANCE OF \$40,705,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK VALLEY SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$49,205,000, AN INCREASE OF \$8,500,000.

WHEREAS, this Board has previously authorized the issuance of \$40,705,000 bonds to finance design, construction management and construction costs for various improvements to the facilities of the Mamaroneck Valley Sanitary Sewer District, including the following projects (i) rehabilitation of the HVAC system at the Mamaroneck Water Resource Recovery Facility (SM018) (ii) emergency power upgrades at the Mamaroneck Water Resource Recovery Facility (SM019), (iii) blower replacement at the Mamaroneck Water Resource Recovery Facility (SM021), (iv) replacement of roofs at the Mamaroneck Water Resource Recovery Facility (SM030), (v) rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet cell at the Edgewater Pumping Station (SM075), and (vi) rehabilitation of the Fenimore Road and Weaver Street Pumping Stations (SM095); and including incidental expenses in connection therewith, a class of objects or purposes, pursuant to Bond Act No. 52-2022, dated May 9, 2022;

WHEREAS, it has now been determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$49,205,000, an increase of \$8,500,000, and it is now desired to increase the amount of bonds authorized to \$49,205,000;

WHEREAS, \$49,205,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes;

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Mamaroneck Valley Sanitary Sewer District, which are specially benefitted by said class of objects or purposes; and

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (the "County") (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. 52-2022.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 62-2020 ADOPTED APRIL 14, 2020, ACT NO. 108-2015 ADOPTED JUNE 15, 2015, AND ACT NO. 115-2017 ADOPTED JUNE 19, 2017, TO CONSOLIDATE SUCH PRIOR ACTS RELATING TO VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK SANITARY SEWER DISTRICT, TO INCLUDE FINANCING FOR DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS, AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$40,705,000 (AN INCREASE OF \$31,500,000).

is hereby amended to read as follows:

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 62-2020 ADOPTED APRIL 14, 2020, ACT NO. 108-2015 ADOPTED JUNE 15, 2015, AND ACT NO. 115-2017 ADOPTED JUNE 19, 2017, TO CONSOLIDATE SUCH PRIOR ACTS RELATING TO VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK SANITARY SEWER DISTRICT, TO INCLUDE FINANCING FOR DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS, AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$49,205,000 (AN INCREASE OF \$8,500,000).

WHEREAS, the capital project 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 project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying design, construction management and construction costs for various improvements to the facilities of the Mamaroneck Valley Sanitary Sewer District, including the following projects (i) rehabilitation of the HVAC system at the Mamaroneck Water Resource Recovery Facility (SM018) (ii) emergency power upgrades at the Mamaroneck Water Resource Recovery Facility (SM019), (iii) blower replacement at the Mamaroneck Water Resource Recovery Facility (SM021), (iv) replacement of roofs at the Mamaroneck Water Resource Recovery Facility (SM030), (v) rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet cell at the Edgewater Pumping Station (SM075), and (vi) rehabilitation of the Fenimore Road and Weaver Street Pumping Stations (SM095); and including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$49,205,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond 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 class of objects or purposes is \$49,205,000, and that the plan for the

financing thereof is by the issuance of the \$49,205,000 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 class of objects or purposes is thirty 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 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 Mamaroneck Valley Sanitary Sewer District, 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, 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 financing 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 class of objects or purposes 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.

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 monies 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.

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 actions taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or actions taken shall be deemed to have been incurred, issued or taken pursuant to said Bond Act, as so amended.

Section (C). This Bond 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: _____, 2022

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

I, the undersigned Clerk and Administrative Officer 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 _____, 2022, 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) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

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 _____, 2022.

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 _____, 2022 and approved by the County Executive on _____, 2022 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. _____-2022

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 52-2022, WHICH PROVIDED FOR THE ISSUANCE OF \$40,705,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK VALLEY SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$49,205,000, AN INCREASE OF \$8,500,000.

object or purpose:

financing design, construction management and construction costs for various improvements to the facilities of the Mamaroneck Valley Sanitary Sewer District, including the following projects (i) rehabilitation of the HVAC system at the Mamaroneck Water Resource Recovery Facility (SM018) (ii) emergency power upgrades at the Mamaroneck Water Resource Recovery Facility (SM019), (iii) blower replacement at the Mamaroneck Water Resource Recovery Facility (SM021), (iv) replacement of roofs at the Mamaroneck Water Resource Recovery Facility (SM030), (v) rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet cell at the Edgewater Pumping Station (SM075), and (vi) rehabilitation of the Fenimore Road and Weaver Street Pumping Stations (SM095); and including incidental expenses in connection therewith.

period of probable usefulness:

thirty (30) years

amount of obligations to be issued:

\$49,205,000

Dated: _____, 2022
White Plains, New York

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

Project ID:*
SM095

☐ CBA

Fact Sheet Date:*
05-26-2022

Fact Sheet Year:*
2022

Project Title:*
PUMPING STATION
REHABILITATION PROGRAM -
MAMARONECK SSD

Legislative District ID:
3, 7, 6, 5,

Category*
SEWER AND WATER DISTRICTS

Department:*
ENVIRONMENTAL FACILITIES

CP Unique ID:
1971

Overall Project Description

This project will fund the rehabilitation and/or upgrade of the following sewage pump stations: Fenimore Road, Weaver St, Saxon Woods, Glen Oaks, West Basin, Edgewater Point, East Basin, and Cove Rd.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	25,050	2,200	10,000	4,850	2,000	6,000	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	25,050	2,200	10,000	4,850	2,000	6,000	0	0

Expended/Obligated Amount (in thousands) as of : 1,498

Current Bond Description: Construction funding for the rehabilitation of the Fenimore Road and Weaver Street Pumping Stations. The work required in the pumping stations typically includes, but is not limited to, the installation of new bar screens, pumps and pump control panel replacements, piping and valves, gas and fire detection systems, all mechanical, instrumentation and electrical systems, and structural and architectural repairs and replacement such as walls, windows, and roofs. Also as part of the rehabilitation, relocation and/or replacement of the station's emergency generator will be addressed and flood hazard mitigation will also be addressed as recommended in a prior Vulnerability Assessment Study.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	8,500,000
Cash:	0
Total:	<u>\$ 8,500,000</u>

SEQR Classification:

TYPE II

Amount Requested:

8,500,000

Comments:

No change in scope from previous Fact Sheet 1838. This new fact sheet is being submitted to update the dollar amount. The total amount being requested between the two fact sheets in \$10,000,000.

Energy Efficiencies:

UPDATED LIGHTING AND EQUIPMENT WILL CONSUME LESS ENERGY.

Year	Amount	Description
2017	1,200,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR FENIMORE RD AND WEAVER ST.
2021	1,000,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR SAXON WOODS
2022	10,000,000	CONSTRUCTION FOR FENIMORE RD & WEAVER ST, AND SAXON WOODS

Total Appropriation History:

12,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
17	115	1,200,000	0	DESIGN CONTRUCTION MANAGEMENT OF REHABILITATION FENIMORE RD AND WEAVER ST PUMPING
21	6	1,000,000	0	PUMPING STATION MAMARONECK - SAXON WOODS

Total Financing History:

2,200,000

Recommended By:

Department of Planning
WBB4

Date
06-07-2022

Department of Public Works
JZR7

Date
06-14-2022

Budget Department
LMY1

Date
06-15-2022

Requesting Department
JWBA

Date
06-15-2022

PUMPING STATION REHABILITATION PROGRAM - MAMARONECK SSD (SM095)

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	2022	2023	2024	2025	2026	Under Review
Gross	25,050	2,200	1,491	10,000	4,850	2,000	6,000		
Non County Share									
Total	25,050	2,200	1,491	10,000	4,850	2,000	6,000		

Project Description

This project will fund the rehabilitation and/or upgrade of the following sewage pump stations: Fenimore Road, Weaver St, Saxon Woods, Glen Oaks, West Basin, Edgewater Point, East Basin, and Cove Rd.

Current Year Description

The current year request funds construction for Fenimore Rd & Weaver St, and Saxon Woods.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	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
2017	1,200,000	Design and construction management for Fenimore Rd and Weaver St.	DESIGN
2021	1,000,000	Design and construction management for Saxon Woods	DESIGN
Total	2,200,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,200,000		2,200,000
Total	2,200,000		2,200,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
115 17	1,200,000			1,200,000
6 21	1,000,000			1,000,000
Total	2,200,000			2,200,000



George Latimer
County Executive

August 10, 2022

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 in connection with Capital Project SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD (“SBV95”) is:

- (1) an Act to amend the current-year capital budget (“Capital Budget Amendment”) of the County of Westchester (“County”); and
- (2) a related bond act (“Bond Act,”) which, if adopted, would authorize the County to issue up to \$11,500,000 in bonds of the County to finance SBV95;
- (3) a related amending bond act (“Amending Bond Act”), which would amend Act 6-2021 by removing the authorization for bonds for design and construction management costs of the rehabilitation of the Jackson Avenue Pumping Station and reduce the estimated maximum cost and the amount of bonds authorized by \$1,500,000 to \$4,300,000.

The proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for SBV95 by \$10,000,000.

The Department of Environmental Facilities (“Department”) has advised that the Jackson Avenue Pumping Station was damaged during Hurricane Ida, which necessitated additional flood mitigation measures to raise the structure above the future anticipated flood elevation. Accordingly, a Capital Budget Amendment is requested to move appropriations currently shown in 2023 for SBV95 to 2022 for the additional flood mitigation work.

The Bond Act, in the amount of \$11,500,000 would finance the cost of design, construction management and construction costs for the rehabilitation of the County’s Jackson Avenue Pumping Station, including, but not limited to, the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and flood mitigation measures including the addition of a second floor in order to raise critical equipment above the flood plain elevation, in and for the Bronx Valley Sanitary Sewer District.

The Department has advised that SBV95 is necessary to keep its wastewater collection system in good operating condition and in accordance with Federal and State Regulations.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with SBV95 as indicated in the annexed fact sheet.

Design is currently being undertaken by consultants and is expected to be completed by the fourth quarter of 2022. It is anticipated that construction will take eighteen 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 SBV95 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,


George Latimer
County Executive

Attachments

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of Capital Project SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD (“SBV95”) is:

- (1) an Act to amend the current-year capital budget (“Capital Budget Amendment”) of the County of Westchester (“County”); and
- (2) a related bond act (“Bond Act,”), prepared by the law firm Norton Rose Fulbright, which would authorize the County to issue up to \$11,500,000 in bonds of the County to finance SBV95;
- (3) a related amending bond act (“Amending Bond Act”), prepared by the law firm Norton Rose Fulbright, which would amend Act 6-2021 by removing the authorization for bonds for design and construction management costs of the rehabilitation of the Jackson Avenue Pumping Station and reduce the estimated maximum cost and the amount of bonds authorized by \$1,500,000 to \$4,300,000.

The proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for SBV95 by \$10,000,000.

The Department of Environmental Facilities (“Department”) has advised that the Jackson Avenue Pumping Station was damaged during Hurricane Ida, which necessitated additional flood mitigation measures to raise the structure above the future anticipated flood elevation. Accordingly, a Capital Budget Amendment is requested to move appropriations currently shown in 2023 for SBV95 to 2022 for the additional flood mitigation work.

The Bond Act, in the amount of \$11,500,000 would finance the cost of design, construction management and construction costs for the rehabilitation of the County’s Jackson Avenue Pumping Station, including, but not limited to, the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation,

structural, and architectural systems, and flood mitigation measures including the addition of a second floor in order to raise critical equipment above the flood plain elevation, in and for the Bronx Valley Sanitary Sewer District.

The Department has advised that SBV95 is necessary to keep its wastewater collection system in good operating condition in accordance with Federal and State Regulations.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with SBV95 as indicated in the annexed fact sheet.

Design is currently being undertaken by consultants and is expected to be completed by the fourth quarter of 2022. It is anticipated that construction will take eighteen 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 documentation and concurs with this conclusion.

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 and amended 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 SBV95 is annexed.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act and Amending Bond Act, and recommends approval 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/6-12-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SBV95

☐ 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 \$ 11,500,000 PPU 30 Anticipated Interest Rate 2.87%

Anticipated Annual Cost (Principal and Interest): \$ 555,825

Total Debt Service (Annual Cost x Term): \$ 16,674,750

Finance Department: Interest rates from August 3, 2022 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: 125

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 8/4/22

Reviewed By: 

Budget Director

Date: 8/9/22

RESOLUTION 22-09

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2022 Capital Project Requests

SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD

WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize amending the capital project **SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD** by adding funds to 2022 in the amount of \$10,000,000 for construction and construction management for the rehabilitation and upgrade of the Jackson Avenue Pumping Station in the Bronx Valley Sanitary Sewer District, and

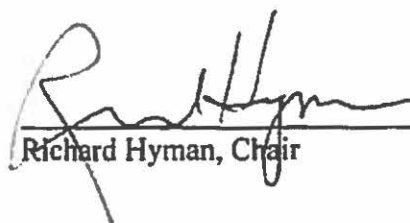
WHEREAS, the Department of Environmental Facilities is advising this construction and construction management funding is needed for the rehabilitation of the Jackson Avenue Pumping Station, and

WHEREAS, the work required at the pumping station includes the replacement or repair of mechanical equipment; the work will also provide for flood mitigation measures including the addition of a second floor in order to raise critical equipment above the flood plain elevation, 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 utility infrastructure; now therefore, be it

RESOLVED, that the County Planning Board recommends amending the 2022 Capital Projects Requests to include the use of funds for **SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD** in the amount of \$10,000,000 for construction and construction management for the rehabilitation and upgrade of the Jackson Avenue Pumping Station.

Adopted this 7th day of June, 2022.


Richard Hyman, Chair

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

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

DATE: June 2, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SBV95 Pumping Station Rehabilitation Program – Bronx Valley SSD**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-09-2022 (Unique ID: 1910)

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;
 - **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.
-

COMMENTS: None

DSK/cnm

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 Marzola, Associate Budget Director
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT No. _____ 2022

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project SBV95 - Pumping
Station Rehabilitation Program - Bronx
Valley SSD

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

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$1,500,000	\$10,000,000	\$11,500,000

Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$1,500,000	\$10,000,000	\$11,500,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$1,500,000	\$10,000,000	\$11,500,000

Section 3. The ACT shall take effect immediately.

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$11,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN AND FOR THE BRONX VALLEY SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY.

WHEREAS, the capital project 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 project, 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 the cost of such capital project; and

WHEREAS, no obligations authorized under Bond Act 6-2021 have been or shall be issued to pay costs of the class of objects or purposes to be financed hereby;

NOW, THEREFORE, BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For the class of objects or purposes of financing design, construction management and construction costs for the rehabilitation of the Jackson Avenue Pumping Station, including but not limited to the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and flood mitigation measures including the addition of a second floor in order to raise critical equipment above

the flood plain elevation, in and for the Bronx Valley Sanitary Sewer District, there are hereby authorized to be issued \$11,500,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond 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 class of objects or purposes is \$11,500,000, and that the plan for the financing thereof is by the issuance of the \$11,500,000 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 class of objects or purposes is thirty 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 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 Bronx Valley Sanitary Sewer District, 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 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 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 class of objects or purposes 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: _____, 2022

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 _____,
2022, 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 _____, 2022.

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 _____, 2022 and approved by the County Executive on _____, 2022 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. _____-2022

A BOND ACT AUTHORIZING THE ISSUANCE OF \$11,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN AND FOR THE BRONX VALLEY SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY.

class of objects or purposes:	design, construction management and construction costs for the rehabilitation of the Jackson Avenue Pumping Station, including but not limited to the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and flood mitigation measures including the addition of a second floor in order to raise critical equipment above the flood plain elevation, in and for the Bronx Valley Sanitary Sewer District
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period of probable usefulness:	thirty years
--------------------------------	--------------

amount of obligations to be issued:	\$11,500,000
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Dated: _____, 2022
White Plains, New York

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

Project ID:* SBV95	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 03-11-2022
Fact Sheet Year:* 2022	Project Title:* PUMPING STATION REHABILITATION PROGRAM - BRONX VALLEY SSD	Legislative District ID: 8, 15, 13, 12, 10,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 1910

Overall Project Description

This project will fund the rehabilitation and/or upgrade of sewage pumping stations.

- | | | |
|----------------------------------------------------|---------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Best Management Practices | <input checked="" 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	2022	2023	2024	2025	2026	Under Review
Gross	20,000	1,500	0	5,500	1,500	0	7,000	4,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	20,000	1,500	0	5,500	1,500	0	7,000	4,500

Expended/Obligated Amount (in thousands) as of : 908

Current Bond Description: Construction funding for the rehabilitation of the Jackson Avenue Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator, control panels, floors, walls, windows, and roofs. The work will also provide for flood mitigation measures including the addition of a second floor in order to raise critical equipment above the flood plain elevation. It is anticipated that a portion of the flood mitigation work will be FEMA reimbursable.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	10,000,000
Cash:	0
Total:	\$ 10,000,000

SEQR Classification:

TYPE II

Amount Requested:

10,000,000

Comments:

CBA - Please move the 2023 appropriation to 2022 and increase by \$4,500,000.

Energy Efficiencies:

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

Appropriation History:

Year	Amount	Description
2021	1,500,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR JACKSON AVENUE

Total Appropriation History:

1,500,000

Year	Bond Act #	Amount	Issued	Description
21	6	1,500,000		0 PUMPING STSTION REHABILITATION BRONX VALLEY - JACKSON AVE

Total Financing History:

1,500,000

Recommended By:

Department of Planning

WBB4

Date

05-09-2022

Department of Public Works

GGKK

Date

05-11-2022

Budget Department

LMY1

Date

05-11-2022

Requesting Department

JWBA

Date

05-11-2022

PUMPING STATION REHABILITATION PROGRAM - BRONX VALLEY SSD (SBV95)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ; 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	2022	2023	2024	2025	2026	Under Review
Gross	15,500	1,500	908		5,500	1,500		7,000	
Non County Share									
Total	15,500	1,500	908		5,500	1,500		7,000	

Project Description

This project will fund the rehabilitation and/or upgrade of sewage pumping stations.

Current Year Description

There is no current year request.

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
2021	1,500,000	Design and construction management for Jackson Avenue	DESIGN
Total	1,500,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,500,000		1,500,000
Total	1,500,000		1,500,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
6 21	1,500,000			1,500,000
Total	1,500,000			1,500,000

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 6-2021, WHICH PROVIDED FOR THE ISSUANCE OF \$5,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN THE BRONX VALLEY SANITARY SEWER DISTRICT (\$1,500,000), SAXON WOODS PUMPING STATION IN THE MAMARONECK SANITARY SEWER DISTRICT (\$1,000,000), FIFTH AVENUE PUMPING STATION IN THE NEW ROCHELLE SANITARY SEWER DISTRICT (\$800,000), ALEXANDER STREET AND IRVINGTON PUMPING STATIONS IN THE NORTH YONKERS SANITARY SEWER DISTRICT (\$1,500,000), AND WATER STREET PUMPING STATION IN THE PEEKSKILL SANITARY SEWER DISTRICT (\$1,000,000) TO REMOVE THE AUTHORIZATION FOR THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN THE BRONX VALLEY SANITARY SEWER DISTRICT IN THE AMOUNT OF \$1,500,000, AND TO DECREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$4,300,000.

WHEREAS, this Board has previously authorized the issuance of \$5,800,000 bonds to finance the cost of design and construction management for the rehabilitation of the (i) Jackson Avenue Pumping Station in the Bronx Valley Sanitary Sewer District, (ii) Saxon Woods Pumping Station in the Mamaroneck Sanitary Sewer District, (iii) Fifth Avenue Pumping Station in the New Rochelle Sanitary Sewer District, (iv) Alexander Street and Irvington Pumping Stations in the North Yonkers Sanitary Sewer District, and (v) Water Street Pumping Station in the Peekskill Sanitary Sewer District, including incidental expenses in connection therewith, each such specific object or purpose as further described in Exhibit A constituting a "Project" herein, pursuant to Bond Act No. 6-2021, dated January 11, 2021;

WHEREAS, no obligations have been issued under Bond Act No. 6-2021;

WHEREAS, it has now been determined that the aforesaid purpose should be modified to exclude design and construction management costs for the rehabilitation of the Jackson Avenue Pumping Station in the Bronx Valley Sanitary Sewer District, a specific object or purpose, and that

the estimated maximum cost of the aforesaid specific object or purpose is \$4,300,000, a decrease of \$1,500,000, and it is now desired to decrease the amount of bonds authorized to \$4,300,000;

WHEREAS, \$4,300,000 has been appropriated in the Capital Budget of the County for the aforesaid specific object or purpose;

WHEREAS, to the extent not paid from the assessment of properties assessable for the respective Project in the respective district described in Exhibit A, 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; and

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (the "County") (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. 6-2021.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$5,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN THE BRONX VALLEY SANITARY SEWER DISTRICT (\$1,500,000), SAXON WOODS PUMPING STATION IN THE MAMARONECK SANITARY SEWER DISTRICT (\$1,000,000), FIFTH AVENUE PUMPING STATION IN THE NEW ROCHELLE SANITARY SEWER DISTRICT (\$800,000), ALEXANDER STREET AND IRVINGTON PUMPING STATIONS IN THE NORTH YONKERS SANITARY SEWER DISTRICT (\$1,500,000), AND WATER STREET PUMPING STATION IN THE PEEKSKILL SANITARY SEWER DISTRICT (\$1,000,000).

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$5,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE SAXON WOODS PUMPING STATION IN THE MAMARONECK SANITARY SEWER DISTRICT (\$1,000,000), FIFTH AVENUE PUMPING STATION IN THE NEW ROCHELLE SANITARY SEWER DISTRICT (\$800,000), ALEXANDER STREET AND IRVINGTON PUMPING STATIONS IN THE NORTH YONKERS SANITARY SEWER DISTRICT (\$1,500,000), AND WATER STREET PUMPING STATION IN THE PEEKSKILL SANITARY SEWER DISTRICT (\$1,000,000).

WHEREAS, the capital project 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 project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For the specific objects or purposes of paying the design and construction management costs of the rehabilitation of the (i) Saxon Woods Pumping Station in the Mamaroneck Sanitary Sewer District, (ii) Fifth Avenue Pumping Station in the New Rochelle Sanitary Sewer District, (iii) Alexander Street and Irvington Pumping Stations in the North Yonkers Sanitary Sewer District, and (iv) Water Street Pumping Station in the Peekskill Sanitary Sewer District, and including incidental expenses in connection therewith, there are hereby authorized to be issued \$4,300,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the Projects set forth in this Bond 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 each Project is as described in Exhibit A, and that the plan for the financing thereof is by the issuance of the \$4,300,000 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 each Project is five years, pursuant to subdivision sixty-two 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 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 the respective Project in the respective district described in Exhibit A, 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 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 financing 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.

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 monies 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.

Section (B). The amendments of the Bond Act set forth in Section (A) of this Bond 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 Bond Act shall take effect immediately upon approval by the County Executive.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: _____

☐ 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

SM095, SNR95, SNY95, SPK95

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 4,300,000 PPU 5 Anticipated Interest Rate 1.79%

Anticipated Annual Cost (Principal and Interest): \$ 906,239

Total Debt Service (Annual Cost x Term): \$ 4,531,195

Finance Department: Interest rates from August 3, 2022 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: 46

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 8/4/22

Reviewed By:

Budget Director

Date:

8/9/22

EXHIBIT A

Bonds may not be issued to finance any Project in an amount that exceeds the amount specified below for such Project.

Project ID	Project Description	Estimated Maximum Cost and Bonds Authorized	District to be Assessed for such Project
SM095	Design and construction management for the rehabilitation of the Saxon Woods Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems.	\$1,000,000	Mamaroneck Sanitary Sewer District
SNR95	Design and construction management for the rehabilitation of the Fifth Avenue Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems.	\$800,000	New Rochelle Sanitary Sewer District
SNY95	Design and Construction Management for the rehabilitation of the Alexander Street and Irvington Pumping Station, including the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems and the installation of water tight hatches, raising vents, sealing building penetrations and other flood hazard mitigation measures.	\$1,500,000	North Yonkers Sanitary Sewer District
SPK95	Design and construction management for the rehabilitation of the Water Street Pumping Station, including the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems and the installation of a flood wall around the electrical equipment, water tight flood doors, and stop logs, sealing building penetrations, enclosing the wet well, and other flood mitigation measures.	\$1,000,000	Peekskill Sanitary Sewer District

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: _____, 2022

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

I, the undersigned Clerk and Administrative Officer 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 _____, 2022, 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) said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

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 _____, 2022.

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 _____, 2022 and approved by the County Executive on _____, 2022 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. _____-2022

A BOND ACT AUTHORIZING THE ISSUANCE OF \$4,300,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE SAXON WOODS PUMPING STATION IN THE MAMARONECK SANITARY SEWER DISTRICT (\$1,000,000), FIFTH AVENUE PUMPING STATION IN THE NEW ROCHELLE SANITARY SEWER DISTRICT (\$800,000), ALEXANDER STREET AND IRVINGTON PUMPING STATIONS IN THE NORTH YONKERS SANITARY SEWER DISTRICT (\$1,500,000), AND WATER STREET PUMPING STATION IN THE PEEKSKILL SANITARY SEWER DISTRICT (\$1,000,000).

object or purpose:	financing the design and construction management costs of the rehabilitation of the (i) Saxon Woods Pumping Station in the Mamaroneck Sanitary Sewer District, (ii) Fifth Avenue Pumping Station in the New Rochelle Sanitary Sewer District, (iii) Alexander Street and Irvington Pumping Stations in the North Yonkers Sanitary Sewer District, and (iv) Water Street Pumping Station in the Peekskill Sanitary Sewer District.
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period of probable usefulness:	five (5) years
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amount of obligations to be issued:	\$4,300,000, for the benefit of: Mamaroneck Sanitary Sewer District (\$1,000,000), New Rochelle Sanitary Sewer District (\$800,000), North Yonkers Sanitary Sewer District (\$1,500,000), Peekskill Sanitary Sewer District (\$1,000,000)
-------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Dated: _____, 2022
White Plains, New York

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

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 Allison C. de Cerreño, Ph.D., 23 Wells Avenue, Croton-on-Hudson, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term August 11, 2022 to December 31, 2024.

Given under my hand
and seal this 11th day
of August, 2022.



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

August 11, 2022

Ms. Allison C. de Cerreno
23 Wells Avenue
Croton-on-Hudson, NY 10520

Dear Ms. de Cerreno,

It is my pleasure to appoint you to serve as a member of the Westchester County Emergency Medical Services Board, effective today, Thursday, August 11, 2022. This appointment is for a term to expire on December 31, 2024.

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 within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office. Please contact the Emergency Services Office at (914) 231-1686 for the date, place, and time of the Emergency Services 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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Richard Wishnie, Commissioner, Emergency Services
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
Telephone: (914)996-2900

westchestergov.com



🔍 Allison C de Cerreño, Ph.D.



Allison C de Cerreño, Ph.D.

Deputy Chief Operating Officer at Metropolitan Transportation Authority
New York, New York, United States · 424 connections

Join to connect



**Metropolitan Transportation
Authority**



**City University of New York
Graduate Center**

Q Allison C de Cerreño, Ph.D.

projects and programs, and strategically bending organizations. I regularly seek opportunities for new business and practice that can strengthen organizations and enhance delivery of projects and services in complex environments. Once identified, I develop and execute the means for successfully realizing them.

Proven Results in: Strategy Formulation and Implementation ~ Continuous Process Improvement ~ Capital Project Oversight ~ Operations Management ~ Contract Management ~ Business Case Development ~ Customer Service ~ Staff Development & Cultural Transformation ~ Leadership & Team Building ~ Research ~ Transportation Policy Analysis ~ Creative Branding ~ Navigating Complex Political Constructs ~ Nonprofit Management

Activity



On Southwest Airlines Doctors and Nurses heading to New York to help A beautiful thing

Liked by Allison C de Cerreño, Ph.D.



Q Allison C de Cerreño, Ph.D.

Experience



Metropolitan Transportation Authority

3 years 10 months

Deputy Chief Operating Officer

Jan 2021 - Present · 1 year 8 months

Sr VP, Business Ops & Transformation Officer (and Acting Chief Financial Officer as of Aug '20)

Nov 2018 - Jan 2021 · 2 years 3 months

Led a staff of roughly 80 individuals, responsible for a \$2 billion revenue operation, including finance and controller functions, capital and operating budgets, planning, grants administration, toll and intelligent transportation technology, and customer service. Led key agency initiatives, including Central Business District congestion pricing and pandemic Return to Office effort related to Bridges and Tunnels staff in MTA's headquarters facility, among others.



The Port Authority of New York & New Jersey

9 years 9 months

Deputy General Manager, Port Authority Bus Terminal (and GM, Special Projects)

Jun 2017 - Nov 2018 · 1 year 6 months

With a staff of nearly 130 represented and non-represented staff, responsible for various aspects of the world's busiest bus terminal's 24/7/365 transportation operation, including but not limited to: staff development, capital improvements, state-of-good repair and maintenance, bus operations, carrier and tenant relationships, as well as patron, community and other stakeholder



🔍 Allison C de Cerreño, Ph.D.

Assistant Director, Tunnels, Bridges and Terminals

Jan 2015 - Jun 2017 · 2 years 6 months

New York, NY

Led a division of roughly 40 individuals, overseeing over \$200 million in capital programs and a nearly \$70 million operating budget; the Authority's \$1.7 billion tolling operation (system, revenues, policy, legislation); revenue forecasting and business planning for the agency's six bridges and tunnels, the bus station and the Port Authority Bus Terminal; performance metrics; and, internal and external customer communications. Served as the PA representative to several national associations...

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Program Director, All-Electronic Tolling (3/09- 5/12); Toll Systems & Revenue Ops (5/12 - 12/14)

Mar 2009 - Dec 2014 · 5 years 10 months

Led a Division focused on ensuring the collection of \$1.2B in annual traffic revenues while providing excellent customer service. Oversaw all aspects of the current toll system, along with the \$175 million capital toll system replacement/All-Electronic Toll program, including engineering and systems design, traffic safety, policy, labor, and business/financial issues. Identified and pursued new mechanisms for recovering revenue loss. Developed critical white papers aimed at strategically...

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Executive Director (2/02 - 12/08); Policy Advisor (12/08-2/09)



Q Allison C de Cerreño, Ph.D.

well as formally incorporating the association. Coordinated on reauthorization and other key policy and planning issues, helping to develop NACTO's principles for SAFETEA-LU reauthorization. As the association was growing, recommended and led the process for incorporating it formally as a 501(c)(3) nonprofit. Also developed and instituted formal financial tracking and reporting processes for better...

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Director (1/07-2/09); Co-Director (2/02-1/07)

NYU Wagner Rudin Center for Transportation Policy & Management

Feb 2002 - Jan 2009 · 7 years

Led, managed, and grew the Center's operations from \$250K to \$2M, while strategically repositioning it to compete nationally. Supervised and developed full-time and part-time staff and several students, while developing and implementing projects in research and education/training, as well as events. Redesigned and branded the New York Transportation Journal, the website, and all the Center's publications for enhanced marketing opportunities.

- Researched, wrote, and edited over 30...

Show more

Director, Science & Technology Policy

New York Academy of Sciences

Jun 1998 - Jan 2002 · 3 years 8 months



 Allison C de Cerreño, Ph.D.

with the U.S. Environmental Protection Agency for the effort on the Harbor.

- Secured start-up funding to develop business plan for a NY...

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Associate Director of Studies (6/96-6/98); Research Associate, Latin America Program (6/91-5/96)

Council on Foreign Relations

Jun 1991 - Jun 1998 · 7 years 1 month

As Associate Director, managed programs for staff of 65 professionals in two offices and a \$6.5 million budget, helping to reorganize the entire department in a seven-month period.

Successfully conducted internal audit of \$1.8 million grant and convinced the grantor to provide the final installment of funds. As Research Associate, conducted research, edited manuscripts, coordinated and organized events with high-level dignitaries, and served as the official rapporteur for dozens of...

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Education

City University of New York Graduate Center

Ph.D. · Political Science



 Allison C de Cerreño, Ph.D.

Publications

Publications Available Upon Request

-

Recommendations received

robert paaswell

"Excellent leadership skills - excels at organization and analysis"

1 person has recommended Allison

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🔍 Allison C de Cerreño, Ph.D.

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Manager- Station Area Planning & TOD at State of NY Metropolitan Transportation Authority
New York, NY

Steven Picillo

Acting Assistant Deputy Chief Procurement Operations at Metropolitan Transportation Authority
Oceanside, NY

Rafail Portnoy

Chief Technology Officer at State of NY Metropolitan Transportation Authority
New City, NY

Phil Neighbor

Director Of Facilities at Metropolitan Transportation Authority
Holbrook, NY

Eddie Giha

Deputy Director at MTA
New York, NY



🔍 Allison C de Cerreño, Ph.D.

Joseph DeVito

Project Director at State of NY Metropolitan Transportation Authority
Brooklyn, NY

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🔍 Allison C de Cerreño, Ph.D.

Allison's public profile badge

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Allison C de Cerreño, Ph.D.

Deputy Chief Operating Officer at Metropolitan Transportation Authority



Deputy Chief Operating Officer at Metropolitan Transportation Authority



City University of New York Graduate Center

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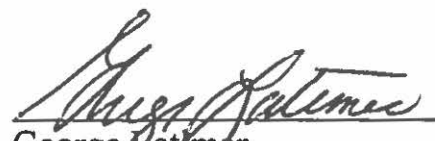
[Community Guidelines](#)

George Latimer
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County African American 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 Juliene Bell-Smith, 25 Hendrick Hills, Peekskill, New York as a member of the Westchester County African American Advisory Board, for the term June 29, 2022 to December 31, 2024.

Given under my hand
and seal this 29th day
of June, 2022.



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

June 29, 2022

Ms. Juliene Bell-Smith
25 Hendrick Hills
Peekskill, NY 10566

Dear Ms. Bell-Smith,

It is my pleasure to appoint you to serve as a member of the Westchester County African American Advisory Board, effective today, Wednesday, June 29, 2022, pursuant to the Laws of Westchester County §277.421. This appointment is for a term to expire on December 31, 2024.

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 African American Advisory Board meeting, and provide this office with a copy within 30 days. Please contact Paula Friedman at (914) 995-2940 for the date, place, and time of the African American 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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/lr

cc: Honorable Board of Legislators
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
Telephone: (914)995-2900

westchestergov.com

JULIENE BELL-SMITH

25 Hendrick Hills
Peekskill, NY 10566

(914)320-5645
juliene.bellsmith@gmail.com

Professional Summary

Fifteen years of career advisement, recruitment and data driven marketing experience working with adults. Resourceful in workforce development, establishing and maintaining employer contacts and teaching human relations to young and mature adult students. Prescreen and interview over 50 candidates weekly for vacant positions. Co-facilitator for the WEOC Alumni Network. Editor for the WEOC's 'The Portfolio', school newsletter covering career development workforce development resources.

Memberships held with: NCWE (National Council for Workforce Education) and COABE (Coalition on Adult Basic Education).

Education

Master of Arts, Work & Labor Policy
Culminating Project: *The Role of REDCs and Workforce Development*

SUNY Empire State, Saratoga Springs, NY

Bachelor of Arts, Political Science
Minor: Anthropology

CUNY Hunter College, NY, NY

Relevant Experience

Job Development Specialist (2011- Present)
SUNY Westchester Community College/WEOC

2007 - Present
Yonkers, NY

Provide job placement assistance to all vocational students. Instruct and assist students with proper computer use for Microsoft Office Suite and the Internet. Utilize Smartboard and Microsoft Publisher to conduct classroom lessons. Communicate regularly with employers and partner referral program Directors. Develop and maintain internal database for organizing student resumes. Served on several internal search committees.

- Meet regularly with Faculty and Staff to discuss program curriculum
- Utilize Banner system to complete data and tracking activities
- Complete career readiness assessments with students to help determine program suitability
- Conduct employment seminar workshops
- Create, plan, and execute 15-20 recruitment events annually
- Establish and maintain partnerships with local social service agencies
- Communicate via email and telephone with companies regarding employment of students
- Connect students to various community-based organizations for other resources such as professional clothing

Job Development Assistant
SUNY Westchester Community College/WEOC

2007-2011
Yonkers, NY

Managed and coordinated activities in Career Resource Room. Helped students with resume preparation, internet job searches and career advice.

- Maintained an information file of available positions
- Followed up with employers to determine availability of positions and matched students accordingly
- Maintained database of statistical information regarding students' job search efforts for records
- Assisted with school and college recruitment outreach efforts

Substitute Teacher
Teach School Now

2002- 2004
NY, NY

- Responsible for safety and behavior of elementary and middle school aged children
- Maintained disciplinary rules expected in classroom environment
- Ensured timely arrival to school within two hours of notification

Volunteer Experience

Board Member

Peekskill Industrial Development Agency

2020-Present

Peekskill, NY

- Fulfill the responsibilities described in the Branch bylaws as well as other duties assigned by the President and/or the Branch board
- Attend and participate in Branch sponsored events and conferences
- Participate actively as a board member and maintain transparent accountability with the public
- Read IDA communications promptly, as well as IDA publications and materials
- Transmit all records, reports, and other materials promptly to succeeding officers

Student Mentor

Westchester Jewish Community Services (WJCS)

1/2021-6/2021

White Plains, NY

- Served as a positive source of educational support to help elementary school students adjust to remote learning
- Developed and maintained a peer relationship focused on helping new students make a smooth transition, acclimate to remote instruction, and establish a sense of technological confidence
- Participate in training, programs, activities and attend group meetings

Shop Steward

CSEA 9202/ AFSCME

2018-Present

Hartsdale, NY

- Recruit new members both internal and external of the workplace
- Make sure that all the members are paying subscription to the Union.
- Hold regular meetings with the members at the workplace
- Develop a spirit of unity amongst workers within department

Election Committee Chairperson

CSEA 9202/ AFSCME

11/2020-7/2021

- Organized and collaborated with other election committee members to create election timeline, tasks, and responsibilities
- Communicated regularly with union headquarters to ensure that all fiduciary expectations were being met
- Contacted 300+ union member base to disseminate election notices, timeframes, and results
- Corresponded with executive leadership team regularly

George Latimer
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Domestic Violence Council:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Doris Benson, 238 Pondfield Road W., Bronxville, New York as an at-large member of the Westchester County Domestic Violence Council, for the term June 23, 2022 to December 31, 2024.

Given under my hand
and seal this 23rd day
of June, 2022.



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

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George Latimer
County Executive

June 23, 2022

Ms. Doris Benson
238 Pondfield Road W.
Bronxville, NY 10708

Dear Ms. Benson

It is my pleasure to appoint you to serve as an at-large member of the Westchester County Domestic Violence Council, effective today, Thursday, June 23, 2022, pursuant to the Laws of Westchester County §277.601. This appointment is for a term to expire on December 31, 2024.

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 Domestic Violence Council meeting, and provide this office with a copy within 30 days. Please contact the Westchester County Office for Women at (914) 995-5972 for the date, place, and time of the Domestic Violence Council'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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Office for Women
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
Telephone: (914)995-2900

westchestergov.com

Doris Benson

238 Pondfield Road West, Bronxville, New York 10708

914-961-6554, Cell: 914-573-9899

dwbenson1@verizon.net

SUMMARY OF QUALIFICATIONS

Lifelong interest in environmental conservation combined with extensive business and training experience

EXPERIENCE

IBM, Somers, N.Y.

1967-2009

Starting with customer technical support, held progressively responsible positions, including product planning, new product introductions, and customer technical support management. For the last 12 years, as Business Unit Executive, developed and managed new business opportunities on mainframe systems.

- Developed independent software vendor business on mainframe which yielded \$250M/year.
- Trained field personnel on new products and business strategies.
- Launched Linux on mainframe, which increased revenues by \$100M/year.
- Launched parallel supercomputer in Europe, establishing IBM's leadership position in field.

PRO BONO WORK

COMMUNITY MARKETS for CONSERVATION (COMACO), Zambia

Travelled to Zambia to understand the project, developed marketing materials, and collaborated with the CEO to write annual report.

- Managed fundraising and negotiated project plans for two Rotary Foundation matching grants totaling over \$117K to support beekeeping and the COMACO honey business
- Locally, presents the COMACO model, featuring its unique business approach to rural African development, in multiple venues

UNITED NATIONS ASSOCIATION OF WESTCHESTER, former board member

BRONXVILLE ROTARY CLUB, President 2010-2011; Chair, Project and Fundraising Committee, 2009 – 2018, board member

ROTARY DISTRICT 7230, Grants chair, 2010-2018

EDUCATION

BA, Gettysburg College, major in Physics, Magna Cum Laude, Phi Beta Kappa

Columbia University, Earth Institute Center for Environmental Sustainability,
Certificate in Conservation and Environmental Sustainability

INTERESTS

Environmental preservation, reading, gardening, travel, classical music

SKILLS

Writing, business analysis, people management, leadership

George Latimer
County Executive

WHEREAS, the term of Richard Hyman, as a member of the Westchester County Housing Opportunity Commission, 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 Richard Hyman, 55 Lafayette Drive, Port Chester, New York as a Planning Board member of the Westchester County Housing Opportunity Commission, for the term June 24, 2022 to December 31, 2025.

Given under my hand
and seal this 24th day
of June, 2022.


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

June 24, 2022

Mr. Richard Hyman
55 Lafayette Drive
Port Chester, NY 10573

Dear Mr. Hyman,

It is my pleasure to reappoint you to serve as a Planning Board member of the Westchester County Housing Opportunities Commission, effective today, Friday, June 24, 2022. This reappointment is for a term to expire on December 31, 2025.

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 within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Norma Drummond, Commissioner, Planning Department
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
Telephone: (914)995-2900

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2022 ATTENDANCE RECORDS: HOC

<u>NAME</u>	<u>1/11/22</u>	<u>3/8/22</u>	<u>4/12/22</u>	<u>5/10/22</u>
Peter Russell, Chair	x	x	x	x
Cecelia Alcantara	x	x	x	x
Lindsay Carden	x	x	A	x
Carol Dorado-Galarza	A	A	x	x
Janice Duarte	x	x	x	x
Angela Farrish	x	x	A	x
Richard Hyman	x	x	x	x
Juanita Lewis	A			
Judith Reardon	x	x	x	x
Laura Rossi	x	x	x	x
Mel Tanzman	x	x	x	A

Note: 2022 meetings have been by conference call or Webex

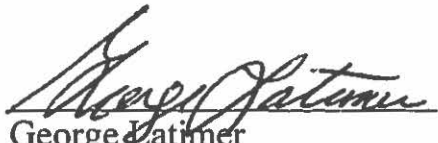
<u>Legend</u>
X = attended
A = absent
E = excused

George Latimer
County Executive

WHEREAS, the term of Lindsay Carden, as a member of the Westchester County Housing Opportunity Commission, 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 Lindsay Carden, 17 Croton Avenue, Ossining, New York as a Hudson River member of the Westchester County Housing Opportunity Commission, for the term June 24, 2022 to December 31, 2024.

Given under my hand
and seal this 24th day
of June, 2022.



George Latimer
County Executive

Office of the County Executive

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

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

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George Latimer
County Executive

June 24, 2022

Mr. Lindsay Carden
17 Croton Avenue
Ossining, NY 10562

Dear Mr. Carden,

It is my pleasure to reappoint you to serve as a Hudson River member of the Westchester County Housing Opportunities Commission, effective today, Friday, June 24, 2022. This reappointment 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 within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

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

Office of the County Executive

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148 Martine Avenue
White Plains, New York 10601

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

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2022 ATTENDANCE RECORDS: HOC

<u>NAME</u>	<u>1/11/22</u>	<u>3/8/22</u>	<u>4/12/22</u>	<u>5/10/22</u>
Peter Russell, Chair	x	x	x	x
Cecelia Alcantara	x	x	x	x
Lindsay Carden	x	x	A	x
Carol Dorado-Galarza	A	A	x	x
Janice Duarte	x	x	x	x
Angela Farrish	x	x	A	x
Richard Hyman	x	x	x	x
Juanita Lewis	A			
Judith Reardon	x	x	x	x
Laura Rossi	x	x	x	x
Mel Tanzman	x	x	x	A

Note: 2022 meetings have been by conference call or Webex

<u>Legend</u>
X = attended
A = absent
E = excused

George Latimer
County Executive

WHEREAS, the term of Susan van Dijk, as a member of the Westchester County Women's Advisory 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 Susan van Dijk, 62 Garden Drive, Rye, New York as the District 7 representative member of the Westchester County Women's Advisory Board, for the term July 18, 2022 to December 31, 2023.

Given under my hand
and seal this 18th day
of July, 2022.


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

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George Latimer
County Executive

July 18, 2022

Ms. Susan van Dijk
62 Garden Drive
Rye, NY 10580

Dear Ms. ~~van Dijk~~ ^{Suki},

It is my pleasure to reappoint you to serve as Legislative District #7 representative of the Westchester County Women's Advisory Board, effective today, Monday, July 18, 2022, pursuant to the Laws of Westchester County §177.41. This reappointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Westchester County Office for Women
Joan McDonald, Director of Operations

Office of the County Executive

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

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

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2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Macaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic

C - Juneteenth Holiday (6.20)

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

George Latimer
County Executive

WHEREAS, the term of Cindy Kanusher, as a member of the Westchester County Women's Advisory 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 Cindy Kanusher, 1 Cedarlawn Road, Irvington, New York as the District 12 representative member of the Westchester County Women's Advisory Board, for the term July 21, 2022 to December 31, 2023.

Given under my hand
and seal this 21st day
of July, 2022.



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

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George Latimer
County Executive

July 21, 2022

Ms. Cindy Kanusher
1 Cedarlawn Road
Irvington, NY 10533

Dear Ms. Kanusher,

It is my pleasure to reappoint you to serve as the Legislative District 12 representative on the Westchester County Women's Advisory Board, effective today, Thursday, July 21, 2022, pursuant to the Laws of Westchester County § 177.41. This appointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Office for Women
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
Telephone: (914)995-2900

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2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Maccaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic

C - Juneteenth Holiday (6.20)

George Latimer
County Executive

WHEREAS, the term of Michelle Keller, as a member of the Westchester County Women's Advisory 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 Michelle Keller, 169 Benefield Boulevard, Peekskill, New York as the District 1 representative member of the Westchester County Women's Advisory Board, for the term July 18, 2022 to December 31, 2023.

Given under my hand
and seal this 18th day
of July, 2022.



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

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George Latimer
County Executive

July 18, 2022

Ms. Michelle Keller
169 Benefield Boulevard
Peekskill, NY 10566

Dear Ms. Keller,

It is my pleasure to reappoint you to serve as Legislative District #1 representative of Westchester County Women's Advisory Board, effective today, Monday, July 18, 2022, pursuant to the Laws of Westchester County §177.41. This reappointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Westchester County Office for Women
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
Telephone: (914)995-2900

westchestergov.com

2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Maccaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic

C - Juneteenth Holiday (6.20)

)

156

George Latimer
County Executive

WHEREAS, the term of Myra Saul, as a member of the Westchester County Women's Advisory 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 Myra Saul, 5 Lincoln Road, Scarsdale, New York as the District 5 representative member of the Westchester County Women's Advisory Board, for the term July 18, 2022 to December 31, 2023.

Given under my hand
and seal this 18th day
of July, 2022.



George Latimer
County Executive

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



George Latimer
County Executive

July 18, 2022

Ms. Myra Saul
5 Lincoln Road
Scarsdale, NY 10583

Dear Ms. Saul, *Myra*

It is my pleasure to reappoint you to serve as the Legislative District #5 representative of the Westchester County Women's Advisory Board, effective today, Monday, July 18, 2022, pursuant to the Laws of Westchester County §177.41. This appointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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/ts

cc: Honorable Board of Legislators
Robin Schalf, Director, Westchester County Office for Women
Joan McDonald, Director of Operations

Office of the County Executive

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White Plains, New York 10601

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2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Macaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic

C - Juneteenth Holiday (6.20)

George Latimer
County Executive

WHEREAS, the term of Shannon Powell, as a member of the Westchester County Women's Advisory 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 Shannon Powell, 5 Ridgeway Road, Larchmont, New York as an at-large member of the Westchester County Women's Advisory Board, for the term July 25, 2022 to December 31, 2023.

Given under my hand
and seal this 25th day
of July, 2022.


George Latimer
County Executive

Office of the County Executive

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

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

westchestergov.com



George Latimer
County Executive

July 25, 2022

Ms. Shannon Powell
5 Ridgeway Rd
Larchmont, NY 10538

Dear Ms. Powell,

It is my pleasure to reappoint you to serve as an at-large member of the Westchester County Women's Advisory Board, effective today, Monday, July 25, 2022, pursuant to the Laws of Westchester County § 177.41. This appointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Office for Women
Joan Mc Donald, Director of Operations

Office of the County Executive

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White Plains, New York 10601

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Telephone: (914)995-2900

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2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Macaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic
C - Juneteenth Holiday (6.20)


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

George Latimer
County Executive

WHEREAS, the term of Theresa McNair, as a member of the Westchester County Council for Seniors, 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 Theresa McNair, 199 Babbitt Road #2A, Bedford Hills, New York as the District 2 representative member of the Westchester County Council for Seniors, for the term June 27, 2022 to December 31, 2023.

Given under my hand
and seal this 27th day
of June, 2022.


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

June 27, 2022

Ms. Theresa McNair
199 Babbitt Road #2A
Bedford Hills, NY 10507

Dear Ms. McNair,

It is my pleasure to reappoint you to serve as the Legislative District 2 representative on the Westchester County Council for Seniors, effective today, Monday, June 27, 2022, pursuant to the Laws of Westchester County § 157.03. This appointment is for a term to expire on December 31, 2023.

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 Council for Seniors meeting, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Senior Programs and Services at (914) 813-6435 for the date, place, and time of the upcoming Council for Seniors 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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Mae Carpenter, Commissioner, Department of Senior Programs and Services
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
Telephone: (914)995-2900

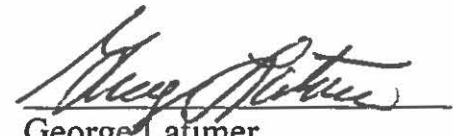
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George Latimer
County Executive

WHEREAS, the term of Eliot Senor, PE, LS, 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 Eliot Senor, PE, LS, 90 North Central Park Avenue, Hartsdale, New York as the Land Surveyor member of the Westchester County Professional Prequalification Board, for the term June 23, 2022 to December 31, 2025.

Given under my hand
and seal this 23rd day
of June, 2022.



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

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George Latimer
County Executive

June 23, 2022

Mr. Eliot Senor, PE, LS
90 North Central Park Avenue
Hartsdale, NY 10530

Dear Mr. Senor,

It is my pleasure to reappoint you to serve as the Land Surveyor member of the Westchester County Professional Prequalification Board, effective today, Thursday, June 23, 2022, pursuant to the Laws of Westchester County. This reappointment is for a term to expire on December 31, 2025.

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) 9952548 for the date, place, and time of the Professional Prequalification Board'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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Hugh Greechan, Commissioner, DPW & Transportation
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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Westchester County Executive Branch - Member Attendance

Professional Prequalification Board

Member	Apr 12, 2022	May 11, 2022	TOTALS
Rex Gedney	P	P	100.0%
Cesare Manfredi	P	P	100.0%
Paul Fraioli	A	P	50.0%
Eliot Senor	P		100.0%
Morgen Fleisig	P	P	100.0%
Thomas Rudolph	P	P	100.0%

Present:	5	5	90.91%
Absent:	1	0	9.09%
Excused:	0	0	0.0%

- * P = Present
- * A = Absent
- * E = Excused
- * C = Canceled

George Latimer
County Executive

WHEREAS, the term of Dominic Franzoso, as a member of the Westchester County Emergency Medical Services Advisory 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 Dominic Franzoso, 14A Hawkes Close, Ossining, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term July 11, 2022 to December 31, 2024.

Given under my hand
and seal this 11th day
of July, 2022.



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

July 11, 2022

Mr. Dominic Franzoso
14A Hawkes Close
Ossining, NY 10562

Dear Mr. Franzoso,

It is my pleasure to reappoint you to serve as a member of the Westchester County EMS Board, effective today, Monday, July 11, 2022. 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 within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Richard Wishnie, Commissioner, Emergency Services
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
Telephone: (914)996-2900

westchestergov.com

Westchester County Executive Branch - Member Attendance

Emergency Medical Services Board

Member	Jan 12, 2022	TOTALS
Guy Peifer	P	100.0%
John Ohnmacht	P	100.0%
Adam Ochs	P	100.0%
James Muller	P	100.0%
Scott Moore	A	0.0%
Steven Mareello	A	0.0%
Dr. Erik Larsen	P	100.0%
Maria Hlusko	P	100.0%
Eleanor Hersam	P	100.0%
Dominic Franzoso	P	100.0%
David Dawson	P	100.0%
Joseph Barca	P	100.0%
Al Kim	P	100.0%
James O'Connor	P	100.0%
Jill Swanson	A	0.0%
Anthony Sutton	P	100.0%
Jeffrey Meade	A	0.0%
David Raizen	P	100.0%
Michael Volk	P	100.0%
Richard Wishnie	P	100.0%
Susan Spear	P	100.0%
Barry Reiter	P	100.0%

Present:	18	81.82%
Absent:	4	18.18%

Excused:

0

0.0%

* P = Present

* A = Absent

* E = Excused

* C = Canceled

George Latimer
County Executive

WHEREAS, the term of Steven Marelo, as a member of the Westchester County Emergency Medical Services Advisory 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 Steven Marelo, 8 Leroy Avenue, Valhalla, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term July 11, 2022 to December 31, 2023.

Given under my hand
and seal this 11th day
of July, 2022.


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

July 11, 2022

Mr. Steven Marelo
8 Leroy Avenue
Valhalla, NY 10595

Dear Mr. Marelo,

It is my pleasure to reappoint you to serve as a member of the Westchester County EMS Board, effective today, Monday, July 11, 2022. This appointment is for a term to expire on December 31, 2023.

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 within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

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

Office of the County Executive

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Telephone: (914)995-2900

westchestergov.com

Westchester County Executive Branch - Member Attendance

Emergency Medical Services Board

Member	Jan 12, 2022	TOTALS
Guy Peifer	P	100.0%
John Ohnmacht	P	100.0%
Adam Ochs	P	100.0%
James Muller	P	100.0%
Scott Moore	A	0.0%
Steven Mareello	A	0.0%
Dr. Erik Larsen	P	100.0%
Maria Hlusko	P	100.0%
Eleanor Hersam	P	100.0%
Dominic Franzoso	P	100.0%
David Dawson	P	100.0%
Joseph Barca	P	100.0%
Al Kim	P	100.0%
James O'Connor	P	100.0%
Jill Swanson	A	0.0%
Anthony Sutton	P	100.0%
Jeffrey Meade	A	0.0%
David Raizen	P	100.0%
Michael Volk	P	100.0%
Richard Wishnie	P	100.0%
Susan Spear	P	100.0%
Barry Reiter	P	100.0%

Present:	18	81.82%
Absent:	4	18.18%

Excused:

0

0.0%

* P = Present

* A = Absent

* E = Excused

* C = Canceled

George Latimer
County Executive

August 31, 2022

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 ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,000,000 to finance the following capital project:

BPL35 – Hilltop Hanover Farm and Environmental Center ("BPL35").

The Bond Act, in the amount of \$1,000,000, would finance the cost of construction of improvements to the County's Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues, rehabilitation and replacement of livestock fencing and deer fencing, building security upgrades, including emergency generators for walk-in coolers, upgrading the existing irrigation system including a potential new well, and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

The Department of Planning ("Department") has advised that the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation, replacement and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs, as well as a growing native plant program. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site.

Some project components, such as addressing security issues and installing emergency generators will not require design. Following bonding authorization, those projects will be moved forward to implementation. Design for more substantive projects will be scheduled and completed by a combination of in-house staff and consultants for different project components. It is anticipated that design will take six to twelve months to complete for different project components, and it is estimated that construction will take an additional six to twelve months to complete, which will begin after award and execution of construction contracts.

The Planning Department has advised that based on its review, BPL35 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.

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

Sincerely,

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

George Latimer
County Executive

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$1,000,000 to finance capital project BPL35 – Hilltop Hanover Farm and Environmental Center (“BPL35”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of construction of improvements to the County’s Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues, rehabilitation and replacement of livestock fencing and deer fencing, building security upgrades, including emergency generators for walk-in coolers, upgrading the existing irrigation system including a potential new well, and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

The Department of Planning (“Department”) has advised that the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation, replacement and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs, as well as a growing native plant program. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site.

Some project components, such as addressing security issues and installing emergency generators will not require design. Following bonding authorization, those projects will be moved forward to implementation. Design for more substantive projects will be scheduled and will be completed by a combination of in-house staff and consultants for different project components. It is anticipated that design will take six to twelve months to complete for different project components, and it is estimated that construction will take an additional six to twelve months to complete, which will begin after award and execution of construction contracts.

The Planning Department has advised your Committee that based on its review, BPL35 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: _____, 20____
White Plains, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL35

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,000,000 PPU 5 Anticipated Interest Rate 1.86%

Anticipated Annual Cost (Principal and Interest): \$ 211,192

Total Debt Service (Annual Cost x Term): \$ 1,055,960

Finance Department: Interest rates from August 9, 2022 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):

No impact to department operations. Project will fund analysis, design and implementation of
rehabilitation of physical assets and infrastructure at a County facility.

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning


Date: 8/23/22

Reviewed By: [Signature]

Budget Director

Date: 8/24/22

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

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

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL35 HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
07-25-2022 (Unique ID: 1894)

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;
- **617.5(c)(4):** agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
- **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: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lawrence Soule, Budget Director
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED; 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, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction of improvements to Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, including emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master

consultant, 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 \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$1,000,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.89 of the Law, is five (5) years.

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

Section 4. The estimate of \$1,000,000 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 \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

object or purpose: to finance the cost of the construction of improvements to Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued

and period of probable usefulness: \$1,000,000; five (5) years

Dated: _____, 20____
White Plains, New York

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



Project ID:*
BPL35

☐ CBA

Fact Sheet Date:*
06-28-2022

Fact Sheet Year:*
2022

Project Title:*
HILLTOP HANOVER FARM AND
ENVIRONMENTAL CENTER

Legislative District ID:
4, 2

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PLANNING

CP Unique ID:
1894

Overall Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	3.500	0	1,000	0	0	0	0	2,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3.500	0	1,000	0	0	0	0	2,500

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

Current Bond Description: The current request is for needed rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, including emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Comments:

These repairs are needed to maintain existing operations and plans for growth, to address safety and security issues at the site, and to initiate implementation of the master plan. Previous appropriations for the property were under other capital projects.

Energy Efficiencies:

Total Financing History:

0

Department of Planning
WBB4

Date
07-25-2022

Department of Public Works
GGKK

Date
07-26-2022

Budget Department
LMY1

Date
07-26-2022

Requesting Department
DSK2

Date
07-26-2022

HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER (BPL35)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,500			1,000					2,500
Non County Share									
Total	3,500			1,000					2,500

Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

Current Year Description

The current year request funds design, construction and construction management for parking improvements and high tunnel for additional crops. Study for building and utility scope development.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

Impact on Operating Budget

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

George Latimer
County Executive

August 31, 2022

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 resolution expressing that the passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 will improve many aspects of Westchester's water infrastructure and environment.

Westchester County has experienced the impact of climate change in severe storms such as the remnants of Hurricane Ida, Hurricane Sandy, and Hurricane Irene. These storms bring intense flooding, cost millions in property damage, and have claimed the lives of our residents.

The Environmental Bond Act of 2022 is the first environmental bond act in over 25 years. The Bond Act, if approved by voters, would authorize New York State to sell \$4.2 billion in State bonds to mitigate the effects of climate change across the state.

The Bond Act would make funding available to improve flood mitigation efforts in Westchester; it would also support efforts to combat climate change which, if successful, will prevent severe weather events from becoming more frequent and more damaging.

Due to the significance of this Environmental Bond Act to Westchester's residents, the County respectfully requests affirmative action on the proposed resolution.

Sincerely,



George Latimer
Westchester County Executive

GL/cc

Res _____ 2022

**Resolution supporting the Clean Water, Clean Air, Green Jobs
Environmental Bond Act of 2022**

WHEREAS, manmade climate change is increasing the frequency of severe storms, damaging our ecosystem, and threatening coastal regions, placing Westchester County at risk; and

WHEREAS, New York State urgently needs improved wastewater and drinking water infrastructure; critical water infrastructure is well past its intended lifespan and some systems are over 100 years old; and

WHEREAS, Westchester County has experienced severe flooding brought on by more frequent and severe storms; the remnants of Hurricane Ida caused between \$16 billion and \$24 billion in damage to our region, damaged or destroyed many homes and demonstrated vulnerabilities in municipal water infrastructure; and

WHEREAS, investing in our water infrastructure will reduce flooding, reduce exposure to lead and other hazardous substances, and create jobs and other tangible economic benefits; and

WHEREAS, the New York State Legislature has proposed the first environmental bond act in 20 years: The Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022, which will be on the ballot for approval by New York's voters on November 8, 2022; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would authorize \$4.2 billion in bonds to finance critical environmental restoration and action to mitigate the impact of climate change, to finance the protection of New York State's clean water reserves, to finance infrastructure projects rebuilding in areas damaged by flooding and projects that reduce the risk of flooding in the future; and

WHEREAS, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 provides the crucial resources necessary to respond to the crises facing our state and our county; now, therefore, be it


NOW THEREFORE BE IT RESOLVED, that the Westchester County Board of Legislators believes the passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 will be helpful to improve many aspects of Westchester's environment.

George Latimer
County Executive

WHEREAS, the term of Judy Troilo, as a member of the Westchester County Women's Advisory 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 Judy Troilo, 14 Washington Mews, Port Chester, New York as an at-large member of the Westchester County Women's Advisory Board, for the term July 25, 2022 to December 31, 2023.

Given under my hand
and seal this 25th day
of July, 2022.


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

July 25, 2022

Ms. Judy Troilo
14 Washington Mews
Port Chester, NY 10573

Dear Ms. Troilo,

It is my pleasure to reappoint you to serve as an at-large member of the Westchester County Women's Advisory Board, effective today, Monday, July 25, 2022, pursuant to the Laws of Westchester County § 177.41. This appointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Office for Women
Joan Mc Donald, Director of Operations

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

2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Maccaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

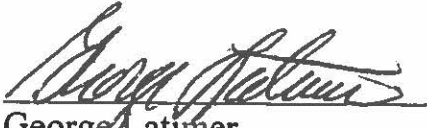
C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic
C - Juneteenth Holiday (6.20)

George Latimer
County Executive

WHEREAS, the term of Lauren H. Smith, as a member of the Westchester County Women's Advisory 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 Lauren H. Smith, 68 Ridge Road, Katonah, New York as the District 3 representative member of the Westchester County Women's Advisory Board, for the term July 18, 2022 to December 31, 2023.

Given under my hand
and seal this 18th day
of July, 2022.



George Latimer
County Executive

Office of the County Executive

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

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

westchestergov.com

George Latimer
County Executive

July 18, 2022

Ms. Lauren H. Smith
68 Ridge Road
Katonah, NY 10536

Dear Ms. Smith,

It is my pleasure to reappoint you to serve as Legislative District #2 representative of the Westchester County Women's Advisory Board, effective today, Monday, July 18, 2022, pursuant to the Laws of Westchester County §177.41. This reappointment is for a term to expire on December 31, 2023.

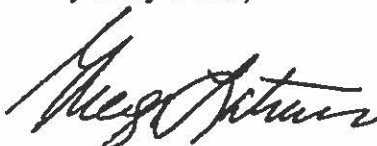
Your reappointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk prior to the next Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,



George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Westchester County Office for Women
Joan McDonald, Director of Operations

Office of the County Executive

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

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

westchestergov.com

2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Macaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic

C - Juneteenth Holiday (6.20)

George Latimer
County Executive

WHEREAS, the term of Anietra Guzman-Santana, as a member of the Westchester County Women's Advisory 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 Anietra Guzman-Santana, 58 Canfield Avenue, Yonkers, New York as the District 15 representative member of the Westchester County Women's Advisory Board, for the term July 21, 2022 to December 31, 2023.

Given under my hand
and seal this 21st day
of July, 2022.


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

July 21, 2022

Ms. Anietra Guzman-Santana
58 Canfield Avenue
Yonkers, NY 10710

Dear Ms. Guzman-Santana,

It is my pleasure to reappoint you to serve as the Legislative District 15 representative on the Westchester County Women's Advisory Board, effective today, Thursday, July 21, 2022, pursuant to the Laws of Westchester County § 177.41. This appointment is for a term to expire on December 31, 2023.

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 Women's Advisory Board meeting, and provide this office with a copy within 30 days.

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/ts

cc: Honorable Board of Legislators
Robin Schlaff, Director, Office for Women
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
Telephone: (914)996-2900

westchestergov.com

2022 WOMEN'S ADVISORY BOARD

Term ended for all 12.31.2021 EXCEPT Subomi Maccaulay

Member	1.10	2.14	3.21	4.18	5.16	6.20	9.19	10.17	11.21
Bagley, Lynda	X	X	C*	X	C*	C			
Browde, Kristen	X	X	C*	X	C*	C	R	R	R
Coleman, Margaret	X	X	C*	E	C*	C			
Cort, Gwen	E	X	C*	E	C*	C			
D'Agostino, Patti	X	X	C*	E	C*	C			
DeRise, Sarah	X	X	C*	X	C*	C			
Diaz, Karla	X	E	C*	E	C*	C			
Guzman-Santana, Anietra	X	X	C*	X	C*	C			
Kanusher, Cindy	X	X	C*	E	C*	C			
Keller, Michelle	X	E	C*	X	C*	C			
Kirschner, Janice	X	X	C*	E	C*	C			
Levy, Romina	X	X	C*	E	C*	C			
Loughlin, Ginny	E	X	C*	X	C*	C			
Macaulay, Subomi	X	X	C*	X	C*	C			
Powell, Shannon	X	X	C*	X	C*	C			
Richards, Ingrid	X	X	C*	E	C*	C			
Rind, Patricia	X	X	C*	X	C*	C			
Saul, Myra	X	X	C*	X	C*	C			
Schleimer, Karen			C*		C*	C			
Smith, Lauren	X	X	C*	X	C*	C			
Toro, Nicole	X	X	C*	E	C*	C			
Troilo, Judy	E	E	C*	X	C*	C			
van Dijk, Suki	X	X	C*	X	C*	C			
Winter, Erica	E	X	C*	E	C*	C			

Legend

X = attended

X* = representative

X^ = via phone

A = absent

R = resigned/term end

C = meeting cancelled

No Appointment

C* - WAB ? Celebration of Women's History Month (3.21) / Spring Soiree and She-Ro celebratic

C - Juneteenth Holiday (6.20)

George Latimer
County Executive

WHEREAS, the term of Justin Costable, as a member of the Westchester County Emergency Medical Services Advisory 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 Justin Costable, 6 Nutmeg Court, New Milford, Connecticut as a member of the Westchester County Emergency Medical Services Advisory Board, for the term July 11, 2022 to December 31, 2024.

Given under my hand
and seal this 11th day
of July, 2022.


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

July 11, 2022

Mr. Justin Cosatble
6 Nutmeg Court
New Milford, CT 06776

Dear Mr. Cosatble,

It is my pleasure to reappoint you to serve as a member of the Westchester County EMS Board, effective today, Monday, July 11, 2022. 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 within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

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.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/l5

cc: Honorable Board of Legislators
Richard Wishnie, Commissioner, Emergency Services
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
Telephone: (914)995-2900

westchestergov.com

Westchester County Executive Branch - Member Attendance

Emergency Medical Services Board

Member	Jan 12, 2022	TOTALS
Guy Peifer	P	100.0%
John Ohnmacht	P	100.0%
Adam Ochs	P	100.0%
James Muller	P	100.0%
Scott Moore	A	0.0%
Steven Mareello	A	0.0%
Dr. Erik Larsen	P	100.0%
Maria Hlusko	P	100.0%
Eleanor Hersam	P	100.0%
Dominic Franzoso	P	100.0%
David Dawson	P	100.0%
Joseph Barca	P	100.0%
Al Kim	P	100.0%
James O'Connor	P	100.0%
Jill Swanson	A	0.0%
Anthony Sutton	P	100.0%
Jeffrey Meade	A	0.0%
David Raizen	P	100.0%
Michael Volk	P	100.0%
Richard Wishnie	P	100.0%
Susan Spear	P	100.0%
Barry Reiter	P	100.0%

Present:	18	81.82%
Absent:	4	18.18%

Excused: 0 0.0%

- * P = Present
- * A = Absent
- * E = Excused
- * C = Canceled

COUNTY OF WESTCHESTER


OATH OF OFFICE

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

I, Justin M. Costabile 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 Westchester County EMS Board in and for the County of Westchester, according to the best of my ability.

Date: 8/15/2022


(Signature)

Sworn to and subscribed before me this 15 day of AUGUST
2022.

JR Shaffer
(Signature)

LARGUE ROSE SHATZKIN

(Print or Type Name)

TOWN CLERK

(Title of Official Administering Oath)

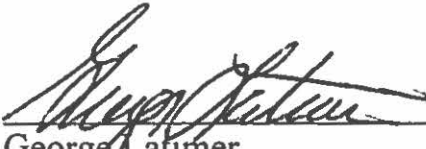
Mail original Oath of Office to Office to Andrew Ferris, Office of the County Executive, 148 Martine Ave., Room 916D, White Plains, NY 10601 for filing within thirty (30) days of the commencement of the term of office or the notice of appointment.

George Latimer
County Executive

WHEREAS, the term of Douglas French, as a member of the Westchester County Board of Ethics, 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 Douglas French, 46 Meadow Place, Rye, New York as a member of the Westchester County Board of Ethics, for the term May 9, 2022 to December 31, 2026.

Given under my hand
and seal this 9th day
of May, 2022.



George Latimer
County Executive

Office of the County Executive

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

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

westchestergov.com



George Latimer
County Executive

May 9, 2022

Mr. Douglas French
46 Meadow Place
Rye, NY 10580

Dear Mr. French,

It is my pleasure to reappoint you to serve as a member of the Westchester County Board of Ethics, effective today, Monday, May 9, 2022, pursuant to the Laws of Westchester County §883.401. This appointment is for a term to expire on December 31, 2026.

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 Board of Ethics meeting, and provide this office with a copy within 30 days. Please contact the Westchester County Attorney's Office at (914) 995-6344 for the date, place, and time of the upcoming Board of Ethics 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/ts

cc: Honorable Board of Legislators
John Nonna, County Attorney
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
Telephone: (914)995-2900

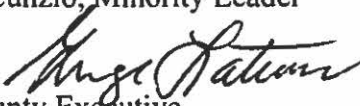
westchestergov.com

MEMBER	02/18/22	03/04/22	06/01/22	06/22/22	08/19/22
K. Covill	Present	Present	Present	Present	Present
B. Summers	Present	Present	Present	Present	Present
S. Cotton	Present	Present	Absent	Present	Present
D. French	Present	Present	Present	Absent	Present
J. Ruderman	Present	Present	Present	Present	Present
L. Daly*			Present	Present	Absent

***Please note that Lisa Daly did not start with the Board of Ethics until June 2022.**

September 9, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **ACT – Peekskill SSD
Modification, Cortlandt.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 12, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted by your Honorable Board, would authorize the County to modify the Peekskill Sanitary Sewer District by the addition of two parcels of property in the Town of Cortlandt.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 12, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

September 9, 2022

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

Dear Honorable Members:

I have been advised by the Commissioner of the Department of Environmental Facilities that the Town of Cortlandt ("Town") has requested pursuant to the attached Resolutions of the Town that the Peekskill Sanitary Sewer District ("District") be modified to return two (2) parcels of property more particularly described by street address and tax map designation as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62 ("Returning Parcels") to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 1998 for the 1999 tax year.

I am advised that the analysis prepared by the Department of Environmental Facilities (the "Department") dated July 14, 2022 and attached hereto indicates that the proposed addition of the Returning Parcels represents an increase of 0.0144% to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Town; 2) the facilities necessary to connect the Returning Parcels to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Town; 3) maintenance of the completed facilities will be the responsibility of the Town and not the District; 4) the Peekskill Water Resource Recovery Facility has a design flow of 10 MGD and the present average daily flow is 6.5 MGD. The average daily flow the Returning Parcels will generate after inclusion is 1,550 GPD. The Facility and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory 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.

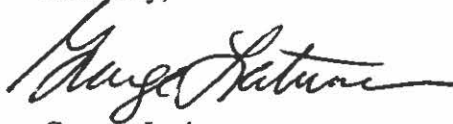
As your Honorable Board knows, County Administrative Code section 237.131 authorizes the alteration or change of a County Sanitary Sewer District. However, the Board of Legislators may only alter or change a district after it has held a public hearing after notice has been given by publication in such 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 for the public hearing.

Furthermore, Sections 237.131 and 237.141 of the County Administrative Code confer authority to determine what charges will be paid by the Returning Parcels. The Department recommends an aggregate surcharge of Three Thousand Six Hundred Dollars (\$3,600.00), or Three Hundred Sixty Dollars (\$360.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 1999 through 2022, the years the Returning Parcels did not contribute to the District tax levies, and will be credited to the remaining properties in the District. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(11), (13), (26) and (33), and therefore no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the above facts and the feasibility study provided by the Department, I respectfully recommend that your Honorable Board adopt a resolution which will authorize a date and time 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 Returning Parcels to the District.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", with a stylized flourish at the end.

George Latimer
County Executive

GL/VK/CJG/jpg
Attachments

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

Your Committee is in receipt of a transmittal from the County Executive in which the County Executive states that the Commissioner of Environmental Facilities has advised him that the Town of Cortlandt ("Town") has requested, pursuant to the attached Resolutions of the Town, that the Peekskill Sanitary Sewer District ("District") be modified to return two (2) parcels of property more particularly described by street address and tax map designation as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62 ("Returning Parcels") to the District. The Returning Parcels were previously part of the District but were removed from the District by your Honorable Board in 1998 for the 1999 tax year.

Your Committee is informed that the attached Feasibility Report prepared by the Department of Environmental Facilities (the "Department") dated July 14, 2022 and attached hereto, indicates that the proposed addition of the Returning Parcels represents an increase of 0.0144% to the Equalized Full Value of the District. Therefore, the addition of the Returning Parcels will not cause significant changes in the tax rate of the District.

According to the Department, the proposal to add the Returning Parcels to the District is feasible because: 1) the matter was requested by the Town; 2) the facilities necessary to connect the Returning Parcels to County facilities (i.e., Gravity Sewers) will be constructed at the total expense of the Town; 3) maintenance of the completed facilities will be the responsibility of the Town and not the District; 4) the Peekskill Water Resource Recovery Facility has a design flow of 10 MGD and the present average daily flow is 6.5 MGD. The average daily flow the Returning Parcels will generate after inclusion is 1,550 GPD. The Facility and the County Trunk Sewer have sufficient capacity to accommodate the Returning Parcels; 5) the subject expansion will not result in any significant effect on the tax structure of the District; and 6) the territory 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.

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 set a date and time for the necessary 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 Returning Parcels. Your Committee has been informed that the Department recommends that an aggregate surcharge of Three Thousand Six Hundred Dollars (\$3,600.00), or Three Hundred Sixty Dollars (\$360.00) per annum to be paid in each of ten equal annual installments, be assessed against the Returning Parcels. This surcharge reflects capital costs incurred from 1999 through 2022, the years the Returning Parcels did not contribute to the District tax levies, and will be credited to the remaining properties in the District. This formula has been used in past legislation for parcels returned to a sanitary sewer district.

The Planning Department has advised that based on its review, the proposed addition of the Returning Parcels constitutes a Type II action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617.5(c)(11), (13), (26) and (33), and therefore no further environmental review is required. Your Committee has reviewed the attached SEQRA documentation and concurs with this conclusion.

Based on the above facts and the Feasibility Report prepared by the Department, your Committee concurs with the recommendation of the County Executive and recommends that your Honorable Board adopt the annexed Resolution which will set a date and time 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 Returning Parcels to the Peekskill Sanitary Sewer

District. 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 this Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

K:JPG 7/15/2022

FISCAL IMPACT STATEMENT

SUBJECT: 1201 Oregon Rd, East Hill Rd, Peekskill SSD, Cortlandt (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 \$ -

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: 236-60-1610-9012

Potential Related Operating Budget Expenses: Annual Amount \$ -

Describe: Operating expenses related to process and treatment

plant expenses of additional flow from these parcels.

Potential Related Operating Budget Revenues: Annual Amount \$ 360

Describe: "Buy-in" revenue for parcels 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: Director of Maintenance

Department: Environmental Facilities

Date: July 14, 2022

Reviewed By: *NO*

Budget Director

Date: 9/7/22

TO: Vincent Kopicki, Commissioner
Department of Environmental Facilities

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



DATE: August 31, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR REINSTATEMENT
OF TWO PROPERTIES TO PEEKSKILL SANITARY SEWER DISTRICT
1201 OREGON ROAD AND EAST HILL ROAD, TOWN OF CORTLANDT**

PROJECT/ACTION: Modification of the County's Peekskill Sanitary Sewer District to reinstate two parcels in the Town of Cortlandt—1201 Oregon Road, (Section 13.9, Block 3, Lot 5) and East Hill Road (Section 13.10, Block 1, Lot 62). The first parcel is approximately 1.6 acre in size and was formerly a residence that has been converted into 4 professional/medical office suites containing one doctor per suite. The second parcel is a vacant lot, approximately half acre in size, upon which a single-family home is proposed to be constructed. These parcels will be able to connect to existing sewer mains that are adjacent to their properties.

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

- ☐ **DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- ☒ **MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTIONS:**
- **617.5(c)(11):** construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith;
 - **617.5(c)(13):** extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
 - **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;
 - **617.5(c)(33):** adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list.
-

COMMENTS: The subject parcels were removed, along with over 3,000 other parcels, in 1999 at the request of the Town of Cortlandt on the premise that they were not connected nor were anticipated to connect to the sanitary sewer district in the foreseeable future. The parcels to be reinstated will be able to access local sanitary sewers that convey sewage to the County trunk sewer that eventually leads to the County's Peekskill Water Resource Recovery Facility (WRRF). The facility has a design flow of 10 million gallons per day (MGD), but is presently operating at an average daily flow of 6.5 MGD. Since the total estimated sewage contribution from the two parcels is approximately 1,550 gallons per day, both the WRRF and County trunk sewer have sufficient capacity to accommodate the return of these parcels to the County sewer district. Based on the small size of the parcels and local zoning, minimal additional development may occur that would contribute any significant increases in sewage.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Marian Pompa, Director of Maintenance
C.J. Gelardo, Associate Engineer
Jeffrey Goldman, Senior Assistant County Attorney
Claudia Maxwell, Associate Environmental Planner

RESOLUTION

NUMBER 141-22

(RE: RE - AUTHORIZE REQUEST OF BRUNO and ANGELA MAIDA TO HAVE TOWN PARCEL REINSTATED INTO THE PEEKSKILL SANITARY SEWER DISTRICT AND BE FORWARDED TO WESTCHESTER COUNTY FOR CONSIDERATION)

WHEREAS, by letter dated February 7, 2005 and received by the Town Board of the Town of Cortlandt at the Town Board Meeting held February 15, 2005, Bruno and Angela Maida, as the owners of a Town of Cortlandt parcel located at 1201 Oregon Road, have requested the Town of Cortlandt petition the County of Westchester to have said property be re-instated into the Peekskill Sanitary Sewer District; said property is designated as follows:

Section 13.9, Block 3, Lots
Owner: Bruno and Angela Maida

WHEREAS, the original request was transmitted by the Town to Westchester County for processing on May 5, 2005 and thereafter the parcel request for reinstatement into the Peekskill Sanitary Sewer District appears to have lapsed.

WHEREAS, the owners of the parcel, Bruno and Angela Maida were made aware of the lapse in reinstatement of the parcel in 2022 and asked that the information for reinstatement be transmitted to Westchester County again. Subsequent to the new request, the County has asked for an updated resolution with regard to the request for reinstatement of the parcel.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt, on behalf of the above mentioned resident in the Town of Cortlandt, does hereby petition the County of Westchester to include said parcel designated above be reinstated into the Peekskill Sanitary Sewer District.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROU SHATZKIN
Town Clerk**

**Adopted April 19, 2022
At a Regular Meeting
Held at the Town Hall**

Certified Copy
4/22/2022 Date
Larou Shatzkin
Registrar

RESOLUTION

NUMBER 137-21

(RE: AUTHORIZE REQUEST TO HAVE A PARCEL LOCATED WITHIN THE TOWN INCLUDED IN THE PEEKSKILL SANITARY SEWER DISTRICT AND FORWARD SAME TO WESTCHESTER COUNTY FOR CONSIDERATION)

WHEREAS, by letter dated April 1, 2021 from Adalberto Aguilar and Joe Bellamy, Owner and Contract Vendee of Section 13.10, Block 01, Lot 62 property described below was received by the Town Board of the Town of Cortlandt at the Town Board Meeting held May 11, 2021 for a parcel located at East Hill Road, Cortlandt Manor, New York 10567; and

WHEREAS, the owner(s) has requested the Town of Cortlandt petition the County of Westchester to have said property included into the Peekskill Sanitary Sewer District; said property is designated as follows:

Section 13.10 Block 01, Lot 62
East Hill Road
Cortlandt Manor, NY 10567

Owner: Adalberto Aguilar
Contract Vendee: Joe Bellamy

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cortlandt, on behalf of the above-mentioned owner and contract vendee in the Town of Cortlandt, does hereby petition the County of Westchester to include said parcel designated above into the Peekskill Sanitary Sewer District.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF CORTLANDT
LAROE ROSE SHATZKIN
TOWN CLERK**

**Adopted May 11, 2021
At a Regular Meeting
Held via Zoom**

Certified Copy
06/09/2021 Date
JR Shatzkin
Town Clerk and Registrar

COUNTY OF WESTCHESTER
DEPARTMENT OF ENVIRONMENTAL FACILITIES

July 14, 2022

FEASIBILITY REPORT
IN THE MATTER OF

THE ENLARGEMENT FOR CERTAIN PROPERTIES

IN THE

PEEKSKILL SANITARY SEWER DISTRICT

TOWN OF CORTLANDT

MP

Nat. J. Federini (for)
Vincent F. Kopicki, P.E.
Commissioner
Environmental Facilities

The Town of Cortlandt has petitioned that two (2) properties currently not included in the Peekskill Sanitary Sewer District be added to the Peekskill Sanitary Sewer District.

A. The identification of the two properties not currently within the boundaries of the Peekskill Sanitary Sewer District and to be added is contained in the attached Resolution prepared by the Town Clerk, Town of Cortlandt. Said parcels are not currently in any County Sanitary Sewer District having been removed from the Peekskill Sewer District in 1998 for the 1999 tax year. The properties are known as 1201 Oregon Road, designated as Section 13.9, Block 3, Lot 5 and East Hill Road, Section 13.10, Block 1, Lot 62.

B. EFFECT ON SEWER DISTRICT TAX RATE:

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 2022 tax levy pertinent to the subject property:

Full Value of District

<u>CITIES/TOWNS</u>	<u>ASSESSED VALUE</u>	<u>EQ. PERCENT</u>	<u>FULL VALUE</u>
Cortlandt	\$ 13,831,506	1.50%	\$ 922,100,400
Peekskill	122,213,638	2.86	4,273,204,126
Somers	31,841,110	11.85	268,701,350
Yorktown	53,357,413	2.12	2,516,859,104
Total			\$7,980,864,980

(Town of Cortlandt) Total Value of the property to be added	+ <u>1,151,667</u>
----------------------------------------------------------------	--------------------

Total Full Value of District as Amended:	\$7,982,016,647
------------------------------------------	-----------------

* represents a 0.0144% increase in the FEV of the District

C. The Surcharge Calculation for the property 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., 2022 Rolls

D = District f.e.v., 2022 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, for the period 1999 through 2021.

Then:
$$e = \frac{A}{D+A} \times E$$

$$e = \frac{1,151,667}{7,980,864,980 + 1,151,667} \times 25,530,247$$

$$e = \frac{1,151,667}{7,982,016,647} \times 25,530,247$$

$$e = .000144283 \times \$25,530,247$$

$$e = \$3,683.57 \text{ (rounded to } \$3,600.00 \text{)}$$

and: in each of 10 annual installments, a total surcharge of \$360.00 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 Town of Cortlandt.
2. The facilities necessary to connect the properties to County facilities (i.e. Gravity Sewers) will be constructed at the total expense of the Town of Cortlandt.
3. Maintenance of the completed facilities will be the responsibility of the Town of Cortlandt but not the Peekskill Sanitary Sewer District.
4. The Peekskill Water Resource Recovery Facility has a design flow of 10 MGD and the present average daily flow is 6.5 MGD. The average daily flow the parcels will generate is 1,550 gallons per day. The Facility and the County Trunk Sewer have sufficient capacity to accommodate this property.
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.

The two (2) properties in the Town of Cortlandt to be returned to the Peekskill SSD are as follows:

<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Annual Surcharge</u>
13.9	3	5	1201 Oregon Road	\$177
13.10	1	62	East Hill Road	\$183

Total annual surcharge for two (2) properties for 10 years \$360

RESOLUTION NO. – 2022

RESOLVED, that this Board hold a public hearing on the proposed modification to the Peekskill Sanitary Sewer District by the addition of two (2) parcels of property located in the Town of Cortlandt more particularly described as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62, pursuant to Section 237.131 of the Laws of Westchester County. The public hearing will be held at _____ m. on the _____ day of _____, 2022 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 TWO (2) PARCELS OF PROPERTY LOCATED IN THE TOWN OF CORTLANDT; NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF LEGISLATORS OF WESTCHESTER COUNTY ON THE DAY OF _____, 2022 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 ADDITION TO THE PEEKSKILL SANITARY SEWER DISTRICT OF LAND IN THE TOWN OF CORTLANDT IN ACCORDANCE WITH THE FEASIBILITY REPORT OF THE COMMISSIONER OF ENVIRONMENTAL FACILITIES, DATED JULY 14, 2022, OF THE PARCELS AS LISTED BELOW BY STREET ADDRESS AND TAX MAP DESIGNATION:

1201 OREGON ROAD, SECTION 13.9, BLOCK 3, LOT 5

EAST HILL ROAD, SECTION 13.10, BLOCK 1, LOT 62

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.

CLERK OF THE COUNTY
BOARD OF LEGISLATORS
WESTCHESTER COUNTY, NEW YORK

Dated: _____, 2022
White Plains, New York

AN ACT to Modify the Peekskill Sanitary Sewer District by the Addition of Two (2) parcels of Property Located in the Town of Cortlandt.

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

Section 1. The properties known and designated as 1201 Oregon Road, Section 13.9, Block 3, Lot 5; and East Hill Road, Section 13.10, Block 1, Lot 62 (the “Returning Parcels”) on the assessment map of the Town of Cortlandt are 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 Returning Parcels the aggregate sum of Three Thousand Six Hundred Dollars (\$3,600.00), which amount shall be payable in ten equal annual installments of Three Hundred Sixty Dollars (\$360.00), and shall be credited to the remaining portion of the District.


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

§ 5. This Act shall take effect immediately.

September 9, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: RES – Public Hearing –
WD104 – Shaft 22 & Kensico Dam Performance Maintenance.

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 12, 2022 Agenda.

Transmitted herewith for your review and approval is a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (“County”) to proceed with a public hearing for Capital Project WD104.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 12, 2022 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

September 9, 2022

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 Resolution which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to proceed with a public hearing for Capital Project WD104 – Shaft 22 & Kensico Dam Performance Maintenance ("WD104" or "Project"), for the benefit of County Water District No. 1 ("District").

On September 20, 2021, by Act Nos. 147-2021, 148-2021, 149-2021, and Resolution No. 140-2021, your Honorable Board authorized WD104, subject to the approval of the New York State Comptroller pursuant to Article 5-A of the New York County Law.

I have been informed by the Department of Environmental Facilities that a new public hearing is required for WD104. A calculation contained in the original Public Hearing Notice was incorrect. The "weighted average cost" to the typical property of the District was calculated at \$3.41 and should have been \$3.81.

In this regard, a proposed Resolution authorizing a legal notice for the necessary public hearing is attached hereto ("Public Hearing Resolution") which sets a date for a public hearing and annexes a copy of the notice to be published ("Notice"), as well as directing the Clerk of your Honorable Board to publish said Notice.

The Department of Planning ("Planning") has advised that the proposed action does not meet the definition of an action under the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. No environmental review is required. Please refer to the memorandum issued by Planning dated January 14, 2022, which is on file with the Clerk of your Honorable Board.

I respectfully recommend that your Honorable Board adopt the annexed Public Hearing Resolution to authorize a new public hearing for WD104.

Very truly yours,

A handwritten signature in blue ink, appearing to read "George Latimer". The signature is fluid and cursive, with a large initial "G".

George Latimer
County Executive

GL/VK/LAC
Attachment

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

Your Committee is in receipt of a communication from the County Executive recommending the approval of a Resolution which, if approved by your Honorable Board, would authorize the County of Westchester (“County”) to proceed with a public hearing for Capital Project WD104 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104” or “Project”), for the benefit of County Water District No. 1 (“District”).

Your Honorable Board will recall that, on September 20, 2021, by Act Nos. 147-2021, 148-2021, 149-2021, and Resolution No. 140-2021, your Honorable Board authorized WD104, subject to the approval of the New York State Comptroller, pursuant to Article 5-A of the New York County Law.

Your Committee has been informed by the Department of Environmental Facilities that a new public hearing is required for WD104. A calculation contained in the original Public Hearing Notice was incorrect. The “weighted average cost” to the typical District property was calculated at \$3.41 and should have been \$3.81.

In this regard, a proposed Resolution authorizing a legal notice for the necessary public hearing is attached hereto (“Public Hearing Resolution”) which sets a date for a public hearing and annexes a copy of the notice to be published (“Notice”), as well as directing the Clerk of your Honorable Board to publish said Notice.

The Department of Planning (“Planning”) has advised that the proposed action does not meet the definition of an action under the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. No environmental review is required. Please refer to the memorandum issued by Planning dated January 14, 2022, which is on file with the Clerk of your Honorable Board. Your Committee concurs with this conclusion.

Please note that an affirmative vote of the members of your Honorable Board is required in order to adopt the Public Hearing Resolution.

Your Committee has carefully considered this matter, and based on its importance, it is recommended that your Honorable Board adopt the Public Hearing Resolution.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON:
c/lac/8/31/22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WD104

☒ 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

Public Hearing

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal

PPU

Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest):

Total Debt Service (Annual Cost x Term):

\$ -

Finance Department:

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☐ Consultant

☐ Not Applicable

Prepared by: Lorraine Marzola

Title: Assoc Budget Director

Department: Budget

Date: 9/7/22

Reviewed By: 

Budget Director

Date: 9/7/22

RESOLUTION NO. ____ – 2022

WHEREAS, the Westchester County Board of Supervisors, now known as the Westchester County Board of Legislators (“Board”) duly established County Water District No. 1 (“District”) in 1964 pursuant to Article 5-A of the New York State County Law (“Article 5-A”) by Act No. 29-1964; and

WHEREAS, the District is comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale; and

WHEREAS, the District includes four zones of assessment as follows: White Plains 30%; Mount Vernon 28%; Yonkers 24% and Scarsdale 18%, noting that said zones of assessment relate to the apportionment of District costs; and

WHEREAS, the Department of Environmental Facilities (“Department”) recommended capital project: WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104” or “Capital Project”), which represents an increase and improvement of District facilities that is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities; and

WHEREAS, on September 20, 2021, by Act Nos. 147-2021, 148-2021, 149-2021, and Resolution No. 150, this Board authorized WD104, subject to the approval of the New York State Comptroller; and

WHEREAS, the Department has advised that the Public Hearing Notice that was published in accordance with Article 5-A of the New York County Law, calculated the “average weighted cost” to the typical property of the District at \$3.41 and should have been \$3.81, therefore requiring a new public hearing; and

WHEREAS, in accordance with Article 5-A, this Board is required to schedule a new 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; 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 _____, 2022 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 Water District No. 1, comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale ("District") are hereby notified that legislation was passed by the Westchester County Board of Legislators ("Board"), subject to the approval of the New York State Office of the Comptroller, to carry out the following proposed capital project WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance ("WD104") ("Capital Project"), which is a proposed increase, addition and improvement of District facilities that is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities, as more fully set forth herein and in the District Report dated July 1, 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 District includes four zones of assessment and apportioned as follows: City of Mount Vernon: 28%, City of Yonkers: 24%, City of White Plains: 30% and Village of Scarsdale: 18%.

The legislation was passed by the Board on September 20, 2021 by Act Nos. 147-2021, 148-2021, Bond Act 149-2021 for the issuance of up to \$2,000,000 in additional bonds of the County, and Resolution No. 150-2021, subject to the approval of the New York State Office of the Comptroller, after a public hearing duly held on September 20, 2021, pursuant to Article 5-A of the New York County Law. A Notice of Public Hearing was published prior to the public hearing on September 10, 2021. Subsequently, it was determined that in the Notice of Public Hearing, the average weighted cost to the typical District property in the first year, resulting from the proposed increase, addition and improvement of existing District facilities, was incorrectly stated as approximately \$3.41, when it should have been \$3.81, as stated below. Therefore, the Board is issuing this new Notice of Public Hearing to give notice to property owners in the District that there will be a second public hearing as detailed below. The aforesaid Acts and Resolution are available for review from the Office of the Commissioner of the Westchester County Department of Environmental Facilities and on the website for the Board at <https://westchesterlegislators.com>.

The issuance of bonds, if approved by the New York State Office of the Comptroller, would finance the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

The County is currently seeking authorization from the New York State Office of the Comptroller authorizing the County to issue additional bonds of the County in an amount up to \$2,000,000, noting the estimated maximum cost of the Capital Project is \$6,000,000, including \$500,000 in previously authorized bonds of the County. The issuance of up to \$6,000,000 in bonds of the County

for the Project equates to an estimated highest single year debt service payment of \$271,180. The average weighted cost to the typical District property, resulting from the proposed increase, addition and improvement of existing District facilities in the first year, is approximately \$3.81. The increase in cost, based on the typical assessed value of the typical property in each zone of assessment is as follows: City of Mount Vernon: \$4.53, City of Yonkers: \$1.25, City of White Plains: \$3.31, and Village of Scarsdale: \$6.94.

Notice is hereby given that a public hearing will be held by the Board of Legislators of Westchester County on the ____ day of _____, 2022 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: _____, 2022
White Plains, New York

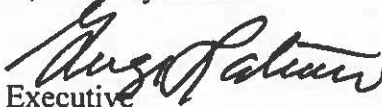
Clerk and Chief Administrative Officer of the County
Board of Legislators Westchester County, New York

Memorandum

Office of the County Executive
Michaelian Office Building

September 9, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: ACT & RES – DASNY
Project – Woodfield Cottage.

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 12, 2022 Agenda.

Transmitted herewith for your review and approval are an Act authorizing an amendment of the 2022 County Operating Budget in the amount of \$5,000,000.00 and a Resolution declaring the County of Westchester's ("County") intent to make expenditures as set forth herein.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 12, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

September 9, 2022

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 are an Act authorizing an amendment of the 2022 County Operating Budget in the amount of \$5,000,000.00 and a Resolution declaring the County of Westchester's ("County") intent to make expenditures as set forth herein.

The attached Act contains an increase of \$5,000,000.00 in appropriations in the Probation Department's operating budget and the Miscellaneous Budget. Pursuant to Section 167.121 of the Laws of Westchester County, this Act requires authorization by the Board of Legislators.

The County desires to have the Dormitory of the State of New York ("DASNY") design and construct a new Specialized Secure Detention area (the "Project") at the site of the Woodfield Cottage Youth Facility located at 20 Hammond House Road, Valhalla, New York ("Woodfield Cottage"). DASNY is authorized by New York State law to manage and/or undertake the design, construction, reconstruction and/or rehabilitation of certain detention facilities certified by the New York State Office of Children and Family Services ("OCFS"). Woodfield Cottage is a facility certified by OCFS.

The County expects to finance the Project on a long-term basis with proceeds of tax-exempt bonds issued by DASNY to be addressed under separate agreements which are not the subject of this legislation. DASNY anticipates that it will issue these bonds sometime next year. In order to facilitate the commencement of the Project's design and construction, the proposed Act is necessary to enable the County to cover up to Five Million (\$5,000,000.00) Dollars of the initial costs of the Project which will be incurred prior to the receipt of the proceeds of the DASNY bonds. Upon issuance of the bonds, DASNY will reimburse the County for any operating funds advanced for the Project.

In order to enable DASNY to proceed with commencement of the Project, DASNY requires the proposed Resolution declaring the County's intent under the United States Treasury Regulations to reimburse such expenditures from the County's operating funds with the proceeds of the DASNY bonds.

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

The proposed Act and Resolution do not meet the definition of an action under the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Based on the importance of this project to the County, approval of the proposed Operating Budget Amendment and Resolution is respectfully requested.

Sincerely,

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

George Latimer
County Executive

**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 authorizing an amendment of the 2022 County Operating Budget in the amount of \$5,000,000.00 and a Resolution declaring the County of Westchester's ("County") intent to make expenditures as set forth herein.

The attached Act contains an increase of \$5,000,000.00 in appropriations in the Probation Department's operating budget and the Miscellaneous Budget. Pursuant to Section 167.121 of the Laws of Westchester County, this Act requires authorization by the Board of Legislators.

The County desires to have the Dormitory of the State of New York ("DASNY") design and construct a new Specialized Secure Detention area (the "Project") at the site of the Woodfield Cottage Youth Facility located at 20 Hammond House Road, Valhalla, New York ("Woodfield Cottage"). DASNY is authorized by New York State law to manage and/or undertake the design, construction, reconstruction and/or rehabilitation of certain detention facilities certified by the New York State Office of Children and Family Services ("OCFS"). Woodfield Cottage is a facility certified by OCFS.

The County expects to finance the Project on a long-term basis with proceeds of tax-exempt bonds issued by DASNY to be addressed under separate agreements which are not the subject of this legislation. DASNY anticipates that it will issue these bonds sometime next year. In order to facilitate the commencement of the Project's design and construction, the proposed Act is necessary to enable the County to cover up to Five Million (\$5,000,000.00) Dollars of the initial costs of the Project which will be incurred prior to the receipt of the proceeds of the DASNY bonds. Upon issuance of the bonds, DASNY will reimburse the County for any operating funds advanced for the Project.

In order to enable DASNY to proceed with commencement of the Project, DASNY requires the proposed Resolution declaring the County's intent under the United States Treasury Regulations to reimburse such expenditures from the County's operating funds with the proceeds of the DASNY bonds.

FISCAL IMPACT STATEMENT

SUBJECT: Woodfield Cottage

☐ 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 \$ 5,000,000

Total Current Year Revenue \$ 5,000,000

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

☒ Additional Appropriations

☐ Other (explain)

Identify Accounts: 101-39-1000-4310 (Non-Recurring Repairs)

101-52-1000-9032 (Sales and Use Tax)

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount _____

Describe: _____

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

Current Year: _____

Next Four Years: _____

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: August 24, 2022

Reviewed By: 

Budget Director

Date: 8/24/22

ACT _____ 2022

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

SECTION 1. The 2022 County Operating Budget shall be amended as follows:

EXPENDITURES:

Probation (39)

Non-Recurring Repairs (101-39-1000-4310)	+	5,000,000
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REVENUES:

Miscellaneous Budgets (52)

Sales and Use Tax (101-52-1000-9032)	+	5,000,000
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SECTION 2. This ACT shall take effect immediately.

RESOLUTION ____-2022

**RESOLUTION DECLARING OFFICIAL INTENT
TO REIMBURSE EXPENDITURES
FROM PROCEEDS OF BORROWING**

WHEREAS the County of Westchester, New York (the “County”) plans to undertake the design and construction and equipping of a detention facility certified by the office of children and family services or by such office in conjunction with the state commission of correction or a residential facility licensed by the office of children and family services, all or in part pursuant to the New York State Raise the Age Legislation (the “Project”); and

WHEREAS, the County expects to finance the Project on a long-term basis with the proceeds of tax-exempt bonds (the “Bonds”) issued by the Dormitory Authority of the State of New York (“DASNY”); and

WHEREAS, the County must provide interim financing to cover a portion of the initial costs of the Project which will be incurred prior to receipt of the proceeds of the Bonds because the Bonds will not be issued by DASNY until mid to late Spring 2023; and

WHEREAS, it is necessary, desirable, and in the best interests of the County to advance moneys from its operating funds on an interim basis to pay a portion of the initial costs of the Project until the Bonds are issued, at which time Bond proceeds will be used to reimburse the County for operating funds advanced for the Project; and

WHEREAS, the United States Treasury Regulations Section 1.150-2 (the “Reimbursement Regulations”) prescribe conditions under which the proceeds of bonds, notes or other obligations may be used to reimburse advances made for capital expenditures paid before the issuance of such bonds, notes or other obligations to meet the requirements of Section 103 and 141-150 of the Internal Revenue Code of 1986, as amended.

NOW, THEREFORE, BE IT RESOLVED by the Board of Legislators of the County, that:

Section 1. Expenditure of Funds. The County intends to make expenditures as needed from its operating funds to pay a portion of the initial costs of the Project, not to exceed Five Million (\$5,000,000.00) Dollars, until Bond proceeds become available.


Section 2. Declaration of Official Intent. The County hereby officially declares its intent under the Reimbursement Regulations to reimburse such expenditures, originally paid from the County’s operating funds, with proceeds of the Bonds, the principal amount of which is estimated to be an amount not to exceed \$5,000,000.00.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the County pursuant to its budget or financial policies.

Section 4. Effective Date. This Resolution shall take effect immediately.

September 9, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: ACT – WCHCC –
Medical Surveillance Program.

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators September 12, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted by your Honorable Board, would authorize the County to enter into an agreement with the Westchester County Health Care Corporation to provide a medical surveillance program.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 12, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 9, 2022

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

Honorable Members:

Transmitted herewith for your review and approval is an Act authorizing the County of Westchester ("County"), acting by and through the Department of Health ("Department"), to enter into an agreement with the Westchester County Health Care Corporation ("WCHCC"), pursuant to the Occupational Safety and Health Act of 1970 ("OSHA") and 29 CFR 1910.120, to provide a medical surveillance program for certain employees in the Department's Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards for a five-year term commencing January 1, 2022 and expiring December 31, 2026.

The proposed agreement represents the continuation of a contractual relationship between the County and the WCHCC, noting that the prior agreement expired on December 31, 2021. The Department has advised that the County and WCHCC have been engaged in negotiations to finalize the terms of the proposed new agreement. Authority is requested to continue the medical surveillance program for certain employees in the Department's Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards. For the term of the proposed agreement the County will pay WCHCC at the rates set forth in Schedule "A," attached to the Act submitted herewith. The total aggregate amount to be paid by the County to WCHCC pursuant to this agreement will not exceed One Hundred Ten Thousand (\$110,000.00) Dollars.

As your Honorable Board may recall, Section 3307(4) of the New York Public Authorities Law requires the approval of the Board of Legislators and Board of Acquisition and Contract for this agreement.

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 agreement does not meet the definition of an "action" and therefore, no further environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

The Commissioner of the Department of Health has approved the material terms of this agreement and determined that the amounts to be paid are fair and reasonable. Based upon the foregoing, I recommend your favorable action on the proposed Act.

Sincerely,



George Latimer
County Executive

GL/DC/DI
attachments

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

Your Committee is in receipt of a communication from the County Executive requesting that your Honorable Board authorize the County of Westchester (the “County”), acting by and through its Department of Health (the “Department”) to enter into an agreement with the Westchester County Health Care Corporation (“WCHCC”) pursuant to the Occupational Safety and Health Act of 1970 (“OSHA”) and 29 CFR 1910.120, to establish a medical surveillance program for certain employees in the Department’s Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards (the “Agreement”). The Agreement commences on January 1, 2022 and will expire on December 31, 2026. The County will pay WCHCC a not to exceed amount of One Hundred Ten Thousand (\$110,000.00) Dollars, payable at the rates set forth in Schedule "A," attached to the Act submitted herewith. The current agreement for these services expired on December 31, 2021.

Your Committee has been advised that Section 3307(4) of the New York Public Authorities Law requires the approval of your Honorable Board and the Board of Acquisition and Contract for this Agreement.

As you know, approval of the Board of Legislators must be by an affirmative vote of not less than a majority of the voting strength of the Board.

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 Agreement 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 pursuant to SEQRA. Your Committee concurs in this conclusion. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee has carefully considered and recommends approval of the proposed Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

C:DI 8/26/22

FISCAL IMPACT STATEMENT

SUBJECT: WCHCC - OSHA Mandated Medical Mo ☐ 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 \$ 22,000

Total Current Year Revenue \$ 7,920

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

Identify Accounts: Fund: 101 Dept: 27 Unit: 0010 Subunit: 8740 Object/Subobject: 4380-52

Potential Related Operating Budget Expenses: Annual Amount \$22,000 (FY 2022)

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$7,920 (FY 2022)

Describe: State Aid

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

Current Year: Starting FY 2022, anticipated expenditures of \$22,000/year w/ anticipated State
Aid revenue of \$7,920 (State Aid revenue 36% per year)

Next Four Years: For FY 2023, anticipated expenditures of \$22,000/year w/ anticipated State
Aid revenue of \$7,920 (State Aid revenue 36% per year)

For FY 2024; 2025; 2026, anticipated expenditures of \$22,000/each FY w/ anticipated State
Aid revenue of \$7,920 each FY (State Aid revenue 36% per year) respectively

Prepared by: Joseph Mathews 

Title: Director of Fiscal Operations

Department: Health

Date: _____

Reviewed By: 

Budget Director

Date: 9/9/22

ACT NO. __- 2022

An Act authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for the term commencing January 1, 2022 through December 31, 2026, to provide medical examinations and monitoring services for the employees of the Department of Health's Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards.

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

Section 1. The County of Westchester ("County"), acting by and through its Department of Health (the "Department"), is hereby authorized to enter into an agreement with the Westchester County Health Care Corporation ("WCHCC") pursuant to the Occupational Safety and Health Act of 1970 ("OSHA") and 29 CFR 1910.120, to establish a medical surveillance program for certain employees in the Department's Occupational and Environmental Health Unit who may be exposed to hazardous substances or health hazards (the "Agreement").

§2. The Agreement is for the term commencing January 1, 2022 through December 31, 2026 in an amount not to exceed One Hundred Ten Thousand (\$110,000.00) Dollars, payable by the County to WHCC at the rates set forth in Schedule "A" attached hereto.

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

§4. This Act shall take effect immediately.

**SCHEDULE A
OCCUPATIONAL HEALTH CENTER
SCHEDULE OF SERVICES AND FEES**

SERVICE	COST	CODE	Check Services
PHYSICAL EXAM & HISTORY	\$100.00	PE 1	
DOT EXAMINATION AND HISTORY	\$115.00	PE-2	
PRE-PLACEMENT ASSESSMENT: HISTORY, PHYSICAL, CBC, SMAC, US (DIPSTICK) LAB REVIEW AND REFERRAL AS INDICATED	\$150.00	PE-3	
PRE-PLACEMENT ASSESSMENT: HISTORY, PHYSICAL, CBC, SMAC, US (DIPSTICK) LAB REVIEW AND REFERRAL AS INDICATED, ALSO, HBsAb, HBsAg, RUBELLA, VARICELLA, MUMPS, RUBEOLA TITERS, PPD, PLACEMENT/INTERPRETATION, LAB REVIEW AND REFERRAL AS INDICATED	\$310.00	PE-4	
PRE-PLACEMENT ASSESSMENT DAY 2	N/C	PE - C	
ANNUAL HEALTH ASSESSMENT: CBC, SMAC, UA (DIPSTICK), PPD PLACEMENT/ INTERPRETATION LAB REVIEW AND REFERRAL AS INDICATED	\$175.00	AA-1	
ANNUAL HEALTH ASSESSMENT: PPD, PLACEMENT/INTERPRETATION LAB REVIEW AND REFERRAL AS INDICATED	\$100.00	AA-2	
ANNUAL HEALTH ASSESSMENT DAY 2	N/C	AA - C	
EXECUTIVE PHYSICAL/HISTORY AND HEALTH RISK APPRAISAL	\$350.00	PE-5	
ASBESTOS QUESTIONNAIRE PHYSICAL EXAM & HISTORY	\$125.00	PE-6	
PPD, PLACEMENT/INTERPRETATION	\$26.00	VA-1	
CHEST X-RAY PA & LATERAL B READER	\$300.00	FV-1	
CHEST X-RAY PA & LATERAL	\$105.00	FV-2	
QUANTIFERON	\$85.00	VA-19	
HBV: HBsAg/HBsAb BEFORE SERIES (3) HBsAb AFTER SERIES (1) (2) (3)	\$285.00	VA-2	
HBV: SERIES (3) HBsAb AFTER SERIES (1) (2) (3)	\$200.00	VA-3	
HBV: BOOSTER SERIES (3) HBsAb AFTER SERIES (1) (2) (3)	\$200.00	VA-4	
HBV: ONE INJECTION	\$65.00	VA-19	
SARS-CoV-2 (COVID-19) Diagnostic PCR Test	\$75.00	LA-42	
SARS-CoV-2 (COVID-19) Antibody Test	\$75.00	LA-43	
SARS-CoV-2 (COVID-19) Diagnostic NAAT Test	\$100.00	LA-44	
AUDIOMETRIC HEARING TEST	\$50.00	FV-3	
AUDIOMETRIC HEARING TEST WITH PE OR AHA	\$35.00	FV-4	
VISION SCREEN	\$35.00	FV-5	

SCHEDULE A (CONTINUED)

SERVICE	COST	CODE	Check Services
VISION SCREEN WITH PE OR AHA	\$30.00	FV-6	
PULMONARY FUNCTION TEST (SPIROMETRY)	\$50.00	FV-7	
*** FIT TESTING (RESPIRATORS) (including related required medical clearance services)	\$47.00	FV-8	
REVIEW OF OSHA RESPIRATOR QUESTIONNAIRE	\$25.00	FV-9	
RABIES SERIES (3 VACCINES) PRE-EXPOSURE PROPHYLAXIS, QUESTIONNAIRE, COUNSELING	\$525.00	VA-5	
RABIES VACCINE BOOSTER: POST EXPOSURE PROPHYLAXIS, QUESTIONNAIRE, COUNSELING	\$210.00	VA-5	
SERUM LEAD	\$25.00	LA-1	
ZINC PROTOPORPHYRIN (ZPP)	\$35.00	LA-2	
URINE MERCURY (100 cc COLLECTED) WORKDAY	\$60.00	LA-3	
BLOOD MERCURY (ACUTE EXPOSURE)	\$125.00	LA-4	
HEAVY METALS (24 HR URINE)	\$325.00	LA-5	
RANDOM URINE HEAVY METALS	\$120.00	LA-6	
ELECTROCARDIOGRAM	\$45.00	FV-9	
EKG STRESS TEST	\$210.00	FV-10	
RADIOLOGY OTHER	VARY	FV-11	
INFLUENZA (FLU) VACCINE	\$39.00	VA-7	
IMMUNE GLOBULIN VACCINE	\$165.00	VA-8	
MENINGOCOCCAL VACCINE	\$100.00	VA-9	
MMR VACCINE	\$107.00	VA-10	
MUMPS VACCINE	\$45.00	VA-11	
PNEUMOCOCCAL VACCINE	\$45.00	VA-12	
RUBELLA VACCINE	\$33.00	VA-13	
RUBEOLA (PER INJECTION)	\$35.00	VA-14	
TETANUS DIPHTHERIA	\$35.00	VA-15	
HEPATITIS A (PER INJECTION)	\$135.00	VA-16	
VARICELLA (CHICKEN POX) (PER INJECTION)	\$162.00	VA-17	
HEPATITIS IMMUNE GLOBULIN (PER INJECTION)	\$376.00	VA-18	
BBFEXP-1 NELFANIVIR + LAMIV + ZIDOV (PER DAY)	\$37.84	BE-1	
BBFEXP-2 TENOFOVIR + LAMIV + ZIDOV (PER DAY)	\$29.56	BE-2	
BBFEXP-3 TENOFOVIR + COMBIVIER (PER DAY)	\$29.72	BE-3	
Miscellaneous Training, Education and Assessment (PER HOUR)	\$130.00	ED-1	

*** For any Customer Personnel being fit tested, the following shall apply:

1. OHC shall perform medical clearance services prior to fit testing.
2. Customer must provide a NIOSH-approved N-95 respirator for each Customer Personnel being fit tested. OHC will not fit test to a non-NIOSH-approved N-95 respirator. Customer Personnel will be fit tested for the specific mask (make and model) that is utilized during the fit testing encounter.

SCHEDULE A (CONTINUED)

SERVICE	COST	CODE	Check Services
WORKER COMPENSATION: IF NOT COVERED BY CARRIER EMPLOYER RESPONSIBLE	CHARGES VARY	WC	
SMAC 20	\$40.00	LA-7	
CBC	\$25.00	LA-8	
LIPID PROFILE (LDL, HDL, CHOL.)	\$62.00	LA-9	
SMAC with LIPID PROFILE (LDL, HDL, CHOL.)	\$70.00	LA-10	
HBsAb Titre	\$77.00	LA-11	
HBsAg Titre	\$77.00	LA-12	
HBeAg Titre	\$58.00	LA-37	
HBeAb Titre	\$58.00	LA-38	
HCVAb Titre	\$80.00	LA-13	
HEMOCCULT (each)	\$10.00	LA-14	
PROSTATE SPECIFIC ANTIGEN (PSA)	\$50.00	LA-15	
RUBELLA (GERMAN MEASLES)	\$45.00	LA-16	
RUBEOLA (MEASLES)	\$45.00	LA-17	
VARICELLA (CHICKEN POX)	\$50.00	LA-18	
MUMPS	\$55.00	LA-39	
MMRV TITER	\$110.00	LA-41	
HEPATITIS A	\$50.00	LA-40	
T3	\$36.00	LA-19	
T4	\$36.00	LA-20	
T3, T4, TSH	\$90.00	LA-21	
TRIGLYCERIDE	\$28.00	LA-22	
TSH	\$39.00	LA-23	
URINE DIPSTICK	\$20.00	LA-24	
URINALYSIS	\$25.00	LA-25	
URINALYSIS WITH MICROSCOPIC	\$28.00	LA-26	
URINE DRUG SCREEN (DOT - NON-DOT) 5 PANEL WITH MRO REVIEW	\$72.00	LA-27	
URINE DRUG SCREEN (DOT - NON-DOT) 10 PANEL WITH MRO REVIEW	\$90.00	LA-28	
WHOLE BLOOD PERCHLORELHYLENE	\$103.00	LA-30	
VDRL	\$30.00	LA-32	
THROAT C & S	\$39.00	LA-33	
STOOL OVA & PARASITES	\$40.00	LA-34	
STOOL C & S	\$40.00	LA-35	
URINE C & S	\$39.00	LA-36	
OFF-DUTY EVALUATION	\$100.00	FV-12	
RETURN TO WORK EVALUATION	\$100.00	FV-13	
CHART REVIEW	\$50.00	FV-14	
DUPLICATING: COST PER SHEET	\$0.75	FC-1	

SCHEDULE A (CONTINUED)

FORM COMPLETION (FC) INSURANCE COMPANIES	\$100.00	FC-2	
FC LAWYERS	\$100.00	FC-3	
FC COURT	\$100.00	FC-4	
FC SCHOOL	\$50.00	FC-5	
FC WORK	\$50.00	FC-6	
CHART OFFSITE STORAGE RETRIEVAL (PER CHART)	\$25.00	FC-7	
CHART STORAGE ONSITE (FOR INACTIVE EMPLOYEES) (PER CHART/PER YEAR)	\$5.00	FC-8	
FAXED FORMS: EMERGENCIES ONLY (ADDITIONAL CHARGE)	\$2.00	FC-9	
Minimal (10 – 20 minutes)	\$66.56	PE-5	
Focused (20 – 30 minutes)	\$89.44	PE-6	
Expanded (30 – 45 minutes)	\$140.40	PE-7	
Comprehensive (45- 60 minutes)	\$168.48	PE-8	
Complex (1 hour – 1 hour and 30 minutes)	\$224.64	PE-9	
Data Entry	\$25/hr		
OFFSITE SERVICES: \$75.00 per hour per clinical personnel 7:30 am to 5:00 pm Monday through Friday (in addition to cost for respective service)	\$75.00/hr	PE-10	
OFFSITE SERVICES: \$125.00 per hour per clinical personnel 3:01 pm to 7:29 am Monday through Friday (in addition to cost for service)	\$125.00/hr	PE 11	

THIS AGREEMENT, made the ____ day of _____, 2022 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

WESTCHESTER COUNTY HEALTH CARE CORPORATION, a public benefit corporation of the State of New York, having an office and principal place of business at Executive Offices, Taylor Care Center, C-2, Valhalla, NY 10595,

(hereinafter referred to as the "Corporation")

WITNESSETH:

WHEREAS, the County, acting by and through its Department of Health ("Department"), pursuant to the Occupational Safety and Health Act of 1970 ("OSHA"), and more specifically defined in 29 CFR 1910.120(f)(2)(i)-(iv), is required to establish a medical surveillance program for the employees of the Department's Occupational and Environmental Health Unit, who may be exposed to hazardous substances or health hazards; and

WHEREAS, on _____, 2022 the Westchester County Board of Legislators adopted Act No. 2022-_____ authorizing the County to enter into an agreement with the Corporation for the above mentioned services; and

WHEREAS, the County desires to enter into an Agreement to provide medical surveillance services for the Department's employees; and

WHEREAS, the Corporation desires to provide such services to the County for the compensation and on the terms herein provided.

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

FIRST: The Corporation shall furnish medical monitoring and services including annual baseline physical examinations, follow-up examinations and other testing as may be required and as more fully described in Schedule "A" which is attached hereto and made a part hereof. The Corporation shall furnish the medical services identified in Schedule "A" to the employees of the Department's Occupational & Environmental Health Unit, and specifically, those individuals identified in Schedule "Attachment 1" which is attached hereto and made a part hereof. Said examinations and consultations shall be rendered in accordance with Schedule "A." All services shall be provided in accordance with OSHA standards.

SECOND: For the services rendered pursuant to Paragraph "FIRST," the Corporation shall be paid at the rates set forth in Schedule "B". In no event shall the total amount payable hereunder exceed the sum of One Hundred Ten Thousand (\$110,000.00) Dollars for the term of the agreement.

Any and all requests for payment made by the Corporation, including any request for partial payment made in proportion to the work completed, shall be submitted by the Corporation on properly executed payment vouchers of the County and shall be submitted on a monthly basis not later than the 15th day of the month following the month in which the work was performed by the Corporation and paid only after approval by the Commissioner of Health ("Commissioner") or his designee, which approval shall not be unreasonably withheld. In no event shall final payment be made to the Corporation prior to completion of all professional services, the submission of reports, if any, and the approval of same by the Commissioner.

All payment vouchers must be accompanied by a numbered invoice and must contain the invoice number where indicated. All invoices submitted during each calendar year shall utilize sequential numbering and be non-repeating.

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

Prior to the making of any payments hereunder, the County may, at its option, audit such books and records of the Corporation as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County will not withhold payment pursuant to this paragraph for more than thirty (30) days after payment would otherwise be due pursuant to the provisions of this paragraph "SECOND", but the County shall not be restricted from withholding payment for cause found in the course of such audit or because of failure of the Corporation to cooperate with such audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one year following termination of this Agreement.

The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to the County's receipt of funds from the New York State Department of Health to provide employee medical monitoring and surveillance, and that no liability shall be incurred by the County beyond the monies made available from the New York State Department of Health for this Agreement. The Contractor agrees that the County shall not be liable for any of the payments hereunder unless and until the County has received said funds.

If, for any reason, the full amount of the said funds is not paid over or made available to the County by The New York State Department of Health, the County may terminate this Agreement immediately or reduce the amount payable to the Contractor, in the discretion of the County. The County shall give prompt notice of any such termination or reduction to the Contractor. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice.

The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to annual appropriations by its Board of Legislators pursuant to the Laws of Westchester County. Therefore, this Agreement shall be deemed executory only to the extent of the monies appropriated and available. The County shall have no liability under this Agreement beyond funds appropriated and available for payment pursuant to 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. The County shall retain the right, upon the occurrence of the adoption of any County Budget by its Board of Legislators during the term of this Agreement or any amendments thereto, and for a reasonable period of time after such adoption(s), to conduct an analysis of the impacts of any such County Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates set forth herein. If the County subsequently offers to pay a reduced amount to the Corporation, then the Corporation shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Corporation, then the Corporation shall have the right to terminate this Agreement upon reasonable prior written notice.

THIRD: This Agreement shall commence on January 1, 2022 (the "Commencement Date"), and shall expire on December 31, 2026, unless terminated sooner as provided for herein.

FOURTH: The Corporation shall immediately inform the Commissioner in writing of any cause for delay in the performance of its obligations under this Agreement.

FIFTH: Either party shall have the right to terminate this agreement on ninety (90) days written notice given by the party desiring to cancel and terminate the Agreement, directed

to the other party at the addresses hereinafter set forth and sent by registered mail. In such event, the Corporation shall be compensated and the County shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination.

In addition, this Agreement shall terminate in the event that either party is in default in the performance of or compliance with any of the material covenants, terms or conditions of this Agreement, and if the breaching party shall fail to cure such default within thirty (30) days after written notice is served by the non-breaching party specifying such default and the non-breaching party's intent to terminate this Agreement or shall, in the case of a default not susceptible of being cured within such thirty (30) day period, fail to commence to cure the default within such thirty (30) day period and diligently and continuously pursue same to completion. It is the intention of the parties, in connection with a default not susceptible of being cured with due diligence within such thirty (30) day period (subject to Unavoidable Delays as defined in the Cooperation Agreement between the parties dated December 15, 2008), that the time within which the breaching party must cure the same shall be extended for such period as may be necessary to complete the same with all due diligence, provided that the breaching party, within such thirty (30) day period, shall give the non-breaching party notice describing the proposed cure along with an explanation as to why such cure cannot be completed within thirty (30) days, and that the breaching party intends to proceed with due diligence to cure such default, has commenced taking steps to effect such cure, and has provided an anticipated date for completion of the cure.

SIXTH: The County shall be entitled to copies of all records compiled by the Corporation in completing the work described in this Agreement, including but not limited to written reports, forms, test results, lab reports, studies, computer printouts, graphs, charts, and all other similar recorded data. The Corporation shall not release the information contained in such records without the prior written consent of the Commissioner.

SEVENTH: Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void. The Corporation shall not subcontract any part of the work without the written consent of the County. All subcontracts shall provide that subcontractors are subject to all terms and conditions set forth in

the contract documents. All work performed by a sub-contractor shall be deemed work performed by the Corporation.

EIGHTH: The Corporation shall comply with all rules, regulations and licensing requirements pertaining to the services that it will provide under this Agreement.

NINTH: The Corporation expressly agrees that neither it nor any contractor, 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 term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County.

TENTH: The Corporation shall defend, indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the Corporation or third parties under the direction or control of the Corporation. The County shall defend, indemnify and hold harmless the Corporation, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the County or third parties under the direction or control of the County.

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

To the County:

Commissioner
Department of Health
10 County Center Road, 2nd Floor
White Plains, New York 10607

with a copy to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

To the Corporation:

Chief Executive Officer
Westchester County Health Care Corporation
Executive Offices
Taylor Care Center, C-2
100 Woods Road
Valhalla, New York 10595

with a copy to:

Office of Legal Affairs
Westchester County Health Care Corporation
Taylor Care Center, C-2
100 Woods Road
Valhalla, New York 10595

TWELFTH: 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 "C" is a Questionnaire entitled Business Enterprises Owned and Controlled by Persons of Color or Women. The Corporation agrees to complete the questionnaire attached hereto as Schedule "C", as part of this Agreement.

Also, attached hereto and forming a part hereof as Schedule "D" is a questionnaire entitled "Required Disclosure of Relationships to County." The Corporation agrees to complete said questionnaire as part of this Agreement. In the event that any information provided in the completed questionnaire changes during the term of this Agreement, the Corporation agrees to notify County in writing within ten (10) business days of such event.

THIRTEENTH: This Agreement and its attachments constitute the entire Agreement between the parties 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.

FOURTEENTH: In the event of a conflict between the terms of this Agreement and the provisions of any Schedule attached hereto, the terms of this Agreement shall control.

FIFTEENTH: This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney and the Office of General Counsel to the Corporation.

SIXTEENTH: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

SEVENTEENTH: **VENDOR DIRECT PAYMENT:** All payments made by the County to the Consultant will be made by electronic funds transfer ("EFT") pursuant to the County's Vendor Direct program. Consultants doing business with Westchester County, who are not already enrolled in the Vendor Direct Program, will be required to fill out and submit an EFT Authorization Form prior to receiving an award or purchase order. The EFT Authorization Form, Instructions and related information are annexed hereto as Schedule "E". Payments will be automatically credited to the Consultant's designated bank account at the Consultant's financial institution. Payments are anticipated to be deposited two business days after the voucher/invoice is processed for payment. Saturdays, Sundays, and legal holidays are not considered business days. Under the Vendor Direct program you will receive an e-mail notification two days prior to the day the payment will be credited to your designated account. The e-mail notification will come in the form of a remittance advice with the same information that currently appears on County check stubs and will contain the date that the funds will be credited to your account. All information received will be treated and handled as strictly confidential. The completed Authorization Form must be returned by the Consultant to the

Department of Finance prior to award of the contract. In rare cases, a hardship waiver may be granted. For a Hardship Waiver Request Form, please contact the Finance Department. Any Consultant that fails to return the completed authorization form(s) prior to award of the contract may be considered non-responsive and the proposal may be rejected.

IN WITNESS WHEREOF, The County of Westchester and the Corporation have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____
Sherlita Amler, M.D.
Commissioner

**WESTCHESTER COUNTY HEALTH
CARE CORPORATION**

By: _____

(Name and Title)

Approved by the Westchester County Board of Legislators by Act No. 2022 - ____ on
the ____ day of _____, 2022.

Approved by the Westchester County Board of Acquisition and Contract on
the ____ day of _____, 2022.

Approved as to form and manner of execution:

Sr. Assistant County Attorney
The County of Westchester

Approved as to form and manner of execution:

Senior Assistant General Counsel
Westchester County Health Care Corporation

ACKNOWLEDGMENT

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 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, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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.

Notary Public
Date

SCHEDULE "A"

SCOPE OF SERVICES

This agreement shall be governed by and construed in accordance with the Occupational Safety and Health Standards of 29 CFR 1910.120. Pursuant to 29 CFR 1910.120(f), a medical surveillance program shall be established by the County of Westchester, acting by and through its Department of Health ("Department"), for the following Department employees:

1. All employees who are or may be exposed to hazardous substances or health hazards at or above the permissible limits or, if there is no permissible exposure limit, above the published exposure levels for these substances, without regard to the use of respirators, for 30 days or more a year;
2. All employees who wear a respirator for 30 days or more a year or as required by § 1910.134;
3. All employees who are injured, become ill or develop signs or symptoms due to possible overexposure involving hazardous substances or health hazards from an emergency response or hazardous waste operation and
4. Members of HAZMAT teams.

A list of employees from the Department of Health Occupational & Environmental Health Unit that are eligible for the medical surveillance program is annexed hereto as Schedule "A1." Pursuant to 29 CFR 1910.120(3), every employee identified in "Attachment 1" shall undergo physical examinations by the Corporation during the following events:

- a. Prior to assignment;
- b. At least once every twelve months unless the attending physician believes a longer interval (not greater than biannually) is appropriate;
- c. At termination of employment or reassignment to an area where the employee would not be covered if the employee has not had an examination within the last six months;
- d. As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards, or that the employee has been injured or exposed above the permissible exposure limits or published exposure levels in an emergency situation;
- e. At more frequent times, if the examining physician determines that an increased frequency of examination is medically necessary.

Notwithstanding the above, the Corporation shall provide physical examinations for any other event as identified in 29 CFR 1910.120.

The County shall notify the employee that he/she must appear for his/her physical examination and the County shall schedule the examination at the Occupational Health Center by calling (914) 493-8580. The Corporation shall accommodate the employee within thirty (30) days of the request for his/her physical examination unless there is an emergency, in which case the Corporation shall accommodate the employee within fifteen (15) days of said request. Prior to appearing for his/her examination, each employee will be required to complete an Appointment Processing Form, which shall be faxed to the Occupational Health Center at (914) 493-1398. A copy of the Appointment Processing Form is attached hereto as "Attachment 2."

In accordance with 29 CFR 1910.120(f)(4), the Corporation shall provide the following services:

I. MEDICAL SURVEILLANCE -- EXAMINATIONS AND CONSULTATIONS

A. Medical examinations shall include the following:

1. Medical Work History:

- a. Medical history, including surgeries, hospitalizations, serious illnesses, chronic diseases and allergies;
- b. Current symptoms;
- c. Lifetime occupational history:
 - Military service
 - Previous work history and exposure
 - Current work status and exposures
- d. Smoking and alcohol history; and
- e. General demographic history;

2. Baseline Physical Examination

- a. General physical examination (no pelvic or rectal examination unless indicated);

Particular attention to conditions that may affect respirator use, increase susceptibility to heat stroke or in any way impair the worker's ability to perform adequately while wearing required personal protective equipment under conditions that may be expected at the work site.

b. Chest x-ray:

PA/and lateral views (oblique views if indicated)

Chest x-ray may be waived when the employee has no history of lung disease or exposure to pulmonary toxins, including cigarette smoke

c. Pulmonary function tests:

Spirometry assay including FVC, FEV1, FEV1/FVC, FEF 25-75;

d. Electrocardiogram;

e. Neurobehavioral baseline examination;

f. Laboratory tests:

- Blood chemistry tests including calcium, phosphorous, sodium, potassium, chloride, LDH, AST (SGOT), total bilirubin, GGT, ALT (SGPT), alkaline phosphatase, cholesterol, triglycerides, total protein, globulin; albumin, A/G ratio, BUN, creatinine, uric acid, glucose and iron;
- Complete blood count (CBC) with differential;
- Urinalysis, including microscopic;
- Blood lead;
- Cholinesterase (Serum and RBC);
- Cadmium;
- Urine heavy metals (arsenic, lead and mercury)

3. **Additional Tests**

Additional tests may be included depending upon the exposure of an individual employee. Tests may include:

- a. Measurement of the urinary hippuric acid when an employee has been exposed to toluene;
- b. Measurement of the urinary phenols when an employee has been exposed to benzene;
- c. Gas diffusion test when the employee has an abnormal spirometry test or when a change has appeared on a chest x-ray;
- d. Audiometric baseline;
- e. Vision baseline;

- f. Exercise stress testing will be considered on an individual basis when deemed clinically indicated by the examining physician.

4. Follow-up Examinations

In addition to an annual physical examination, the following testing will be performed on follow-up examination:

- Spirometry – annually
- Electrocardiogram – every five years after age 40 or more frequently if indicated
- Chest x-ray;
 - a) non smokers under 50 years of age – once every five years
 - b) smokers under 50 years of age – once every three years
 - c) non smokers over 50 years of age – once every three years
 - d) smokers over 50 years of age – annually
- Blood and urine testing – annually
- Repeat neurobehavioral testing if warranted by symptoms or interim exposure history.

5. Analysis of Information

- a. X-ray interpretation by a “B” reader using the ILO-1980 classification:
- b. Interpretation of PFT results;
- c. Interpretation of electrocardiogram results;
- d. Interpretation of laboratory results

II. RECOMMENDATIONS, OPINIONS, REFERRALS AND RECORDS

The Corporation will notify the employee/patient of symptoms or findings apparent as a result of the examination that suggest the need for immediate medical attention. Corporation will refer employees/patients to their primary care physician for any follow-up care or treatment required by employee/patient that goes beyond this scope of services. Corporation shall only provide the services required pursuant to 29 CFR 1910.120(f)(3). Any services which are provided by the Corporation that are not in accordance with 29 CFR 1910.120 will not be for paid by the County.

At the request of the employee/patient, the Corporation shall send copies of medical records to the individual's physician. Information concerning the examination or laboratory results will not be provided to the County or to anyone else without written consent of the employee/patient.

The Corporation shall notify the Westchester County Department of Health whether the employee/patient has any detected medical conditions which would place the employee at an increased risk of material impairment of the employee's health from work in hazardous waste operations or emergency response or from respirator use. In addition, the Corporation shall notify the Westchester County Department of Health of any recommended limitations upon the employee's assigned work.

All x-rays, test results and examination folders will be maintained in a permanent file at Corporation's facilities for 30 years. The Corporation's physicians will be available for consultation to employees/patients regarding the implications of their examination findings.

DRAFT

ATTACHMENT 1

List of Eligible Department of Health's Occupational & Environmental Health Employees* for Medical Monitoring Examinations

- 1) Bimonte, Sebastian
- 2) Court, Natasha
- 3) De La Cruz, Ronniery
- 4) Eilbacher, William
- 5) Goreau, Stefan
- 6) Heinzinger, Denise
- 7) Lalak, Christopher
- 8) Mancini, Joseph

DRAFT

* The Westchester County Department of Health reserves the right to add and/or delete employees to the list and will communicate any such revisions to the Corporation.

ATTACHMENT 2

APPOINTMENT PROCESSING FORM

WESTCHESTER COUNTY HEALTH CARE CORPORATION (WCHCC)
WESTCHESTER MEDICAL CENTER (WMC)
OCCUPATIONAL HEALTH CENTER (OHC)
TELEPHONE: 914-493-8580
FAX: 914- 493-1398

CONTRACT AGENCY

Name _____

Address _____

Telephone _____

Fax _____

APPOINTMENT SCHEDULE

Day 1 - Date/Time: _____

Day 2 - Date/ Time: _____
(If indicated)

SECTION A - APPLICANT: Please complete ALL questions in Section A ONLY.

Name: _____
Last First

Home Address: _____
Street City State Zip Code

Home Telephone Number: _____ Social Security Number: _____

Sex: _____ (M) _____ (F) Date of Birth: _____ Place of Birth: _____

Mother's Full Name: _____ (Maiden Name) _____

Father's Full Name: _____

Have you ever been an inpatient at WMC? _____ Yes _____ No If yes, Date: _____

Have you ever been treated in the WMC Outpatient Service? _____ Yes _____ No If yes, Date: _____

Have you ever been a patient in the WMC Emergency Department? _____ Yes _____ No If yes, Date: _____

Job Title: _____

Description of Essential Job Functions:

(Outside company appointment processing form)

Schedule "B"
WCHCC - Fees for Services

DRAFT

SCHEDULE "C"
QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES
OWNED AND CONTROLLED BY PERSONS OF COLOR OR WOMEN
For Informational Purposes Only

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 Local Law No. 27-1997 we request that you answer the questions listed below.

The term persons of color 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 American; or (d) 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.

An enterprise owned and controlled by persons of color or women means a business enterprise including a sole proprietorship, limited liability partnership, partnership, limited liability corporation or corporation that is (a.) at least 51% owned by one or more persons of color or women; (b.) an enterprise in which such ownership by persons of color or women is real, substantial and continuing; (c.) 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.) an enterprise authorized to do business in this state which is independently owned and operated.

In addition, a business enterprise owned and controlled by persons of color or women shall be deemed to include any business enterprise certified as an MBE or WBE pursuant to Article 15-a of the New York State Executive Law and implementing regulations, 9 NYCRR subtitle N Part 540 et seq., or 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.

1. Are you a business enterprise which is owned and controlled by persons of color or women in accordance with the standards listed above?

 X No
 Yes (as a business owned and controlled by persons of color)
 Yes (as a business owned and controlled by women)

2. If you are a business owned and controlled by persons of color, please specify, the minority classifications which apply: _____

3. Are you certified with the State of New York as a minority business enterprise ("MBE") or a women business enterprise ("WBE")?

 X No
 Yes (as a MBE)
 Yes (as a WBE)

4. If you are certified with the State of New York as an MBE, please specify the minority classifications which apply: _____

5. Are you certified with the Federal Government as a small disadvantaged business concern?

☒ No
☐ Yes

Name of Firm/Business Enterprise: _____

Address: _____

Name/Title of Person completing MBE/WBE Questionnaire:

(Please print name)

(Title)

Signature: _____

DRAFT

SCHEDULE "D"

REQUIRED DISCLOSURE OF RELATIONSHIPS TO COUNTY

(Prior to execution of a contract by the County, a potential County contractor must complete, sign and return this form to the County)

Contract Name and/or ID No.:

(To be filled in by County)

Name of Contractor:

(To be filled in by Contractor)

A.) Related Employees:

1. Are any of the employees that you will use to carry out this contract with Westchester County also an officer or employee of the County, or the spouse, or the child or dependent of such County officer or employee?

Yes X No

If yes, please provide details: Pursuant to Public Officers Law and based on records maintained by WCHCC of outside employment in excess of \$1,000 per annum, WCHCC has no record of any employee that is also an officer or employee of Westchester County. As a Public employer, WCHCC employs over 3300 employees and staff from Westchester County and surrounding areas and many of whom are former County of Westchester employees. Upon information and belief, some WCHCC employees are related by marriage or consanguinity to employees of the County of Westchester.

B.) Related Owners:

1. If you are the owner of the Contractor, are you or your spouse, an officer or employee of the County?

Yes No Not Applicable X

If yes, please provide details: WCHCC is a public benefit corporation existing by virtue of the Laws of the State of New York and, as such, is not privately owned.

To answer the following question, the following definition of the word "interest" shall be used:

Interest means a direct or indirect pecuniary or material benefit accruing to a county officer or employee, his or her spouse, child or dependent, whether as the result of a contract with the county or otherwise. For the purpose of this chapter, a county officer or employee shall be deemed to have an "interest" in the contract of:

- i. His/her spouse, children and dependents, except a contract of employment with the county;
- ii. A firm, partnership or association of which such officer or employee is a member or employee;

- iii. A corporation of which such officer or employee is an officer, director or employee; and
- iv. A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.

2. Do any officers or employees of the County have an interest in the Contractor or in any subcontractor that will be used for this contract?

Yes _____ No X

If yes, please provide details: _____

Authorized Company Official shall sign below
and type or print information below the
signature line:

Name:

Title:

Date:

SCHEDULE "E"

Westchester County Vendor Direct Program Frequently Asked Questions

1. WHAT ARE THE BENEFITS OF THE ELECTRONIC FUNDS TRANSFER (EFT) ASSOCIATED WITH THE VENDOR DIRECT PROGRAM?

There are several advantages to having your payments automatically deposited into your designated bank account via EFT:

Payments are secure – Paper checks can be lost in the mail or stolen, but money deposited directly into your bank account is more secure.

You save time – Money deposited into your bank account is automatic. You save the time of preparing and delivering the deposit to the bank. Additionally, the funds are immediately available to you.

2. ARE MY PAYMENTS GOING TO BE PROCESSED ON THE SAME SCHEDULE AS THEY WERE BEFORE VENDOR DIRECT?

Yes.

3. HOW QUICKLY WILL A PAYMENT BE DEPOSITED INTO MY ACCOUNT?

Payments are deposited two business days after the voucher/invoice is processed. Saturdays, Sundays, and legal holidays are not considered business days.

4. HOW WILL I KNOW WHEN THE PAYMENT IS IN MY BANK ACCOUNT AND WHAT IT IS FOR?

Under the Vendor Direct program you will receive an e-mail notification two days prior to the day the payment will be credited to your designated account. The e-mail notification will come in the form of a remittance advice with the same information that currently appears on your check stub, and will contain the date that the funds will be credited to your account.

5. WHAT IF THERE IS A DISCREPANCY IN THE AMOUNT RECEIVED?

Please contact your Westchester County representative as you would have in the past if there were a discrepancy on a check received.

6. WHAT IF I DO NOT RECEIVE THE MONEY IN MY DESIGNATED BANK ACCOUNT ON THE DATE INDICATED IN THE E-MAIL?

In the unlikely event that this occurs, please contact the Westchester County Accounts Payable Department at 914-995-4708.

7. WHAT MUST I DO IF I CHANGE MY BANK OR MY ACCOUNT NUMBER?

Whenever you change any information or close your account a new Vendor Direct Payment Authorization Form must be submitted. Please contact the Westchester County Accounts Payable Department at 914-995-4708 and we will e-mail you a new form.

8. WHEN COMPLETING THE PAYMENT AUTHORIZATION FORM, WHY MUST I HAVE IT SIGNED BY A BANK OFFICIAL IF I DON'T INCLUDE A VOIDED CHECK?

This is to ensure the authenticity of the account being set up to receive your payments.

Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form

GENERAL INSTRUCTIONS

Please complete both sections of the Vendor Direct Payment Authorization Form and forward the completed form (along with a voided check for the account to which you want your payments credited) to: Westchester County Department of Finance, 148 Martine Ave, Room 720, White Plains, NY 10601, Attention: Vendor Direct. Please see item 14 below regarding attachment of a voided check.

Section I - VENDOR INFORMATION

1. Provide the name of the vendor as it appears on the W-9 form.
2. Enter the vendor's Taxpayer ID number or Social Security Number as it appears on the W-9 form.
3. Enter the vendor's complete primary address (not a P.O. Box).
4. Provide the name and telephone number of the vendor's contact person.
5. Enter the business e-mail address for the remittance notification. THIS IS VERY IMPORTANT. This is the e-mail address that we will use to send you notification and remittance information two days prior to the payment being credited to your bank account. We suggest that you provide a group mailbox (if applicable) for your e-mail address. You may also designate multiple e-mail addresses.
6. Please have an authorized Payee/Company official sign and date the form and include his/her title.

Section II - FINANCIAL INSTITUTION INFORMATION

7. Provide bank's name.
8. Provide the complete address of your bank.
9. Enter your bank's 9 digit routing transit number.
10. Indicate the type of account (check one box only).
11. Enter the vendor's bank account number.
12. Enter the title of the vendor's account.
13. Provide the name and telephone number of your bank contact person.
14. If you are directing your payments to a Savings Account OR you can not attach a voided check for your checking account, this line needs to be completed and signed by an authorized bank official. IF YOU DO ATTACH A VOIDED CHECK FOR A CHECKING ACCOUNT, YOU MAY LEAVE THIS LINE BLANK.

George Latimer
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

August 25, 2022

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

Re: Request for authorization to settle the lawsuit of Alice P. Dewaters v. County of Westchester, et al, in Westchester County Supreme Court, Index No. 68649/2018, in the amount of \$100,000.00 inclusive of attorney's fees.

Dear Honorable Members of the Board:

Attached for your consideration is an Act which, if enacted by your Board, would authorize the settlement of the lawsuit entitled Alice P. Dewaters v. County of Westchester, et al, in the amount of \$100,000.00 inclusive of attorney's fees.

This matter is pending in the Westchester County Supreme Court. The law firm of Antin, Ehrlich & Epstein, 49 West 37th Street, New York, New York 10018 is representing the plaintiff. The law firm of Keane & Bernheimer, 480 Bedford Road, Suite 3201, Chappaqua, New York 10514-1715 is representing the County.

The matter tentatively settled on July 28, 2022 pending this Board's approval of a settlement in the amount of \$100,000.00, inclusive of attorney's fees.

This matter arises out of a Liberty Lines Bus accident which occurred on August 22, 2017. The plaintiff is a 63-year-old female who was reportedly struck by a bus as she walked in a crosswalk on Warburton Avenue in Yonkers. She stated that the bus struck her on her right side, causing her to fall onto the street. She was transported via ambulance to St. John's Riverside Hospital in Yonkers where she was evaluated, treated, and then transferred to Westchester Medical Center for a higher level of care. Plaintiff was hospitalized from August 22nd and subsequently discharged on August 26th.

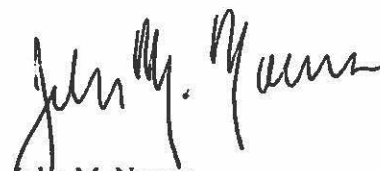
Plaintiff sustained a small laceration to her forehead which resulted in a scar. Plaintiff sustained multiple right rib fractures and a pulmonary contusion. Plaintiff also underwent physical therapy for an extended period of time.

The accident was found by Liberty Lines to be preventable and the bus operator in question was disciplined. Specifically, the operator was subjected to a first level hearing after which he was discharged, as well as a second level appeal. He was required to undergo one day of training and forfeited approximately two and a half weeks of pay as a result of the discharge being dropped.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. Both outside counsel and our insurer's adjuster recommend this settlement. The County will pay the \$100,000 settlement as part of the \$250,000. self-insured retention in its insurance policy.

The accompanying Act will authorize settlement of the lawsuit entitled, Alice P. Dewaters v. County of Westchester, et al., in the amount of \$100,000.00, Westchester County Supreme Court Index No. 68649/2018, inclusive of attorney's fees.

Very truly yours,



John M. Nonna
County Attorney

JMN/mg

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the settlement of the lawsuit entitled Alice P. Dewaters v. County of Westchester, et al, Westchester County Supreme Court Index No. 68649/2018, in the amount of \$100,000.00 inclusive of attorney's fees.

This matter is pending in the Westchester County Supreme Court. The matter tentatively settled on July 28, 2022 pending this Board's approval of a settlement in the amount of \$100,000.00, inclusive of attorney's fees.

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Plaintiff sustained a small laceration to her forehead which resulted in a scar. Plaintiff sustained multiple right rib fractures and a pulmonary contusion. Plaintiff also underwent physical therapy for an extended period of time.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. Both outside counsel and our insurer's adjuster recommend this settlement. The County will pay the \$100,000 settlement as part of the \$250,000. self-insured retention in its insurance policy.

An affirmative vote of a majority of the Board is required to pass this legislation.

COMMITTEE ON:

ACT NO. -2022

AN ACT authorizing the County Attorney to settle the lawsuit entitled Alice P. Dewaters v. County of Westchester, et al, in Westchester County Supreme Court, Index No. 68649/2018, in the amount of \$100,000.00, inclusive of attorney's fees

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

Section 1. The County Attorney is authorized to settle the lawsuit entitled Alice P. Dewaters v. County of Westchester, et al, in Westchester County Supreme Court, Index No. 68649/2018, in the amount of \$100,000.00 inclusive of attorney's fees. The County will pay the \$100,000 settlement as part of the \$250,000. self-insured retention in its insurance policy.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Alice Dewaters v Cty. of Westchester

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	\$	100,000
-----------------------------------	-----------	----------------

Total Current Year Revenue	\$	-
-----------------------------------	-----------	----------

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

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 101-44-2100-4924

Potential Related Operating Budget Expenses:	Annual Amount
----------------------------------------------	---------------

Describe: _____

Potential Related Operating Budget Revenues:	Annual Amount
----------------------------------------------	---------------

Describe: _____

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

Current Year: _____

Next Four Years: _____

Prepared by: Dianne Vanadia

Title: Sr. Budget Analyst

Department: Budget

Date: August 30, 2022

Reviewed By: [Signature]

Date: 8/30/20

George Latimer
County Executive

Office of the County Attorney

John M. Nonna
County Attorney

September 12, 2022

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

Re: **Request for authorization to remit payment for the County's obligation in the lawsuit entitled Jamar McCalla v. County of Westchester, et al, Westchester County Supreme Court, Index No. 54392/2019, in the amount of \$250,000.00, inclusive of attorney's fees.**

Dear Honorable Members of the Board:

Attached for your consideration is an Act which, if enacted by your Board, would authorize the remittance of payment for the County's obligation in the lawsuit entitled Jamar McCalla v. County of Westchester, et al, in the amount of \$250,000.00, inclusive of attorney's fees.

This matter is pending in Westchester County Supreme Court. The Paris Law Group, P.C., 60 42nd Street, Suite 4000, New York, New York 10165 is representing the plaintiff. Jason Bernheimer, Esq., of Keane & Bernheimer, PLLC, 480 Bedford Road, Suite 3201, Chappaqua, New York 10514 is representing the County.

The case concluded in a jury verdict rendered on July 26, 2022 that requires the Board's approval of payment of the County's self-insured retention in its insurance policy in the amount of \$250,000.00, inclusive of attorney's fees. The jury verdict was for \$1.465 million - - \$450,000 for past pain and suffering; \$650,000 for future pain and suffering; and \$365,000 for future medical expenses.

This matter arises out of a Liberty Lines Bus accident which occurred on June 26, 2015. A Liberty Lines bus collided with plaintiff's vehicle in the Bronx. Plaintiff was transported to Montefiore Hospital via ambulance and then discharged. The plaintiff alleged neck, back, and bilateral shoulder injuries.

The bus video shows the bus went through a red light. Plaintiff's summary judgment motion on the issue of liability was granted on October 22, 2020. Consequently, the County is entirely liable for the accident. Pre-judgment interest is accruing from that date on the jury's verdict at an annual rate of 9%. Plaintiff presented at his doctor complaining of left bilateral shoulder pain. MRIs were conducted that

Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

Telephone: (914)995-2660

Website: westchestergov.com



revealed tears in both shoulders. Plaintiff underwent physical therapy and epidural injections and, when conservative treatments failed, plaintiff underwent a left shoulder arthroscopy.

Liberty Lines investigated the accident and the bus operator was issued a five day suspension, retraining, and a final warning.

This payment takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings, and an appeal. Both outside counsel and our insurer's adjuster recommend this settlement. The County will pay the \$250,000. self-insured retention in its insurance policy.

The accompanying Act will authorize payment for the County's obligation in the lawsuit entitled, Jamar McCalla v. County of Westchester, et al, Westchester County Supreme Court Index No. 54392/2019, in the amount of \$250,000.00, inclusive of attorney's fees.

Very truly yours,

John M. Nonna
County Attorney

JMN/mg

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize payment for the County's obligation in the lawsuit entitled Jamar McCalla v. County of Westchester, et al, Westchester County Supreme Court Index No. 54392/2019, in the amount of \$250,000.00, inclusive of attorney's fees.

The case concluded in a jury verdict rendered on July 26, 2022 that requires the Board's approval of payment of the County's self-insured retention in its insurance policy in the amount of \$250,000.00, inclusive of attorney's fees. The jury verdict was for \$1.465 million - - \$450,000 for past pain and suffering; \$650,000 for future pain and suffering; and \$365,000 for future medical expenses.

This matter arises out of a Liberty Lines Bus accident which occurred on June 26, 2015. A Liberty Lines bus collided with plaintiff's vehicle in the Bronx. Plaintiff was transported to Montefiore Hospital via ambulance and then discharged. The plaintiff alleged neck, back, and bilateral shoulder injuries.

The bus video shows the bus went through a red light. Plaintiff's summary judgment motion on the issue of liability was granted on October 22, 2020. Consequently, the County is entirely liable for the accident. Pre-judgment interest is now accruing from that date on the jury verdict at an annual rate of 9%.

Plaintiff presented at his doctor complaining of left bilateral shoulder pain. MRIs were conducted that revealed tears in both shoulders. Plaintiff underwent physical therapy and epidural injections and, when conservative treatments failed, plaintiff underwent a left shoulder arthroscopy.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings, and an appeal. Both outside counsel and our insurer's adjuster recommend this settlement. The County will pay the \$250,000. self-insured retention in its insurance policy.

Your Committee has carefully considered the subject matter and the attached Act and recommends authorizing the County Attorney or his designee to remit payment for the lawsuit entitled Jamar McCalla v. County of Westchester, et al, Westchester County Supreme Court Index No. 54392/2019, in the amount of \$250,000.00, inclusive of attorney's fees.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York

, 2022

COMMITTEE ON:

ACT NO. -2022

AN ACT authorizing the County Attorney to remit payment for the lawsuit of Jamar McCalla v. Westchester County, et al, Westchester County Supreme Court Index No. 54392/2019

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

Section 1. The County Attorney is authorized to remit payment for the self-insured retention in the County's insurance policy to conclude the lawsuit entitled Jamar McCalla v. County of Westchester, et al, Westchester County Supreme Court Index No. 54392/2019, in the amount of \$250,000, inclusive of attorney's fees. This payment will fulfill the County's obligation to pay the \$250,000. self-insured retention in its insurance policy.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

PRIVILEGED AND CONFIDENTIAL

September 12, 2022

To: Kenneth W. Jenkins
Deputy County Executive

From: John M. Nonna
County Attorney

Re: Legislation to Authorize Remittance of Payment for the Lawsuit of Jamar McCalla v. County of Westchester, et al, in Westchester County Supreme Court, Index No. 54392/2019, in the amount of \$250,000.00 inclusive of attorney's fees.

Attached for your information is a copy of legislation concerning the above-referenced matter, which was submitted on today's date to the Board of Legislators for its consideration.

If you have any questions, please contact me.

JMN/mg

Attachment

cc: Joan McDonald, Director of Operations
Catherine Cioffi, Director of Communications

PRIVILEGED & CONFIDENTIAL

September 12, 2022

To: John M. Nonna
County Attorney

From: Mark Gardner
Senior Assistant County Attorney

Re: Request for authorization to remit payment for the County's obligation in the lawsuit entitled Jamar McCalla v. County of Westchester, et al, Westchester County Supreme Court - Index No. 54392/2019, in the amount of \$250,000.00, inclusive of attorney's fees

Attached for your review is proposed legislation, which if enacted, would authorize the payment of \$250,000.00 to fulfill the County's obligations in the case entitled Jamar McCalla v. County of Westchester.

This matter is pending in the Westchester County Supreme Court. The Paris Law Group, P.C., 60 42nd Street, Suite 4000, New York, New York 10165 is representing the plaintiff. Jason Bernheimer, Esq., of Keane & Bernheimer, PLLC, 480 Bedford Road, Suite 3201, Chappaqua, New York 10514 is representing the County.

The case concluded in a jury verdict rendered on July 26, 2022 that requires the Board's approval of payment of the County's self-insured retention in its insurance policy in the amount of \$250,000.00, inclusive of attorney's fees. The jury verdict was for \$1.465 million - - \$450,000 for past pain and suffering; \$650,000 for future pain and suffering; and \$365,000 for future medical expenses.

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Liberty Lines investigated the accident and the bus operator was issued a five day suspension, retraining, and a final warning.

This payment takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings, and an appeal. Both outside counsel and our insurer's adjuster recommend this settlement. The County will pay the \$250,000. self-insured retention in it insurance policy.

HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 246 Old Lake Street from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the 3 nearest Town Sewer lines are all greater than 340' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Mamaroneck Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM
Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 12:46

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\246 Old Lake Street\246 Old Lake Street Cover Letter for Package.docx

August 15, 2019

V - - 2019 - - 073

APPROVAL TO WITHDRAW MARIA L. SEGUINOT, BLOCK 982, LOT 6
FROM THE MAMARONECK VALLEY SEWER DISTRICT

On motion of Trustee Gordon, seconded by Trustee Sciliano,

it was

RESOLVED to accept the request by Deputy Town Attorney, Andrea Rendo, to adopt a Resolution approving the withdrawal of Maria L. Seguinot, 246 Old Lake Street, Block 982, Lot 6, from the Mamaroneck Valley Sewer District.

FURTHER RESOLVED this is a County Sewer District and does not affect Town funds.

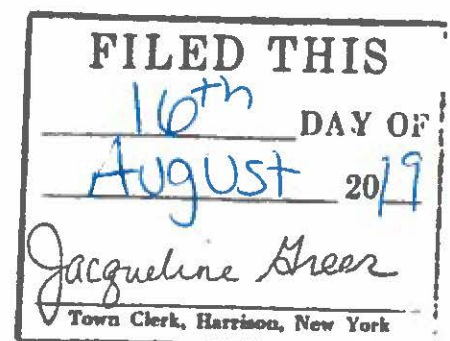
FURTHER RESOLVED to forward a copy of this Resolution to the Treasurer, Law Department, Village Engineer, and Maria L. Seguinot.

Adopted by the following vote:

AYES: Trustees Dionisio, Gordon, Malfitano and Sciliano
Mayor Belmont

NAYS: None

ABSENT: None



April 15, 2021

V -- 2021 -- 031

**AUTHORIZATION TO WITHDRAWAL MARIA L. SEGUINOT, 246 OLD LAKE STREET,
BLOCK 982, LOT 6, FROM THE MAMARONECK VALLEY SEWER DISTRICT**

On motion of Trustee Sciliano, seconded by Trustee Dionisio,

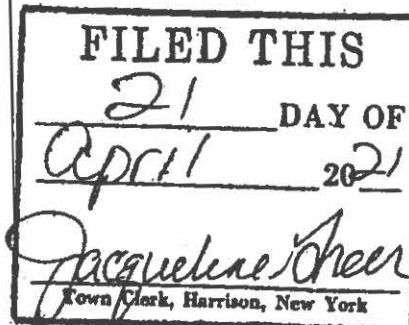
it was

RESOLVED to accept the request by Deputy Village Attorney, Andrea Rendo, to adopt a Resolution approving the withdrawal of Maria L. Seguinot, 246 Old Lake Street, Block 982, Lot 6, from the Mamaroneck Valley Sewer District. Village Board approval and referral to Westchester County originally occurred in a timely manner, however the request could not be processed as it did not coincide with Westchester County's deadline for receiving sewer removal documentation. The County of Westchester is now requiring an updated Village Board Resolution.

FURTHER RESOLVED to forward a copy of this Resolution to the Comptroller, Law Department, Village Engineer and the County of Westchester.

Adopted by the following vote:

AYES:	Trustees Dionisio, Gordon, Leader and Sciliano Mayor Belmont
NAYS:	None
ABSENT:	None



Parcel ID: 0982.-6 (HARRISON)
 Legal Addr: 246 OLD LAKE ST
 Name: SEGUINOT, MARIA
 School: 552801 (HARRISON CENTRAL)

Property Description
 2.1&6

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Mortgage Num:
 Land Commitment: None
 Commitment End:

Mailing Address:
 SEGUINOT, MARIA
 246 OLD LAKE ST
 WEST HARRISON, NY 10604

Acreage: 1.03
 Coord North: 0 East: 0
 Ownership:
 Easement: None

Assessment Information

2020		2021	
Land	Total	Land	Total
2,000	10,100	2,000	10,100
County Taxable		Town Taxable	
10,100		10,100	
School Taxable		STAR Amount	
10,100		1,230	

Exemption Information

Code	Description	County	Town	School	Village
41854	RES STAR			1,230	

Special District Information

Code	Description	Calc %	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY					10100
DD281	REF DISPOSAL DIST					10100
SF284	FIRE DIST #4					10100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	425,000	4/13/2007	No	Land:Bldg	MASTRANGELO, W			5/8/2007
2	347,000	11/3/2005	No	Land:Bldg	MASTRANGELO, W			2/21/2006

Parcel ID: 0982-.6 (HARRISON)
 Legal Addr: 246 OLD LAKE ST
 Name: SEGUINOT, MARIA
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 SEGUINOT, MARIA
 246 OLD LAKE ST
 WEST HARRISON, NY 10604

Property Description
 2.1&.6

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Acreage: 1.03
 Coord North: 0 East: 0
 Ownership:
 Easement: None

Mortgage Num:
 Land Commitment: None
 Commitment End:

Assessment Information

2020	
Land	Total
2,000	10,100

2021	
Land	Total
2,000	10,100

County Taxable	Town Taxable	School Taxable	STAR Amount
10,100	10,100	10,100	1,230

Exemption Information

Code	Description	County	Town	School	Village
41854	RES STAR				,230

Special District Information

Code	Description	Calc %	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY					10100
DD281	REF DISPOSAL DIST					10100
SF284	FIRE DIST #4					10100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	425,000	4/13/2007	No	Land:Bldg	MASTRANGELO, W			5/8/2007
2	347,000	11/3/2005	No	Land:Bldg	MASTRANGELO, W			2/21/2006

Parcel ID: 0982.-6 (HARRISON)
 Legal Addr: 246 OLD LAKE ST
 Name: SEGUINOT, MARIA
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 SEGUINOT, MARIA
 246 OLD LAKE ST
 WEST HARRISON, NY 10604

Property Description
 2.1 & 6

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Acreage: 1.03
 Coord North: 0 East: 0
 Ownership:
 Easement: None

Mortgage Num:
 Land Commitment: None
 Commitment End:

Assessment Information

2020	
Land	Total
2,000	10,100

2021	
Land	Total
2,000	10,100

County Taxable	Town Taxable	School Taxable	STAR Amount
10,100	10,100	10,100	1,230

Exemption Information

Code	Description	County	Town	School	Village
41854	RES STAR			1,230	

Special District Information

Code	Description	Calc %	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY					10100
DD281	REF DISPOSAL DIST					10100
SF284	FIRE DIST #4					10100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	425,000	4/13/2007	No	Land/Bldg	MASTRANGELO, W			5/8/2007
2	347,000	11/3/2005	No	Land/Bldg	MASTRANGELO, W			2/21/2006

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2019 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.45

PAGE: 1335
ROLL PRINT DATE: 9/15/2019
VALUATION DATE: 5/1/2019
TAXABLE STATUS DATE: 5/1/2019

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	--LAND--	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			TAXABLE VALUE

0982.-3		791 LAKE ST		41854 RES STAR	0982.-3		
TSCHANITRE, MARC J		210 1 FAMILY RES	2,000	COUNTY TAXABLE	ACCT: 000058070		1,330
TSCHANITRE, VICTORIA		HARRISON CENTRAL		TOWN TAXABLE			9,800
791 LAKE ST		2.263	9,800	SCHOOL TAXABLE			9,800
WEST HARRISON NY 10604		ACREAGE 1.13		CS282 MAMARONECK VALL			8,470
		FULL MKT VAL 675,862		DD281 REF DISPOSAL DI			9,800 TO C
				SF284 FIRE DST #4 PUR			9,800 TO

0982.-4		795 LAKE ST		COUNTY TAXABLE	0982.-4		
TWOMEY, WILLIAM		210 1 FAMILY RES	1,500	TOWN TAXABLE	ACCT: 000058080		
1593 OLD ORCHARD ST		HARRISON CENTRAL		SCHOOL TAXABLE			6,500
WEST HARRISON NY 10604		ACREAGE 0.41	6,500	CS282 MAMARONECK VALL			6,500
		FULL MKT VAL 448,275		DD281 REF DISPOSAL DI			6,500 TO C
				SF284 FIRE DST #4 PUR			6,500 TO

0982.-5		270 OLD LAKE ST		COUNTY TAXABLE	0982.-5		
BORDOWITZ, SUSAN S		210 1 FAMILY RES	6,400	TOWN TAXABLE	ACCT: 000058090		
270 OLD LAKE ST		HARRISON CENTRAL		SCHOOL TAXABLE			38,450
WEST HARRISON NY 10604		ACREAGE 3.70	38,450	DD281 REF DISPOSAL DI			38,450
		FULL MKT VAL 2,651,724		SF284 FIRE DST #4 PUR			38,450 TO

0982.-6		246 OLD LAKE ST		41854 RES STAR	0982.-6		
SEGUINOT, MARIA		210 1 FAMILY RES	2,000	COUNTY TAXABLE	ACCT: 000058100		1,330
246 OLD LAKE ST		HARRISON CENTRAL		TOWN TAXABLE			10,100
WEST HARRISON NY 10604		2.166	10,100	SCHOOL TAXABLE			10,100
		ACREAGE 1.03		CS282 MAMARONECK VALL			8,770
		FULL MKT VAL 696,551		DD281 REF DISPOSAL DI			10,100 TO C
				SF284 FIRE DST #4 PUR			10,100 TO

0982.-7		226 OLD LAKE ST		COUNTY TAXABLE	0982.-7		
MAZZIELLA, ANTHONY		210 1 FAMILY RES	2,000	TOWN TAXABLE	ACCT: 000058110		
FAVA, JOANNA L		HARRISON CENTRAL		SCHOOL TAXABLE			9,000
226 OLD LAKE ST		267	9,000	CS282 MAMARONECK VALL			9,000
WEST HARRISON NY 10604		PARTIAL		DD281 REF DISPOSAL DI			9,000 TO C
		ACREAGE 1.15		SF284 FIRE DST #4 PUR			9,000 TO
		FULL MKT VAL 620,689					9,000 TO

0982.-8		260 OLD LAKE ST		41854 RES STAR	0982.-8		
AGAZZI, ANTONIO		210 1 FAMILY RES	8,700	COUNTY TAXABLE	ACCT: 000058120		1,330
AGAZZI, MICHELE		HARRISON CENTRAL		TOWN TAXABLE			17,400
260 OLD LAKE ST		POS	17,400	SCHOOL TAXABLE			17,400
WEST HARRISON NY 10604		ACREAGE 8.08		DD281 REF DISPOSAL DI			16,070
		FULL MKT VAL 1,200,000		SF284 FIRE DST #4 PUR			17,400 TO
							17,400 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2019 TOWN FINAL ROLL
T A X A B L E SECTION OF THE ROLL - 1
PARCEL TO ORDER
UNIFORM PERCENT OF VALUE = 1.45

PAGE: 1135
ROLL PRINT DATE: 9/15/2019
VALUATION DATE: 5/1/2019
TAXABLE STATUS DATE: 5/1/2019

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	LAND	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	TOTAL	SPECIAL DISTRICTS			TAXABLE VALUE
***** 0982 -3 *****							
0982.-3		791 LAKE ST			0982 -3		ACCT: 000058070
TSCHANTRY, MARC J		210 1 FAMILY RES		41854 RES STAR			1,330
TSCHANTRY, VICTORIA		HARRISON CENTRAL	2,000	COUNTY TAXABLE			9,800
791 LAKE ST		2.263		TOWN TAXABLE			9,800
WEST HARRISON NY 10604		ACREAGE 1.13	9,800	SCHOOL TAXABLE			8,470
		FULL MKT VAL 675,862		CS282 MAMARONECK VALL			9,800 TO C
				DD281 REF DISPOSAL DI			9,800 TO
				SF284 FIRE DST #4 PUR			9,800 TO
***** 0982 -4 *****							
0982.-4		795 LAKE ST			0982 -4		ACCT: 000058080
TWOMEY, WILLIAM		210 1 FAMILY RES		COUNTY TAXABLE			6,500
1593 OLD ORCHARD ST		HARRISON CENTRAL	1,500	TOWN TAXABLE			6,500
WEST HARRISON NY 10604		ACREAGE 0.41	6,500	SCHOOL TAXABLE			6,500
		FULL MKT VAL 448,275	6,500	CS282 MAMARONECK VALL			6,500 TO C
				DD281 REF DISPOSAL DI			6,500 TO
				SF284 FIRE DST #4 PUR			6,500 TO
***** 0982 -5 *****							
0982.-5		270 OLD LAKE ST			0982 -5		ACCT: 000058090
BOROWITZ, SUSAN S		210 1 FAMILY RES		COUNTY TAXABLE			38,450
270 OLD LAKE ST		HARRISON CENTRAL	6,400	TOWN TAXABLE			38,450
WEST HARRISON NY 10604		ACREAGE 3.70	38,450	SCHOOL TAXABLE			38,450
		FULL MKT VAL 2,651,724	38,450	DD281 REF DISPOSAL DI			38,450 TO
***** 0982 -6 *****							
0982.-6		246 OLD LAKE ST			0982 -6		ACCT: 000058100
SEGUINOT, MARIA		210 1 FAMILY RES		41854 RES STAR			1,330
246 OLD LAKE ST		HARRISON CENTRAL	2,000	COUNTY TAXABLE			10,100
WEST HARRISON NY 10604		2.166	10,100	TOWN TAXABLE			10,100
		ACREAGE 1.03	10,100	SCHOOL TAXABLE			8,770
		FULL MKT VAL 696,551		CS282 MAMARONECK VALL			10,100 TO C
				DD281 REF DISPOSAL DI			10,100 TO
				SF284 FIRE DST #4 PUR			10,100 TO
***** 0982 -7 *****							
0982.-7		226 OLD LAKE ST			0982 -7		ACCT: 000058110
MAZZELLA, ANTHONY		210 1 FAMILY RES		COUNTY TAXABLE			9,000
FAVA, JOANNA L		HARRISON CENTRAL	2,000	TOWN TAXABLE			9,000
226 OLD LAKE ST		267	9,000	SCHOOL TAXABLE			9,000
WEST HARRISON NY 10604		PARTIAL		CS282 MAMARONECK VALL			9,000 TO C
		ACREAGE 1.15		DD281 REF DISPOSAL DI			9,000 TO
		FULL MKT VAL 620,689		SF284 FIRE DST #4 PUR			9,000 TO
***** 0982 -8 *****							
0982.-8		260 OLD LAKE ST			0982 -8		ACCT: 000058120
AGAZZI, ANTONIO		210 1 FAMILY RES		41854 RES STAR			1,330
AGAZZI, MICHELE		HARRISON CENTRAL	8,700	COUNTY TAXABLE			17,400
260 OLD LAKE ST		POS	17,400	TOWN TAXABLE			17,400
WEST HARRISON NY 10604		ACREAGE 8.08	17,400	SCHOOL TAXABLE			16,070
		FULL MKT VAL 1,200,000		DD281 REF DISPOSAL DI			17,400 TO
				SF284 FIRE DST #4 PUR			17,400 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2019 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.45

PAGE: 1135
ROLL PRINT DATE: 9/15/2019
VALUATION DATE: 5/1/2019
TAXABLE STATUS DATE: 5/1/2019

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			TAXABLE VALUE
.....							
		791 LAKE ST			0982 -3	000058070	
0982 -3		210 1 FAMILY RES		41854 RES STAR			1,330
TSCHANTRÉ, MARC J		HARRISON CENTRAL	2,000	COUNTY TAXABLE			9,800
TSCHANTRÉ, VICTORIA		2.263		TOWN TAXABLE			9,800
791 LAKE ST		ACREAGE 1.13	9,800	SCHOOL TAXABLE			8,470
WEST HARRISON NY 10604		FULL MKT VAL 675,862		CS282 MAMARONECK VALL			9,800 TO C
.....							
		795 LAKE ST			0982 -4	000058080	
0982 -4		210 1 FAMILY RES		COUNTY TAXABLE			6,500
TWOMEY, WILLIAM		HARRISON CENTRAL	1,500	TOWN TAXABLE			6,500
1593 OLD ORCHARD ST		ACREAGE 0.41		SCHOOL TAXABLE			6,500
WEST HARRISON NY 10604		FULL MKT VAL 448,275	6,500	CS282 MAMARONECK VALL			6,500 TO C
.....							
		270 OLD LAKE ST			0982 -5	000058090	
0982 -5		210 1 FAMILY RES		COUNTY TAXABLE			38,450
BOROWITZ, SUSAN S		HARRISON CENTRAL	6,400	TOWN TAXABLE			38,450
270 OLD LAKE ST		ACREAGE 3.70		SCHOOL TAXABLE			38,450
WEST HARRISON NY 10604		FULL MKT VAL 2,651,724	38,450	DD281 REF DISPOSAL DI			38,450 TO
.....							
		246 OLD LAKE ST			0982 -6	000058100	
0982 -6		210 1 FAMILY RES		41854 RES STAR			1,330
SEGUINOT, MARIA		HARRISON CENTRAL	2,000	COUNTY TAXABLE			10,100
246 OLD LAKE ST		2.166		TOWN TAXABLE			10,100
WEST HARRISON NY 10604		ACREAGE 1.03	10,100	SCHOOL TAXABLE			8,770
.....							
		226 OLD LAKE ST			0982 -7	000058110	
0982 -7		210 1 FAMILY RES		COUNTY TAXABLE			9,000
MAZZELLA, ANTHONY		HARRISON CENTRAL	2,000	TOWN TAXABLE			9,000
FAVA, JOANNA L		267		SCHOOL TAXABLE			9,000
226 OLD LAKE ST		PARTIAL	9,000	CS282 MAMARONECK VALL			9,000 TO C
WEST HARRISON NY 10604		ACREAGE 1.15		DD281 REF DISPOSAL DI			9,000 TO
.....							
		260 OLD LAKE ST			0982 -8	000058120	
0982 -8		210 1 FAMILY RES		41854 RES STAR			1,330
AGAZZI, ANTONIO		HARRISON CENTRAL	8,700	COUNTY TAXABLE			17,400
AGAZZI, MICHELE		P05		TOWN TAXABLE			17,400
260 OLD LAKE ST		ACREAGE 8.08	17,400	SCHOOL TAXABLE			16,070
WEST HARRISON NY 10604		FULL MKT VAL 1,200,000		DD281 REF DISPOSAL DI			17,400 TO
.....							
				SF284 FIRE DST #4 PUR			17,400 TO

Parcel ID: 0982-6 (HARRISON)
 Legal Addr: 246 OLD LAKE ST
 Name: SEGUINOT, MARIA
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 SEGUINOT, MARIA
 246 OLD LAKE ST
 WEST HARRISON, NY 10604

Property Description
 2 L&6

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Acreage: 1.03
 Coord North: 0 East: 0
 Ownership:
 Easement: None

Mortgage Num:
 Land Commitment: None
 Commitment End:

Assessment Information

2020		2021	
Land	Total	Land	Total
2,000	10,100	2,000	10,100
County Taxable		Town Taxable	
10,100		10,100	
School Taxable		STAR Amount	
10,100		1,170	

Exemption Information

Code	Description	County	Town	School	Village
41854	RES STAR			1,170	

Special District Information

Code	Description	Calc %	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY					10100
DD281	REF DISPOSAL DIST					10100
SF284	FIRE DST #4 PURCH					10100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	425,000	4/13/2007	No	Land/Bldg	MASTRANGELO, W			5/8/2007
2	347,000	11/3/2005	No	Land/Bldg	MASTRANGELO, W			2/21/2006

Parcel ID: 0982-6 (HARRISON)
 Legal Addr: 246 OLD LAKE ST
 Name: SEGUINOT, MARIA
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 SEGUINOT, MARIA
 246 OLD LAKE ST
 WEST HARRISON, NY 10604

Property Description
 2.1&6

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Acreage: 1.03
 Coord North: 0 East: 0
 Ownership:
 Easement: None

Mortgage Num:
 Land Commitment: None
 Commitment End:

Assessment Information

2020	
Land	Total
2,000	10,100

2021	
Land	Total
2,000	10,100

County Taxable
10,100

Town Taxable
10,100

School Taxable
10,100

STAR Amount
1,170

Exemption Information

Code	Description	County	Town	School	Village
41854	RES STAR			1,170	

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						10100
DD281	REF DISPOSAL DIST						10100
SF284	FIRE DST #4 PURCH						10100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	425,000	4/13/2007	No	Land/Bldg	MASTRANGELO, W			5/8/2007
2	347,000	11/3/2005	No	Land/Bldg	MASTRANGELO, W			2/21/2006

Parcel ID: 0982-6 (HARRISON)
 Legal Addr: 246 OLD LAKE ST
 Name: SEGUINOT, MARIA
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 SEGUINOT, MARIA
 246 OLD LAKE ST
 WEST HARRISON, NY 10604

Property Description
 2.1&6

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Acreage: 1.03
 Coord North: 0 East: 0
 Ownership:
 Easement: None

Mortgage Num:
 Land Commitment: None
 Commitment End:

Assessment Information

2020		2021	
Land	Total	Land	Total
2,000	10,100	2,000	10,100

County Taxable	Town Taxable	School Taxable	STAR Amount
10,100	10,100	10,100	1,170

Exemption Information

Code	Description	County	Town	School	Village
41854	RES STAR			1,170	

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						10100
DD281	REF DISPOSAL DIST						10100
SF284	FIRE DST #4 PURCH						10100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	425,000	4/13/2007	No	Land Bldg	MASTRANGELO, W			5/8/2007
2	347,000	11/3/2005	No	Land Bldg	MASTRANGELO, W			2/21/2006

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2021 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.42

PAGE: 1130
ROLL PRINT DATE: 9/15/2021
VALUATION DATE: 5/1/2021
TAXABLE STATUS DATE: 5/1/2021

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			TAXABLE VALUE

0982.-3		791 LAKE ST			0982.-3	*****	
TSCHANTRÉ, MARC J		210 1 FAMILY RES		41854 RES STAR	ACCT: 000058070		
TSCHANTRÉ, VICTORIA		HARRISON CENTRAL	2,000	COUNTY TAXABLE			1,170
791 LAKE ST		2.263		TOWN TAXABLE			9,800
WEST HARRISON NY 10604		ACREAGE 1.13	9,800	SCHOOL TAXABLE			9,800
		FULL MKT VAL 690,140		CS282 MAMARONECK VALL			8,630
				DD281 REF DISPOSAL DI			9,800 TO C
				SF284 FIRE DST #4 PUR			9,800 TO

0982.-4		795 LAKE ST			0982.-4	*****	
TWOMEY, WILLIAM		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000058080		
1593 OLD ORCHARD ST		HARRISON CENTRAL	1,500	TOWN TAXABLE			6,500
WEST HARRISON NY 10604		ACREAGE 0.41	6,500	SCHOOL TAXABLE			6,500
		FULL MKT VAL 457,746		CS282 MAMARONECK VALL			6,500 TO C
				DD281 REF DISPOSAL DI			6,500 TO
				SF284 FIRE DST #4 PUR			6,500 TO

0982.-5		270 OLD LAKE ST			0982.-5	*****	
BOROWITZ, SUSAN S		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000058090		
270 OLD LAKE ST		HARRISON CENTRAL	6,400	TOWN TAXABLE			38,450
WEST HARRISON NY 10604		ACREAGE 3.70	38,450	SCHOOL TAXABLE			38,450
		FULL MKT VAL 2,707,746		DD281 REF DISPOSAL DI			38,450 TO
				SF284 FIRE DST #4 PUR			38,450 TO

0982.-6		246 OLD LAKE ST			0982.-6	*****	
SEGUINOT, MARIA		210 1 FAMILY RES		41854 RES STAR	ACCT: 000058100		
246 OLD LAKE ST		HARRISON CENTRAL	2,000	COUNTY TAXABLE			1,170
WEST HARRISON NY 10604		2.146	10,100	TOWN TAXABLE			10,100
		ACREAGE 1.03		SCHOOL TAXABLE			8,930
		FULL MKT VAL 711,267		CS282 MAMARONECK VALL			10,100 TO C
				DD281 REF DISPOSAL DI			10,100 TO
				SF284 FIRE DST #4 PUR			10,100 TO

0982.-7		226 OLD LAKE ST			0982.-7	*****	
MAZZELLA, ANTHONY		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000058110		
FAVA, JOANNA L		HARRISON CENTRAL	2,000	TOWN TAXABLE			9,000
226 OLD LAKE ST		267		SCHOOL TAXABLE			9,000
WEST HARRISON NY 10604		PARTIAL	9,000	CS282 MAMARONECK VALL			9,000 TO C
		ACREAGE 1.15		DD281 REF DISPOSAL DI			9,000 TO
		FULL MKT VAL 633,802		SF284 FIRE DST #4 PUR			9,000 TO

0982.-8		260 OLD LAKE ST			0982.-8	*****	
AGAZZI, ANTONIO		210 1 FAMILY RES		41854 RES STAR	ACCT: 000058120		
AGAZZI, MICHELE		HARRISON CENTRAL	8,700	COUNTY TAXABLE			1,170
260 OLD LAKE ST		PO5		TOWN TAXABLE			15,000
WEST HARRISON NY 10604		ACREAGE 8.08	15,000	SCHOOL TAXABLE			15,000
		FULL MKT VAL 1,056,338		DD281 REF DISPOSAL DI			15,000 TO
				SF284 FIRE DST #4 PUR			15,000 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2021 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.42

PAGE: 1130
ROLL PRINT DATE: 9/15/2021
VALUATION DATE: 5/1/2021
TAXABLE STATUS DATE: 5/1/2021

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			TAXABLE VALUE
***** 0982.-3 *****							
0982.-3		791 LAKE ST			0982.-3		ACCT: 000058070
TSCHANIRE, MARC J		210 1 FAMILY RES		41854 RES STAR			1,170
TSCHANIRE, VICTORIA		HARRISON CENTRAL	2,000	COUNTY TAXABLE			9,800
791 LAKE ST		2.263		TOWN TAXABLE			9,800
WEST HARRISON NY 10604		ACREAGE 1.13	9,800	SCHOOL TAXABLE			8,630
		FULL MKT VAL 690,140		CS282 HAMARONECK VALL			9,800 TO C
				DD281 REF DISPOSAL DI			9,800 TO
				SF284 FIRE DST #4 PUR			9,800 TO
***** 0982.-4 *****							
0982.-4		795 LAKE ST			0982.-4		ACCT: 000058080
THOMMY, WILLIAM		210 1 FAMILY RES		COUNTY TAXABLE			6,500
1593 OLD ORCHARD ST		HARRISON CENTRAL	1,500	TOWN TAXABLE			6,500
WEST HARRISON NY 10604		ACREAGE 0.41		SCHOOL TAXABLE			6,500
		FULL MKT VAL 457,746	6,500	CS282 HAMARONECK VALL			6,500 TO C
				DD281 REF DISPOSAL DI			6,500 TO
				SF284 FIRE DST #4 PUR			6,500 TO
***** 0982.-5 *****							
0982.-5		270 OLD LAKE ST			0982.-5		ACCT: 000058090
BOROWITZ, SUSAN S		210 1 FAMILY RES		COUNTY TAXABLE			38,450
270 OLD LAKE ST		HARRISON CENTRAL	6,400	TOWN TAXABLE			38,450
WEST HARRISON NY 10604		ACREAGE 3.70		SCHOOL TAXABLE			38,450
		FULL MKT VAL 2,707,746	38,450	DD281 REF DISPOSAL DI			38,450 TO
				SF284 FIRE DST #4 PUR			38,450 TO
***** 0982.-6 *****							
0982.-6		246 OLD LAKE ST			0982.-6		ACCT: 000058100
SEGUNOT, MARIA		210 1 FAMILY RES		41854 RES STAR			1,170
246 OLD LAKE ST		HARRISON CENTRAL	2,000	COUNTY TAXABLE			10,100
WEST HARRISON NY 10604		2.166		TOWN TAXABLE			10,100
		ACREAGE 1.03	10,100	SCHOOL TAXABLE			8,930
		FULL MKT VAL 711,267		CS282 HAMARONECK VALL			10,100 TO C
				DD281 REF DISPOSAL DI			10,100 TO
				SF284 FIRE DST #4 PUR			10,100 TO
***** 0982.-7 *****							
0982.-7		226 OLD LAKE ST			0982.-7		ACCT: 000058110
MAZZELLA, ANTHONY		210 1 FAMILY RES		COUNTY TAXABLE			9,000
FAVA, JOANNA L		HARRISON CENTRAL	2,000	TOWN TAXABLE			9,000
226 OLD LAKE ST		267		SCHOOL TAXABLE			9,000
WEST HARRISON NY 10604		PARTIAL	9,000	CS282 HAMARONECK VALL			9,000 TO C
		ACREAGE 1.15		DD281 REF DISPOSAL DI			9,000 TO
		FULL MKT VAL 633,802		SF284 FIRE DST #4 PUR			9,000 TO
***** 0982.-8 *****							
0982.-8		260 OLD LAKE ST			0982.-8		ACCT: 000058120
AGAZZI, ANTONIO		210 1 FAMILY RES		41854 RES STAR			1,170
AGAZZI, NICHELE		HARRISON CENTRAL	8,700	COUNTY TAXABLE			15,000
260 OLD LAKE ST		POS		TOWN TAXABLE			15,000
WEST HARRISON NY 10604		ACREAGE 8.08	15,000	SCHOOL TAXABLE			13,830
		FULL MKT VAL 1,056,338		DD281 REF DISPOSAL DI			15,000 TO
				SF284 FIRE DST #4 PUR			15,000 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2021 TOWN FINAL ROLL
T A X A B L E SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.42

PAGE: 1130
ROLL PRINT DATE: 9/15/2021
VALUATION DATE: 5/1/2021
TAXABLE STATUS DATE: 5/1/2021

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION	TAXABLE VALUE		
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---TOTAL---	SPECIAL DISTRICTS			

0982.-3		791 LAKE ST			0982.-3	*****	
TSCHANTRY, MARC J		210 1 FAMILY RES	2,000	41854 RES STAR	ACCT: 000058070		
TSCHANTRY, VICTORIA		HARRISON CENTRAL		COUNTY TAXABLE		9,800	1,170
791 LAKE ST		2.263		TOWN TAXABLE		9,800	
WEST HARRISON NY 10604		ACREAGE 1.13	9,800	SCHOOL TAXABLE		8,630	
		FULL MKT VAL 690,140		CS282 HAMARONECK VALL		9,800 TO C	
				DD281 REF DISPOSAL DI		9,800 TO	
				SF284 FIRE DST #4 PUR		9,800 TO	

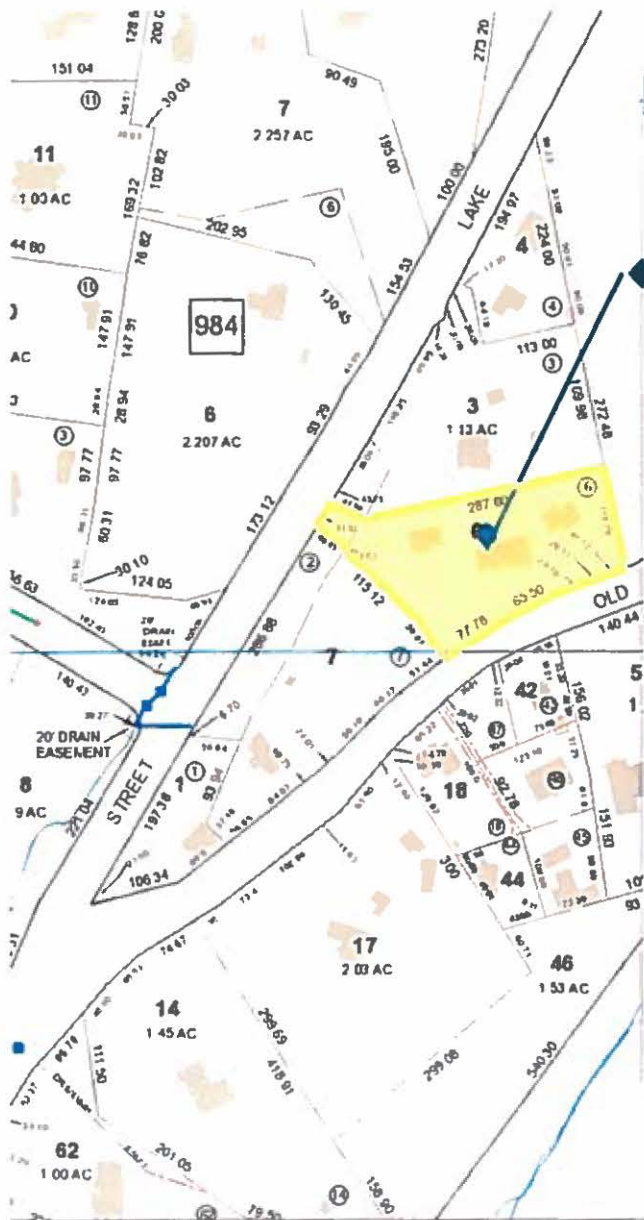
0982.-4		795 LAKE ST			0982.-4	*****	
THOMBY, WILLIAM		210 1 FAMILY RES	1,500	COUNTY TAXABLE	ACCT: 000058080		
1593 OLD ORCHARD ST		HARRISON CENTRAL		TOWN TAXABLE		6,500	
WEST HARRISON NY 10604		ACREAGE 0.41	6,500	SCHOOL TAXABLE		6,500	
		FULL MKT VAL 457,746		CS282 HAMARONECK VALL		6,500 TO C	
				DD281 REF DISPOSAL DI		6,500 TO	
				SF284 FIRE DST #4 PUR		6,500 TO	

0982.-5		270 OLD LAKE ST			0982.-5	*****	
BOROWITZ, SUSAN S		210 1 FAMILY RES	6,400	COUNTY TAXABLE	ACCT: 000058090		
270 OLD LAKE ST		HARRISON CENTRAL		TOWN TAXABLE		38,450	
WEST HARRISON NY 10604		ACREAGE 3.70	38,450	SCHOOL TAXABLE		38,450	
		FULL MKT VAL 2,707,746		DD281 REF DISPOSAL DI		38,450 TO	
				SF284 FIRE DST #4 PUR		38,450 TO	

0982.-6		246 OLD LAKE ST			0982.-6	*****	
SEGUINOT, MARIA		210 1 FAMILY RES	2,000	41854 RES STAR	ACCT: 000058100		
246 OLD LAKE ST		HARRISON CENTRAL		COUNTY TAXABLE		10,100	1,170
WEST HARRISON NY 10604		2.146	10,100	TOWN TAXABLE		10,100	
		ACREAGE 1.03		SCHOOL TAXABLE		8,930	
		FULL MKT VAL 711,267		CS282 HAMARONECK VALL		10,100 TO C	
				DD281 REF DISPOSAL DI		10,100 TO	
				SF284 FIRE DST #4 PUR		10,100 TO	

0982.-7		226 OLD LAKE ST			0982.-7	*****	
MAZZELLA, ANTHONY		210 1 FAMILY RES	2,000	COUNTY TAXABLE	ACCT: 000058110		
FAVA, JOANNA L		HARRISON CENTRAL		TOWN TAXABLE		9,000	
226 OLD LAKE ST		247	9,000	SCHOOL TAXABLE		9,000	
WEST HARRISON NY 10604		PARTIAL		CS282 HAMARONECK VALL		9,000 TO C	
		ACREAGE 1.15		DD281 REF DISPOSAL DI		9,000 TO	
		FULL MKT VAL 633,802		SF284 FIRE DST #4 PUR		9,000 TO	

0982.-8		260 OLD LAKE ST			0982.-8	*****	
AGAZZI, ANTONIO		210 1 FAMILY RES	8,700	41854 RES STAR	ACCT: 000058120		
AGAZZI, MICHELE		HARRISON CENTRAL		COUNTY TAXABLE		15,000	1,170
260 OLD LAKE ST		POS	15,000	TOWN TAXABLE		15,000	
WEST HARRISON NY 10604		ACREAGE 8.08		SCHOOL TAXABLE		13,830	
		FULL MKT VAL 1,056,338		DD281 REF DISPOSAL DI		15,000 TO	
				SF284 FIRE DST #4 PUR		15,000 TO	



Parcel # 0982-6

246 OLD LAKE ST



Documents & Links Assessment

ID	6322
PropertyAddress	246 OLD LAKE ST
PropertyStreet	OLD LAKE ST
MapSheet	098
OwnerName	SEGUINOT, MARIA
CoOwnerName	N/A
OwnerAddress	246 OLD LAKE ST
OwnerAddress2	N/A
OwnerCity	WEST HARRISON
OwnerState	NY
OwnerZip	10604
ParcelNumber	0982-6
GisFullNumber	0982-6
CamaFullNumber	0982-6
PID	0982-6
ParcelID	0982-6
Owner	SEGUINOT, MARIA
Legal Address	246 OLD LAKE ST

[Zoom to](#)



Parcel # 0982-6

246 OLD LAKE ST

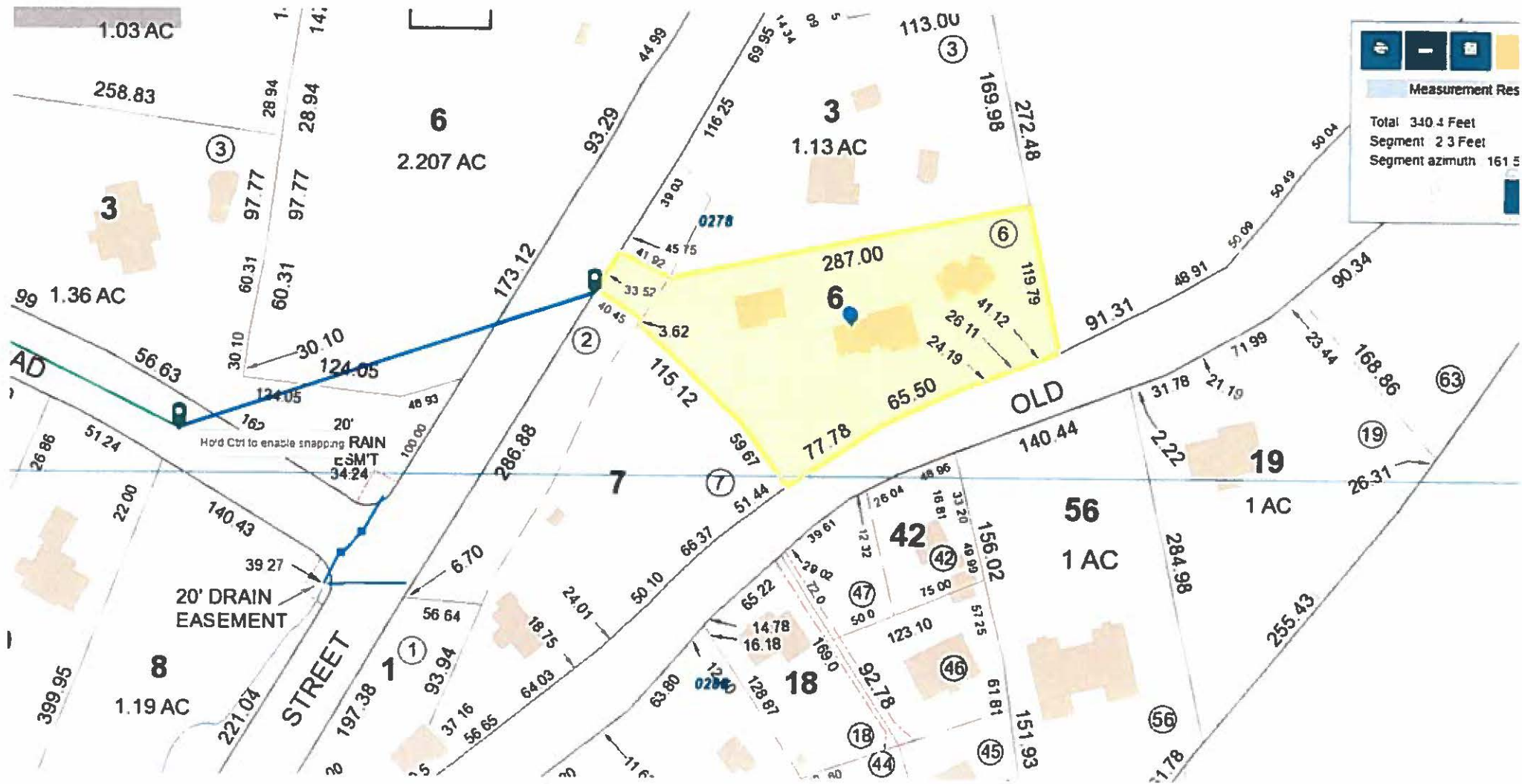


Documents & Links Assessments

ID	6322
PropertyAddress	246 OLD LAKE ST
PropertyStreet	OLD LAKE ST
MapSheet	098
OwnerName	SEQUINOT, MARIA
CoOwnerName	N/A
OwnerAddress	246 OLD LAKE ST
OwnerAddress2	N/A
OwnerCity	WEST HARRISON
OwnerState	NY
OwnerZip	10604
ParcelNumber	0982-6
GisFullNumber	0982-6
CamaFullNumber	0982-6
PID	0982-6
ParcelID	0982-6
Owner	SEQUINOT, MARIA
Legal Address	246 OLD LAKE ST

[Zoom to](#)

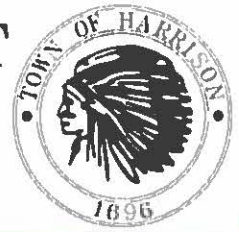




HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 2481 Purchase Street from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line is greater than 800' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Blind Brook Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM
Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 1:08

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\2481 Purchase Street\2481 Purchase Street Cover Letter for Package.docx

June 16, 2022

V - - 2022 - - 059

AUTHORIZATION TO REMOVE 2481 PURCHASE STREET (BLOCK 641, LOT 3)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Sciliano,

it was,

RESOLVED to accept the request by, Town Engineer, Michael Amodeo, on behalf of homeowners, Mark and Elizabeth Altman, that their property identified as 2481 Purchase Street (Block 641, Lot 3) be removed from the Westchester County Sewer District. The property is not connected to any public or private sewer systems.

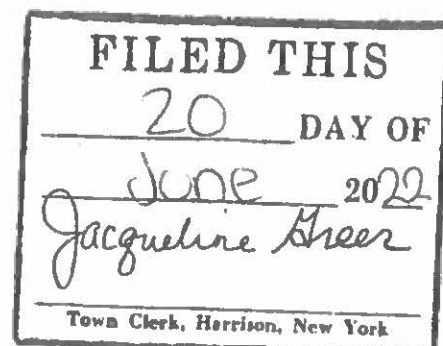
FURTHER RESOLVED to forward a copy of this Resolution to Westchester County Sewer District and the Engineering Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None



June 16, 2022

V - - 2022 - - 059

AUTHORIZATION TO REMOVE 2481 PURCHASE STREET (BLOCK 641, LOT 3)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Sciliano,

it was,

RESOLVED to accept the request by, Town Engineer, Michael Amodeo, on behalf of homeowners, Mark and Elizabeth Altman, that their property identified as 2481 Purchase Street (Block 641, Lot 3) be removed from the Westchester County Sewer District. The property is not connected to any public or private sewer systems.

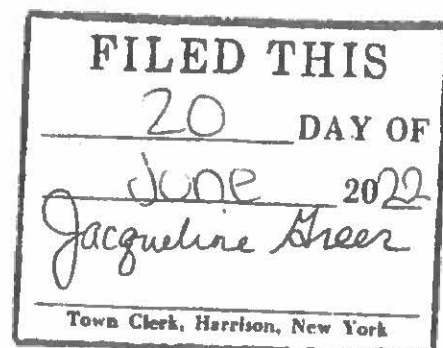
FURTHER RESOLVED to forward a copy of this Resolution to Westchester County Sewer District and the Engineering Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0641.-3 (HARRISON)
Legal Addr: 2481 PURCHASE ST
Name: ALTMAN, MARK
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 ALTMAN, MARK
 ALTMAN, ELIZABETH
 2481 PURCHASE STREET
 PURCHASE, NY 10577

Property Description
 PARTIAL

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 3.48
Coord North: 0
Ownership:
Easement: None

East: 0

Assessment Information

2020	
Land	Total
10,000	34,950

2021	
Land	Total
10,000	34,950

2022	
Land	Total
10,000	37,000

County Taxable
37,000

Town Taxable
37,000

School Taxable
37,000

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS281	BLIND BROOK SEWER						37000
DD281	REF DISPOSAL DIST						37000
SF284	FIRE DST #4 PURCH						37000

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	905,000	8/29/1996	No	Land\Bldg	LINNET, KENT		FORECLOSURE	8/23/1996
2	2,375,000	10/20/2019	Yes	Land\Bldg	CONSTANTINE, R	592953176	Bargain &	11/12/2019

Parcel ID: 0641.-3 (HARRISON)
Name: ALTMAN, MARK

Legal Addr: 2481 PURCHASE ST
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 250 (ESTATE)
Desirability: 2 (TYPICAL)
Zoning: R-2 (R-2)
Sewer: 3 (COMM\PUBLIC)
Utilities: 4 (GAS\ELECTRIC)
Route #:
Elevation:

Neighborhood: 12
Nbhd Rating: 2 (AVERAGE)
Nbhd Type: 2 (SUBURBAN)
Water: 3 (COMM\PUBLIC)
Road: 3 (IMPROVED)
Phys Change:
Traffic:

Bldg Style: 8A (TUDOR STYLE)
Condition:
Heat: 3 (HOT WATER \STEAM)
Fuel: 2 (Gas)
Year Built: 1926
Garages: 3
Stories: 1.8
Bathrooms: 4.0
Kitchens: 1
1st Story: 2,915
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 4,544

Porch: 1 (Open)
Year Remodeled: 2015
Bsmt Garages:
Rooms: 11
1/2 Baths: 1
Kitchen Qual:
2nd Story: 1,629
3/4 Story:
Fin Bsmt: 2,175
Unfin 3/4:

Central Air: Yes
Porch Area: 0
Ditch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 3
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

Land Information

#	Land Type	Frntg	Depth	Acres	Sq Feet	Influence	Soil	Wtrfrnt	Land Val	Unit Val
1				3.48						

Notes

#	Date Entered	Time Entered	Entered by	Note Code	Type	Date Due	Responsible	Open
1	3/29/2022	2:52 PM	JCALA		R			

BP 20-30949 ADDITION OF MEDIA ROOM/OFFICE - COMPLETE

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2021 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.42

PAGE: 757
ROLL PRINT DATE: 9/15/2021
VALUATION DATE: 5/1/2021
TAXABLE STATUS DATE: 5/1/2021

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---	LAND---	TAX DESCRIPTION		TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---	TOTAL---	SPECIAL DISTRICTS		

0631.-48		6 OPHIR DR				0631.-48	*****
MITTMAN, STEFANIE		210 1 FAMILY RES				ACCT: 000151660	
6 OPHIR DR		HARRISON CENTRAL	3,600		COUNTY TAXABLE		26,000
PURCHASE NY 10577		ACREAGE 0.63			TOWN TAXABLE		26,000
		FULL MKT VAL 1,845,070	26,200		SCHOOL TAXABLE		26,000
					CS282 MAMARONECK VALL		26,000 TO C
					DD281 REF DISPOSAL DI		26,000 TO
					SF284 FIRE DST #4 PUR		26,000 TO

0631.-49		4 OPHIR DR				0631.-49	*****
PERRETITA, PASQUALE		210 1 FAMILY RES				ACCT: 000151669	
PERRETITA, TANINA		HARRISON CENTRAL	3,600		COUNTY TAXABLE		23,000
4 OPHIR DR		ACREAGE 0.63			TOWN TAXABLE		23,000
PURCHASE NY 10577		FULL MKT VAL 1,654,929	23,500		SCHOOL TAXABLE		23,000
					CS282 MAMARONECK VALL		23,000 TO C
					DD281 REF DISPOSAL DI		23,000 TO
					SF284 FIRE DST #4 PUR		23,000 TO

0631.-50		2 OPHIR DR				0631.-50	*****
CURCIO, CATHERINE		210 1 FAMILY RES				ACCT: 000151678	
CURCIO, VINCENT		HARRISON CENTRAL	3,600		COUNTY TAXABLE		24,450
2 OPHIR DR		ACREAGE 0.63			TOWN TAXABLE		24,450
PURCHASE NY 10577		FULL MKT VAL 1,721,830	24,450		SCHOOL TAXABLE		24,450
					CS282 MAMARONECK VALL		24,450 TO C
					DD281 REF DISPOSAL DI		24,450 TO
					SF284 FIRE DST #4 PUR		24,450 TO

0641.-1		2007 PURCHASE ST				0641.-1	*****
WOODED HILLS LLC		250 ESTATE				ACCT: 000065870	
P.O. BOX 35		HARRISON CENTRAL	51,700		COUNTY TAXABLE		109,800
PURCHASE NY 10577		ACREAGE 17.73			TOWN TAXABLE		109,800
		FULL MKT VAL 7,732,394	109,800		SCHOOL TAXABLE		109,800
					CS281 BLIND BROOK SEW		109,800 TO C
					DD281 REF DISPOSAL DI		109,800 TO
					SF284 FIRE DST #4 PUR		109,800 TO

0641.-2		2411 PURCHASE ST				0641.-2	*****
DOPPELT, DIANE		250 ESTATE				ACCT: 000040130	
DOPPELT, EARL H		HARRISON CENTRAL	18,200		COUNTY TAXABLE		58,800
2411 PURCHASE ST		ACREAGE 7.27			TOWN TAXABLE		58,800
PURCHASE NY 10577		FULL MKT VAL 4,140,845	58,800		SCHOOL TAXABLE		58,800
					CS281 BLIND BROOK SEW		58,800 TO C
					DD281 REF DISPOSAL DI		58,800 TO
					SF284 FIRE DST #4 PUR		58,800 TO

0641.-3		2481 PURCHASE ST				0641.-3	*****
ALTMAN, MARK		210 1 FAMILY RES				ACCT: 000040130	
ALTMAN, ELIZABETH		HARRISON CENTRAL	10,000		COUNTY TAXABLE		34,950
2481 PURCHASE STREET		PARTIAL			TOWN TAXABLE		34,950
PURCHASE NY 10577		ACREAGE 3.48	34,950		SCHOOL TAXABLE		34,950
		FULL MKT VAL 2,461,267			CS281 BLIND BROOK SEW		34,950 TO C
					DD281 REF DISPOSAL DI		34,950 TO
					SF284 FIRE DST #4 PUR		34,950 TO



Parcel ID: 0641.-3 (HARRISON)
Legal Addr: 2481 PURCHASE ST
Name: ALTMAN, MARK
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 ALTMAN, MARK
 ALTMAN, ELIZABETH
 2481 PURCHASE STREET
 PURCHASE, NY 10577

Property Description
 PARTIAL

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 3.48
Coord North: 0
Ownership:
Easement: None

East: 0

Assessment Information

2020	
Land	Total
10,000	34,950

2021	
Land	Total
10,000	34,950

2022	
Land	Total
10,000	37,000

County Taxable
37,000

Town Taxable
37,000

School Taxable
37,000

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS281	BLIND BROOK SEWER						37000
DD281	REF DISPOSAL DIST						37000
SF284	FIRE DST #4 PURCH						37000

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
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2	2,375,000	10/20/2019	Yes	Land\Bldg	CONSTANTINE, R	592953176	Bargain &	11/12/2019

Parcel ID: 0641.-3 (HARRISON)
Name: ALTMAN, MARK

Legal Addr: 2481 PURCHASE ST
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 250 (ESTATE)
Desirability: 2 (TYPICAL)
Zoning: R-2 (R-2)
Sewer: 3 (COMM/PUBLIC)
Utilities: 4 (GAS/ELECTRIC)
Route #:
Elevation:

Neighborhood: 12
Nbhd Rating: 2 (AVERAGE)
Nbhd Type: 2 (SUBURBAN)
Water: 3 (COMM/PUBLIC)
Road: 3 (IMPROVED)
Phys Change:
Traffic:

Bldg Style: 8A (TUDOR STYLE)
Condition:
Heat: 3 (HOT WATER \ STEAM)
Fuel: 2 (Gas)
Year Built: 1926
Garages: 3
Stories: 1.8
Bathrooms: 4.0
Kitchens: 1
1st Story: 2,915
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 4,544

Porch: 1 (Open)
Year Remodeled: 2015
Bsmt Garages:
Rooms: 11
1/2 Baths: 1
Kitchen Qual:
2nd Story: 1,629
3/4 Story:
Fin Bsmt: 2,175
Unfin 3/4:

Ext Wall: 06 (STUCCO)
Grade: (EXCELLENT)
Basement: 4 (Full)

Central Air: Yes
Porch Area: 0
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 3
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

Land Information

#	Land Type	Frntg	Depth	Acres	Sq Feet	Influence	Soil	Wtrfrnt	Land Val	Unit Val
1				3.48						

Notes

#	Date Entered	Time Entered	Entered by	Note Code	Type	Date Due	Responsible	Open
1	3/29/2022	2:52 PM	JCALA		R			

BP 20-30949 ADDITION OF MEDIA ROOM/OFFICE - COMPLETE

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2021 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.42

PAGE: 757
ROLL PRINT DATE: 9/15/2021
VALUATION DATE: 5/1/2021
TAXABLE STATUS DATE: 5/1/2021

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION		TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL---	SPECIAL DISTRICTS		

0631.-48		6 OPHIR DR			0631.-48	*****
MITTMAN, STEFANIE		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000151660	
6 OPHIR DR		HARRISON CENTRAL	3,600	TOWN TAXABLE		26,000
PURCHASE NY 10577		ACREAGE 0.63		SCHOOL TAXABLE		26,000
		FULL MKT VAL 1,845,070	26,200	CS282 MAMARONECK VALL		26,000 TO C
				DD281 REF DISPOSAL DI		26,000 TO
				SF284 FIRE DST #4 PUR		26,000 TO

0631.-49		4 OPHIR DR			0631.-49	*****
PERRETTO, PASQUALE		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000151669	
PERRETTO, TANINA		HARRISON CENTRAL	3,600	TOWN TAXABLE		23,000
4 OPHIR DR		ACREAGE 0.63		SCHOOL TAXABLE		23,000
PURCHASE NY 10577		FULL MKT VAL 1,654,929	23,500	CS282 MAMARONECK VALL		23,000 TO C
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0631.-50		2 OPHIR DR			0631.-50	*****
CURCIO, CATHERINE		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000151678	
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WOODED HILLS LLC		250 ESTATE		COUNTY TAXABLE	ACCT: 000065870	
P.O. BOX 35		HARRISON CENTRAL	51,700	TOWN TAXABLE		109,800
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		FULL MKT VAL 7,732,394	109,800	CS281 BLIND BROOK SEW		109,800 TO C
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0641.-2		2411 PURCHASE ST			0641.-2	*****
DOPPELT, DIANE		250 ESTATE		COUNTY TAXABLE	ACCT: 000040130	
DOPPELT, EARL H		HARRISON CENTRAL	18,200	TOWN TAXABLE		58,800
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0641.-3		2481 PURCHASE ST			0641.-3	*****
ALTMAN, MARK		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000040130	
ALTMAN, ELIZABETH		HARRISON CENTRAL	10,000	TOWN TAXABLE		34,950
2481 PURCHASE STREET		PARTIAL		SCHOOL TAXABLE		34,950
PURCHASE NY 10577		ACREAGE 3.48	34,950	CS281 BLIND BROOK SEW		34,950 TO C
		FULL MKT VAL 2,461,267		DD281 REF DISPOSAL DI		34,950 TO
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Mailing Address:
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 PURCHASE, NY 10577

Property Description
 PARTIAL

Bank Code: Roll Sect: 1
 Hstd: Res %:
 Prop Class: 210 (1 FAMILY RES)

Mortgage Num:
 Land Commitment: None
 Commitment End:

Acreage: 3.48
 Coord North: 0
 Ownership:
 Easement: None

East: 0

Assessment Information

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10,000	34,950

2021	
Land	Total
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2022	
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County Taxable
37,000

Town Taxable
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Exemption Information

No exemptions.

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Bathroom Qual:
Fireplaces: 3
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

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Notes

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STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
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		FULL MKT VAL 1,845,070	26,200	CS282 MAMARONECK VALL	26,000 TO C		
				DD281 REF DISPOSAL DI	26,000 TO		
				SF284 FIRE DST #4 PUR	26,000 TO		

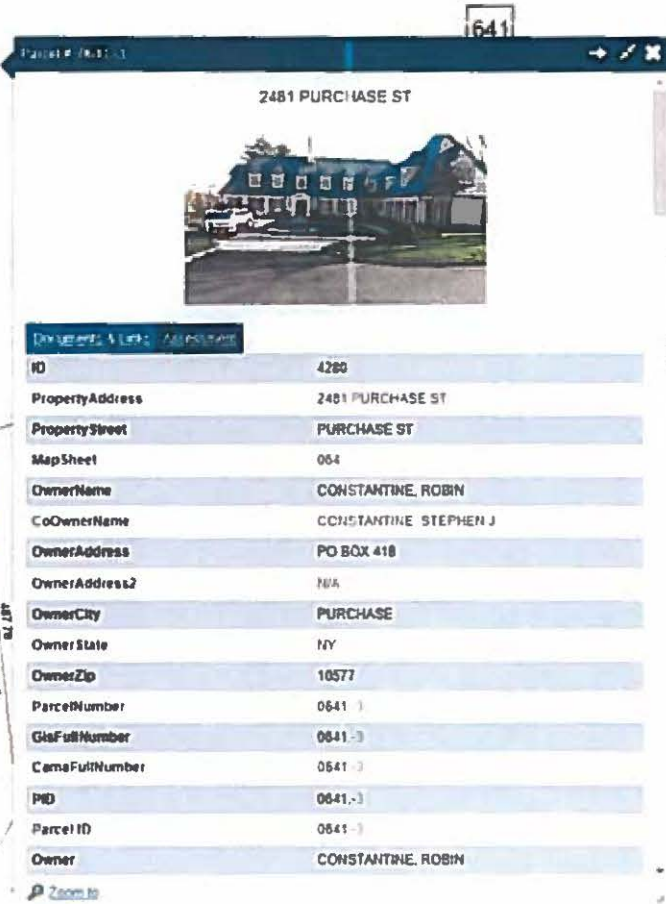
0631.-49		4 OPHIR DR			0631.-49		*****
PERRETTA, PASQUALE		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000151669		
PERRETTA, TANINA		HARRISON CENTRAL	3,600	TOWN TAXABLE	23,500		
4 OPHIR DR		ACREAGE 0.63		SCHOOL TAXABLE	23,500		
PURCHASE NY 10577		FULL MKT VAL 1,654,929	23,500	CS282 MAMARONECK VALL	23,500 TO C		
				DD281 REF DISPOSAL DI	23,500 TO		
				SF284 FIRE DST #4 PUR	23,500 TO		

0631.-50		2 OPHIR DR			0631.-50		*****
CURCIO, CATHERINE		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000151678		
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2 OPHIR DR		ACREAGE 0.63		SCHOOL TAXABLE	24,450		
PURCHASE NY 10577		FULL MKT VAL 1,721,830	24,450	CS282 MAMARONECK VALL	24,450 TO C		
				DD281 REF DISPOSAL DI	24,450 TO		
				SF284 FIRE DST #4 PUR	24,450 TO		

0641.-1		2007 PURCHASE ST			0641.-1		*****
WOODED HILLS LLC		250 ESTATE		COUNTY TAXABLE	ACCT: 000065870		
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		FULL MKT VAL 7,732,394	109,800	CS281 BLIND BROOK SEW	109,800 TO C		
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0641.-2		2411 PURCHASE ST			0641.-2		*****
DOPPELT, DIANE		250 ESTATE		COUNTY TAXABLE	ACCT: 000040130		
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PURCHASE NY 10577		FULL MKT VAL 4,140,845	58,800	CS281 BLIND BROOK SEW	58,800 TO C		
				DD281 REF DISPOSAL DI	58,800 TO		
				SF284 FIRE DST #4 PUR	58,800 TO		

0641.-3		2481 PURCHASE ST			0641.-3		*****
ALTMAN, MARK		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000040100		
ALTMAN, ELIZABETH		HARRISON CENTRAL	10,000	TOWN TAXABLE	34,950		
2481 PURCHASE STREET		PARTIAL		SCHOOL TAXABLE	34,950		
PURCHASE NY 10577		ACREAGE 3.48	34,950	CS281 BLIND BROOK SEW	34,950 TO C		
		FULL MKT VAL 2,461,267		DD281 REF DISPOSAL DI	34,950 TO		
				SF284 FIRE DST #4 PUR	34,950 TO		



Feet

Measurement Result

Tc: 1 904.4 Feet
 Segment 17.8 Feet
 Segment azimuth 175.236°

Clear

COMPARISON AREA

Hold Ctrl to enable snapping

77 WER ASSI SSEMENT AREA

641

41.66 AC

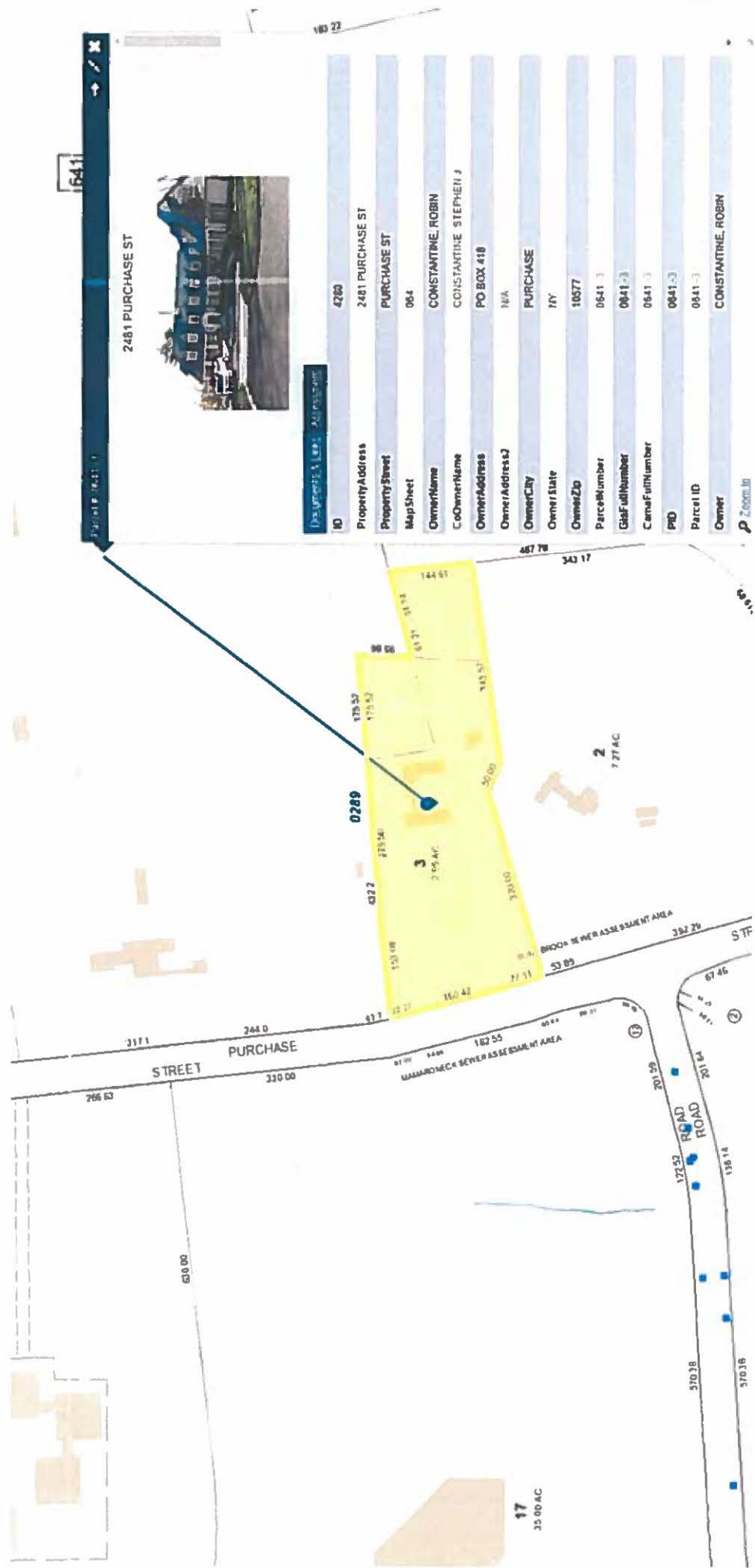
0289

STREET PURCHASE

MAHARATKA SEWER ASSESSMENT AREA

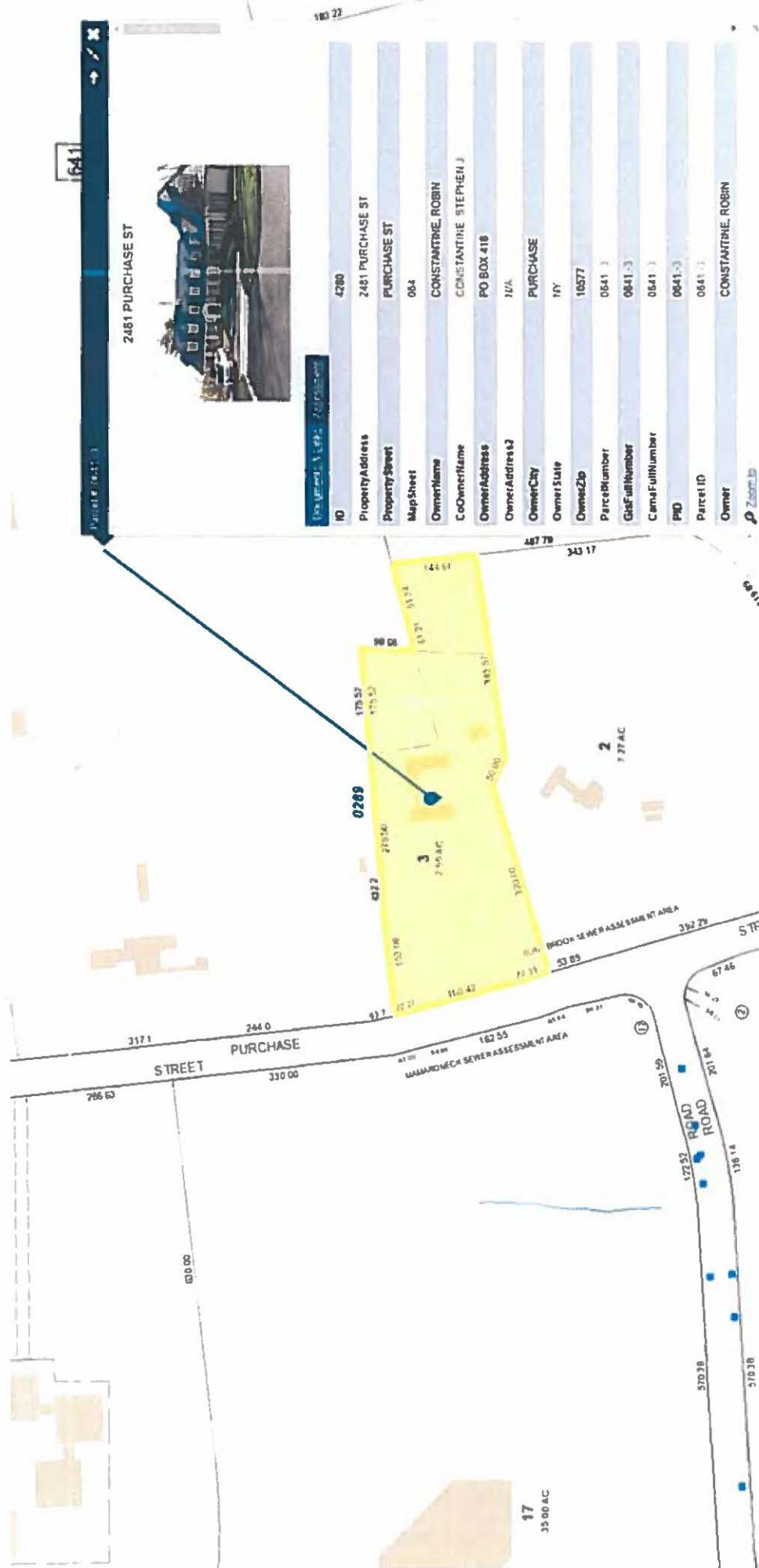
25
19.03 AC





NO	4260
Property Address	2481 PURCHASE ST
Property Street	PURCHASE ST
Map Sheet	064
Owner Name	CONSTANTINE, ROBIN
Co Owner Name	CONSTANTINE, STEPHEN J
Owner Address	PO BOX 418
Owner Address 2	16A
Owner City	PURCHASE
Owner State	NY
Owner Zip	10577
Parcel Number	0641-3
Gas Utility Number	0641-3
Water Utility Number	0641-3
PO	0641-3
Parcel ID	0641-3
Owner	CONSTANTINE, ROBIN



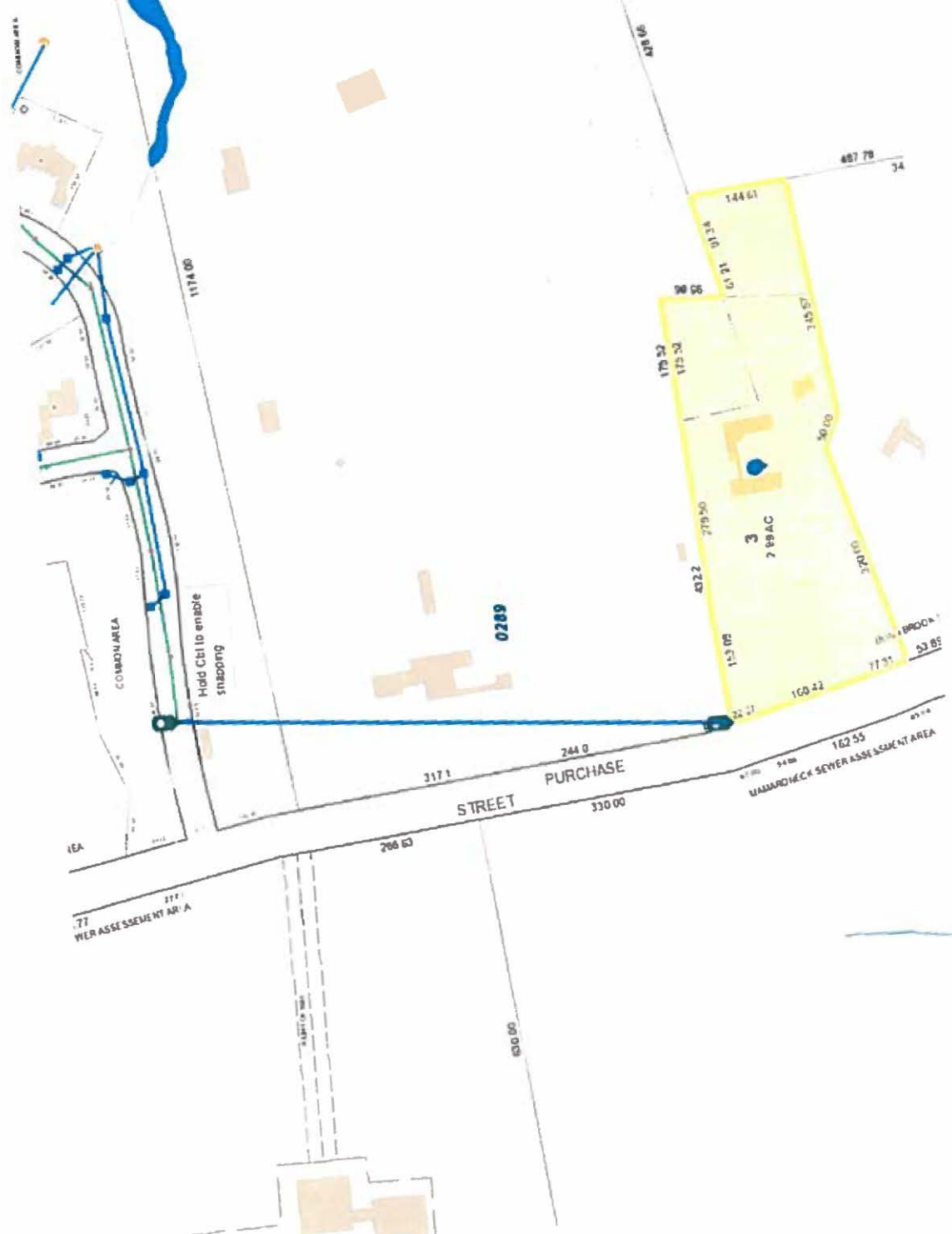


Feet

Measurement Result

Total: 904.4 Feet
 Segment: 17.8 Feet
 Segment azimuth: 175.236°

Clear



HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 10 Kenilworth Lane from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line was once greater than 700' away. Recently, the property next door (6 Kenilworth Lane) installed a new forced sewer main extension into the street on Kenilworth Lane, however, after inspecting the nearest possible point of this new extension, it was determined that the property in question (10 Kenilworth Lane) still remains approximately 220' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Mamaroneck Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM

Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 3:39

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\10 Kenilworth Lane\10 Kenilworth Lane Cover Letter for Package.docx

June 16, 2022

V - - 2022 - - 060

AUTHORIZATION TO REMOVE 10 KENILWORTH LANE (BLOCK 592, LOT 34)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Sciliano, seconded by Trustee Evangelista,

it was,

RESOLVED to accept the request by, Town Engineer, Michael Amodio, on behalf of homeowner Margerie Kramer, that her property identified as 10 Kenilworth Lane (Block 592, Lot 34) be removed from the Westchester County Sewer District. The property is not connected to any public or private sewer systems.

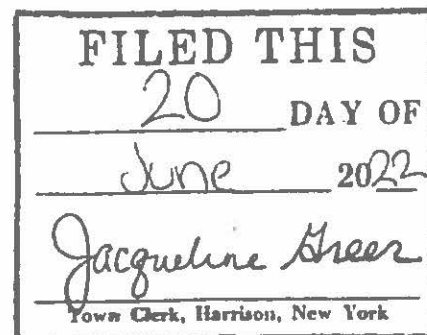
FURTHER RESOLVED to forward a copy of this Resolution to Westchester County Sewer District and the Engineering Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None



June 16, 2022

V - - 2022 - - 060

AUTHORIZATION TO REMOVE 10 KENILWORTH LANE (BLOCK 592, LOT 34)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Sciliano, seconded by Trustee Evangelista,

it was,

RESOLVED to accept the request by, Town Engineer, Michael Amodeo, on behalf of homeowner Margerie Kramer, that her property identified as 10 Kenilworth Lane (Block 592, Lot 34) be removed from the Westchester County Sewer District. The property is not connected to any public or private sewer systems.

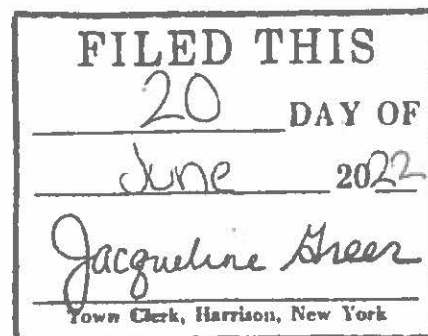
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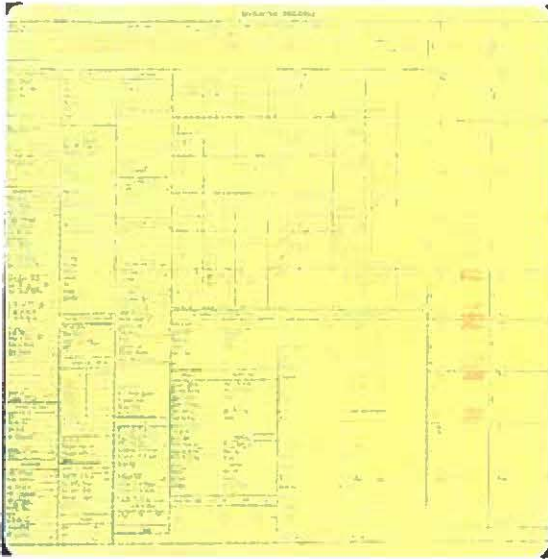
Adopted by the following vote:

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Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0592.-34 (HARRISON)
Legal Addr: 10 KENILWORTH LN
Name: KRAMER, MARGERIE
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 KRAMER, MARGERIE
 10 KENILWORTH LN
 RYE, NY 10580

Property Description

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 1.69
Coord North: 0
Ownership:
Easement: None

East: 0

Assessment Information

2020	
Land	Total
4,690	18,800

2021	
Land	Total
4,690	18,800

2022	
Land	Total
4,690	18,800

County Taxable
18,800

Town Taxable
18,800

School Taxable
18,800

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						18800
DD281	REF DISPOSAL DIST						18800
SF282	FIRE DISTRICT #2						18800

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
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Sewer: 3 (COMM\PUBLIC)
Utilities: 4 (GAS\ELECTRIC)
Route #:
Elevation:

Neighborhood: 8
Nbhd Rating: 2 (AVERAGE)
Nbhd Type: 2 (SUBURBAN)
Water: 3 (COMM\PUBLIC)
Road: 3 (IMPROVED)
Phys Change:
Traffic:

Bldg Style: 01 (RANCH)
Condition:
Heat: 2 (HOT AIR)
Fuel: 4 (OIL)
Year Built: 1984
Garages: 2
Stories: 1.0
Bathrooms: 4.0
Kitchens: 1
1st Story: 3,542
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 3,542

Porch: 1 (Open)
Year Remodeled: 0
Bsmt Garages:
Rooms: 9
1/2 Baths:
Kitchen Qual:
2nd Story:
3/4 Story:
Fin Bsmt:
Unfin 3/4:

Ext Wall: 01 (WOOD)
Grade: (EXCELLENT)
Basement: 2 (CRAWL)
Central Air: Yes
Porch Area: 386
Ditch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 1
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

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Improvement Information

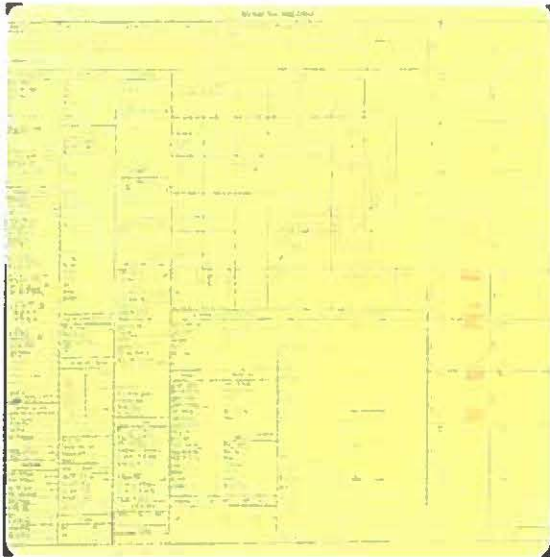
#	Structure	Year	Dim	Dim 1	Dim 2	Qty	Grd	Cond	Fnc Obs	% Good	Rplc Cost	Less Dprc
5	POOL, POURED CON	88	Dim	20	41			GOOD				

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2021 TOWN FINAL ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.42

PAGE: 712
ROLL PRINT DATE: 9/15/2021
VALUATION DATE: 5/1/2021
TAXABLE STATUS DATE: 5/1/2021

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---	LAND---	TAX DESCRIPTION		
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---	TOTAL---	SPECIAL DISTRICTS	TAXABLE VALUE	
***** 0592.-32 *****							
0592.-32		110 POLLY PARK RD				ACCT: 000038230	
OLANOW, WARREN C		210 1 FAMILY RES			COUNTY TAXABLE	42,350	
OLANOW, MARIANA F		HARRISON CENTRAL	3,000		TOWN TAXABLE	42,350	
110 POLLY PARK RD		PO12			SCHOOL TAXABLE	42,350	
RYE NY 10580		ACREAGE 1.62	42,350		CS282 MAMARONECK VALL	42,350 TO C	
		FULL MKT VAL 2,982,394			DD281 REF DISPOSAL DI	42,350 TO	
					SF282 FIRE DISTRICT #	42,350 TO	
***** 0592.-33 *****							
0592.-33		14 KENILWORTH LN				ACCT: 000038240	
14 KENILWORTH LANE LLC		210 1 FAMILY RES			COUNTY TAXABLE	16,300	
14 KENILWORTH LN		HARRISON CENTRAL	4,150		TOWN TAXABLE	16,300	
RYE NY 10580		ACREAGE 1.15	16,300		SCHOOL TAXABLE	16,300	
		FULL MKT VAL 1,147,887			CS282 MAMARONECK VALL	16,300 TO C	
					DD281 REF DISPOSAL DI	16,300 TO	
					SF282 FIRE DISTRICT #	16,300 TO	
***** 0592.-34 *****							
0592.-34		10 KENILWORTH LN				ACCT: 000038250	
KRAMER, MARGERIE		210 1 FAMILY RES			COUNTY TAXABLE	18,800	
10 KENILWORTH LN		HARRISON CENTRAL	4,690		TOWN TAXABLE	18,800	
RYE NY 10580		ACREAGE 1.69	18,800		SCHOOL TAXABLE	18,800	
		FULL MKT VAL 1,323,943			CS282 MAMARONECK VALL	18,800 TO C	
					DD281 REF DISPOSAL DI	18,800 TO	
					SF282 FIRE DISTRICT #	18,800 TO	
***** 0592.-35 *****							
0592.-35		6 KENILWORTH LN				ACCT: 000038260	
KUMAR DILIP		210 1 FAMILY RES			COUNTY TAXABLE	30,000	
CHANCY ALEKSANDRA		HARRISON CENTRAL	6,000		TOWN TAXABLE	30,000	
6 KENILWORTH LN		ACREAGE 1.83	30,000		SCHOOL TAXABLE	30,000	
RYE NY 10580		FULL MKT VAL 2,112,676			CS282 MAMARONECK VALL	30,000 TO C	
					DD281 REF DISPOSAL DI	30,000 TO	
					SF282 FIRE DISTRICT #	30,000 TO	
***** 0592.-36 *****							
0592.-36		50 KENILWORTH RD				ACCT: 000038270	
VATAJ, ZEF		210 1 FAMILY RES			COUNTY TAXABLE	21,750	
50 KENILWORTH RD		HARRISON CENTRAL	4,600		TOWN TAXABLE	21,750	
RYE NY 10580		ACREAGE 1.54	21,750		SCHOOL TAXABLE	21,750	
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FIASCONARO, ANTONIA T		210 1 FAMILY RES			COUNTY TAXABLE	18,400	
FIASCONARO, FRANK W		HARRISON CENTRAL	4,480		TOWN TAXABLE	18,400	
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RYE NY 10580		FULL MKT VAL 1,295,774			CS282 MAMARONECK VALL	18,400 TO C	
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 RYE, NY 10580

Property Description

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Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 1.69
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Ownership:
Easement: None

East: 0

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Exemption Information

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Fuel: 4 (OIL)
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Bathrooms: 4.0
Kitchens: 1
1st Story: 3,542
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 3,542

Porch: 1 (Open)
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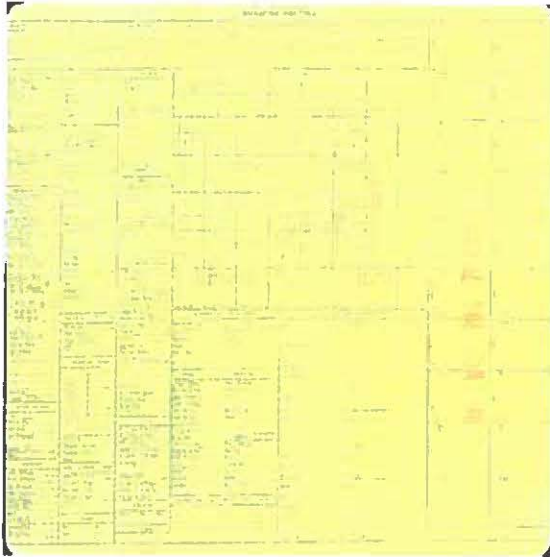
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RYE NY 10580		ACREAGE 1.62			DD281 REF DISPOSAL DI	42,350	TO
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*****					0592.-34	*****	
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0592.-34		10 KENILWORTH LN			COUNTY TAXABLE	18,800	
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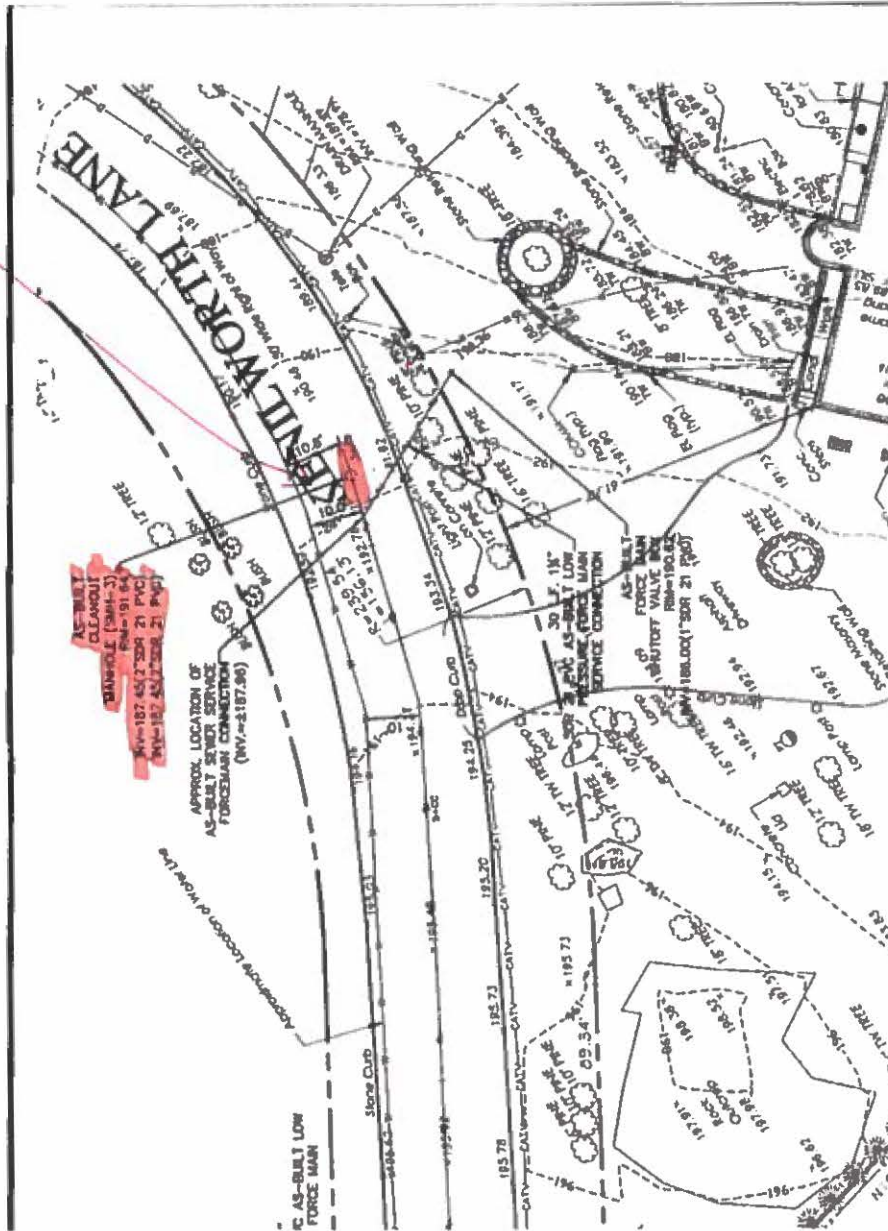
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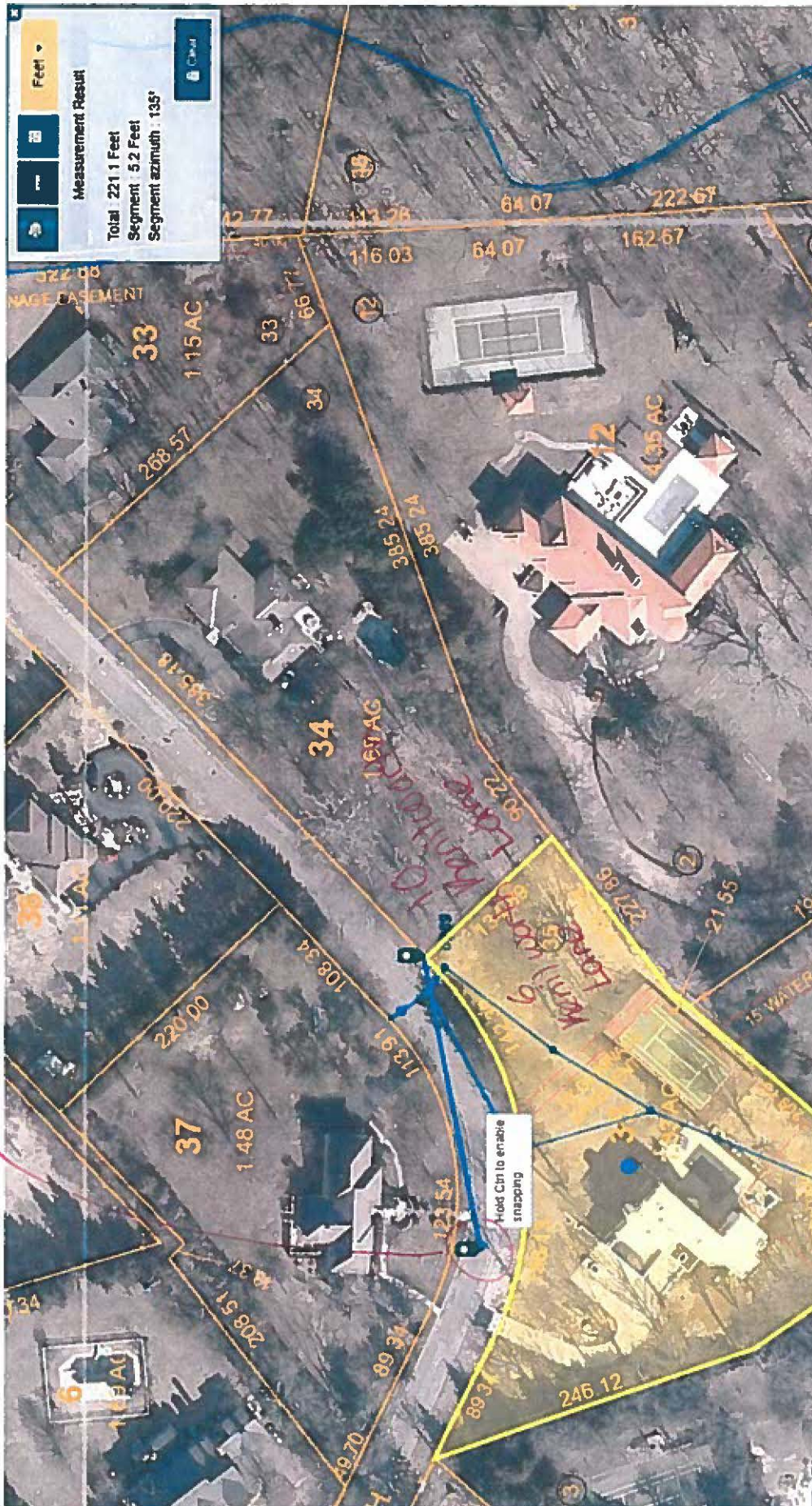
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CHANCY ALEKSANDRA		HARRISON CENTRAL	6,000		SCHOOL TAXABLE	30,000	
6 KENILWORTH LN		ACREAGE 1.83	30,000		CS282 MAMARONECK VALL	30,000	TO C
RYE NY 10580		FULL MKT VAL 2,112,676			DD281 REF DISPOSAL DI	30,000	TO
					SF282 FIRE DISTRICT #	30,000	TO
***** 0592.-36 *****							
0592.-36		50 KENILWORTH RD			COUNTY TAXABLE	ACCT: 000038270	
VATAJ, ZEF		210 1 FAMILY RES			TOWN TAXABLE	21,750	
50 KENILWORTH RD		HARRISON CENTRAL	4,600		SCHOOL TAXABLE	21,750	
RYE NY 10580		ACREAGE 1.54	21,750		CS282 MAMARONECK VALL	21,750	TO C
		FULL MKT VAL 1,531,690			DD281 REF DISPOSAL DI	21,750	TO
					SF282 FIRE DISTRICT #	21,750	TO
***** 0592.-37 *****							
0592.-37		5 KENILWORTH LN			COUNTY TAXABLE	ACCT: 000038280	
FIASCONARO, ANTONIA T		210 1 FAMILY RES			TOWN TAXABLE	18,400	
FIASCONARO, FRANK W		HARRISON CENTRAL	4,480		SCHOOL TAXABLE	18,400	
7 KENILWORTH LN		ACREAGE 1.48	18,400		CS282 MAMARONECK VALL	18,400	TO C
RYE NY 10580		FULL MKT VAL 1,295,774			DD281 REF DISPOSAL DI	18,400	TO
					SF282 FIRE DISTRICT #	18,400	TO

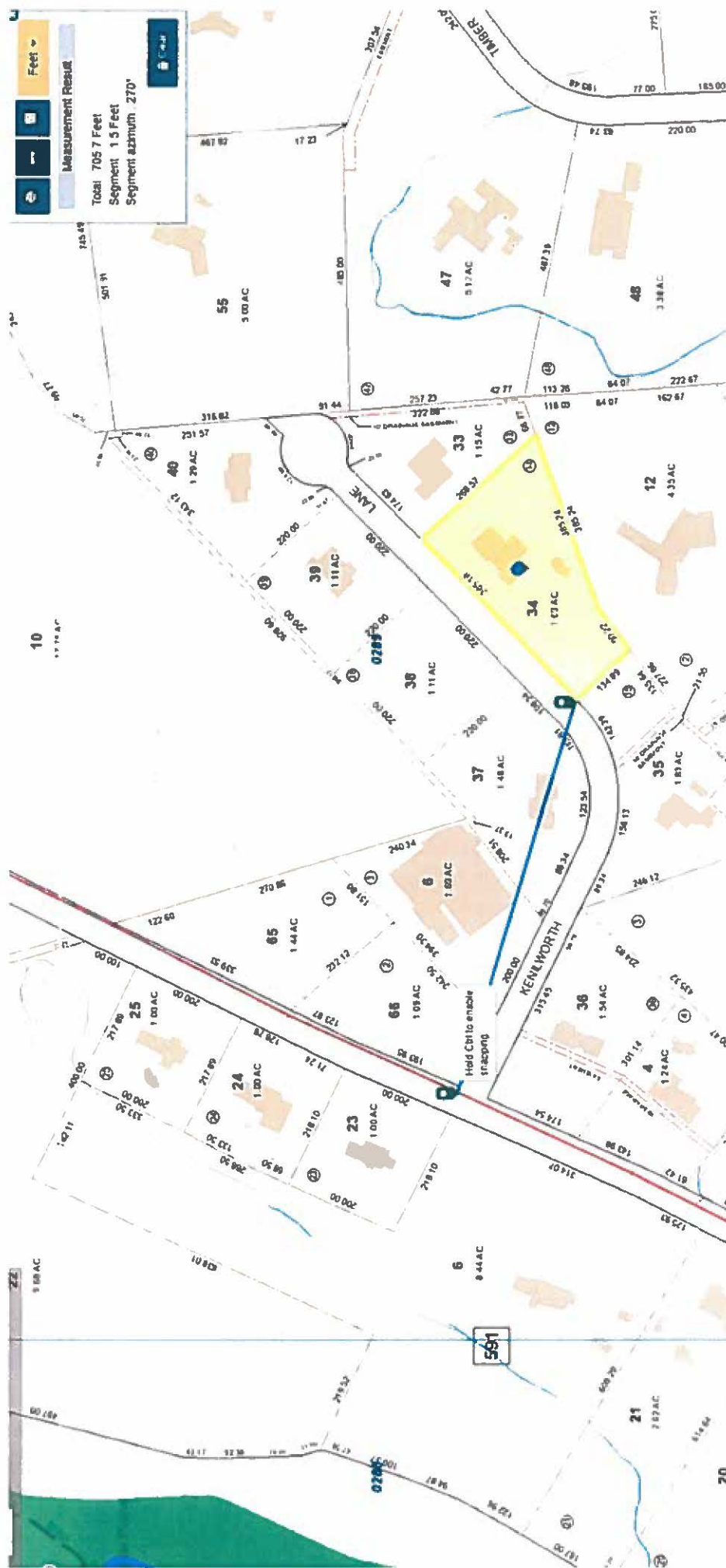
New Force main Located in front of 6 Kenilworth Lane (neighboring property)

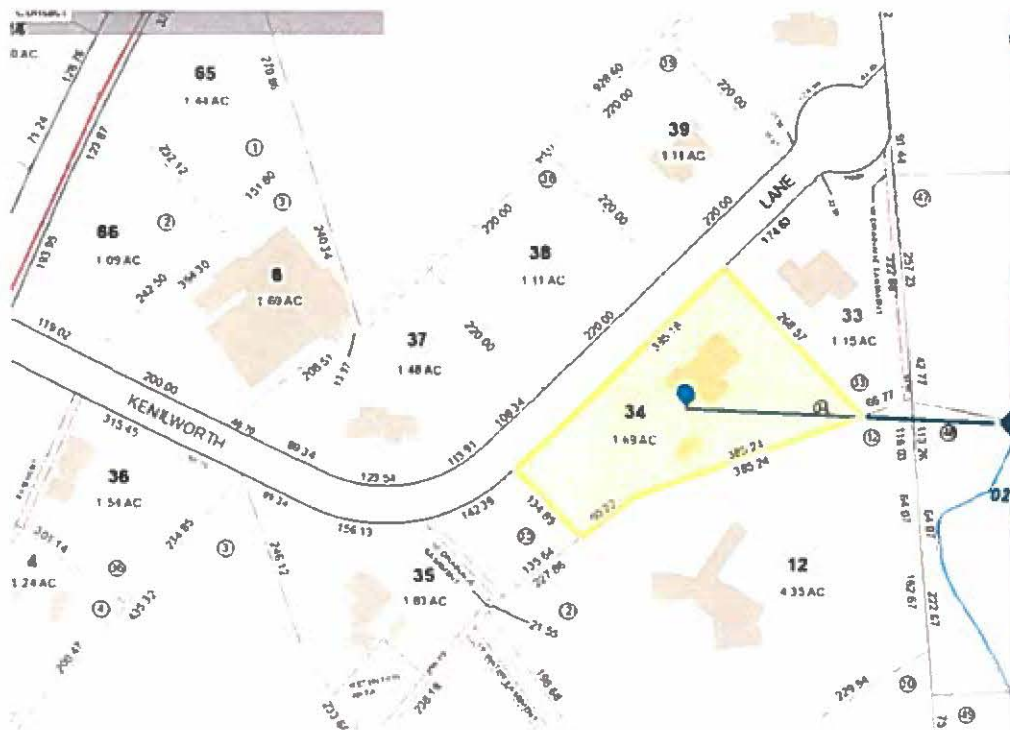
↳ The Property of 10 Kenilworth Lane Still remains $\pm 220'$ away, which is in accord with County requirement.



Approximate Location of new Force Main (in front of 6 Kenilworth Lane)
 ↳ Shown to be $\pm 220'$ away from Property line of 10 Kenilworth Lane







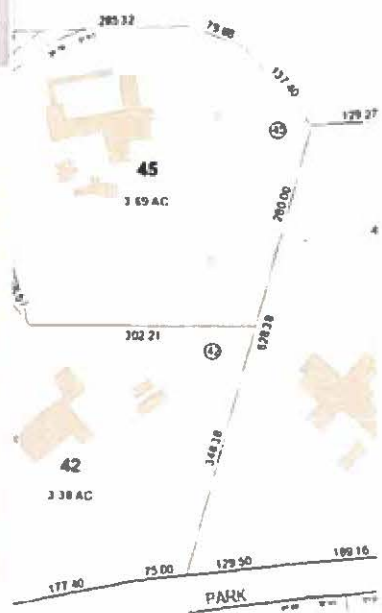
Parcel ID: 0592-34

10 KENILWORTH LN

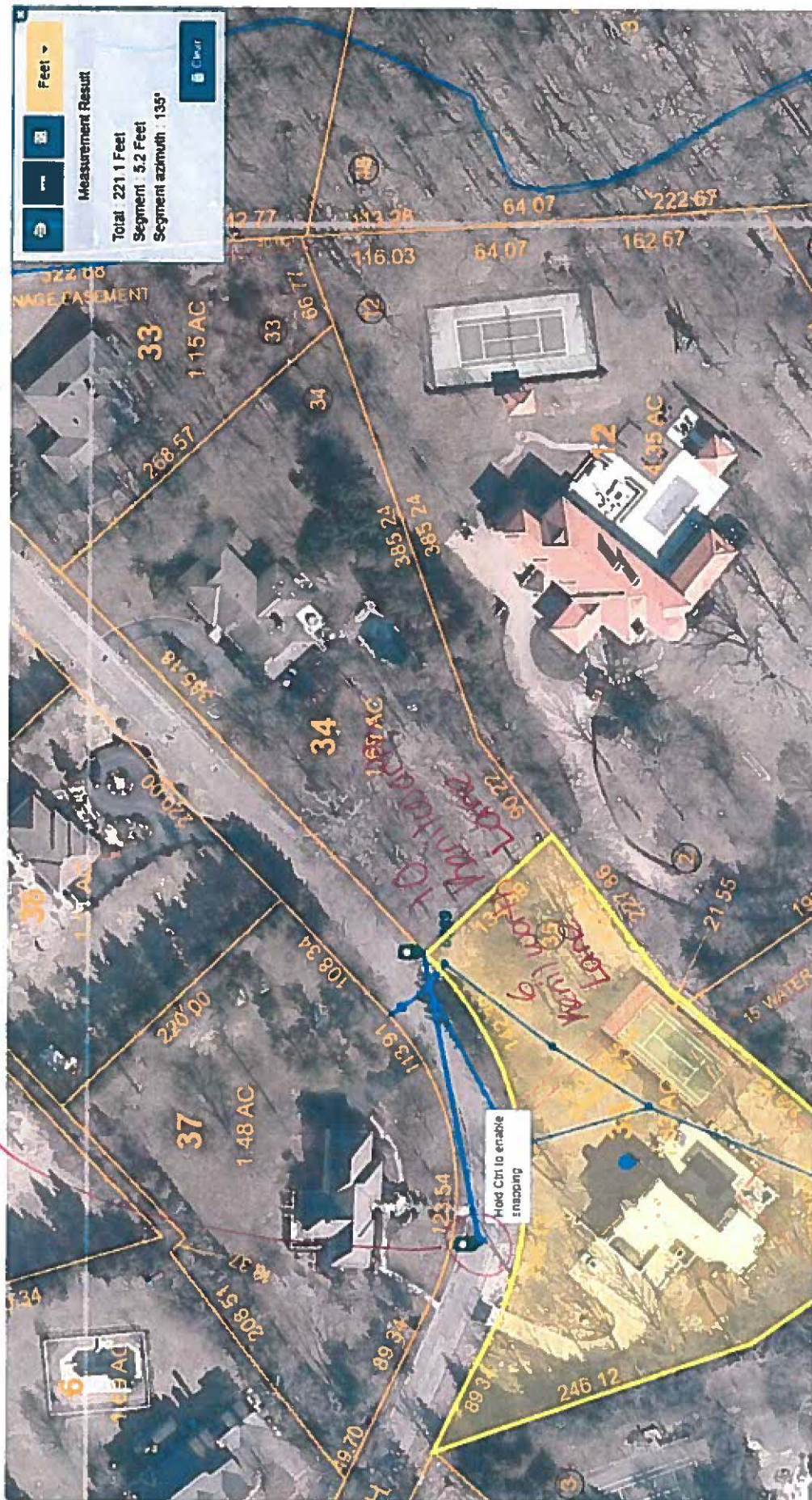


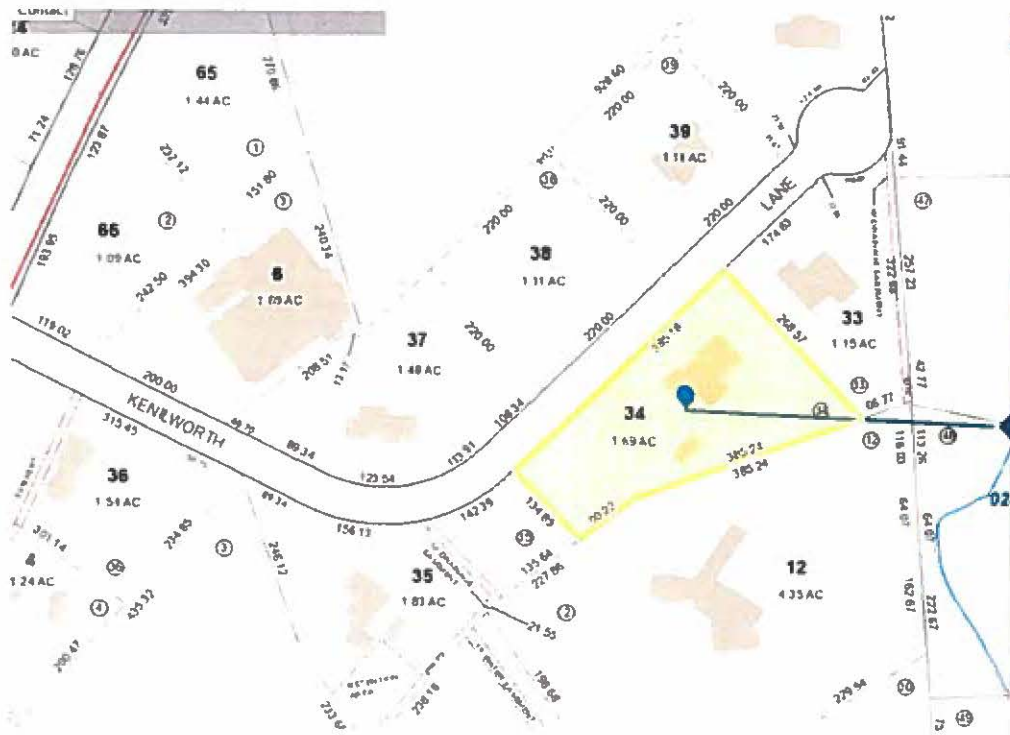
Documents & Map Alignment

ID	4010
PropertyAddress	10 KENILWORTH LN
PropertyStreet	KENILWORTH LN
MapSheet	059
OwnerName	KRAMER, MARGERIE
CoOwnerName	N/A
OwnerAddress	10 KENILWORTH LN
OwnerAddress2	N/A
OwnerCity	RYE
OwnerState	NY
OwnerZip	10580
ParcelNumber	0592-34
GisFullNumber	0592-34
CamafullNumber	0592-34



Approximate Location of new Force Main (in front of 6 Kenilworth Lane)
 ↳ Shown to be $\pm 220'$ Away from Property line of 10 Kenilworth Lane





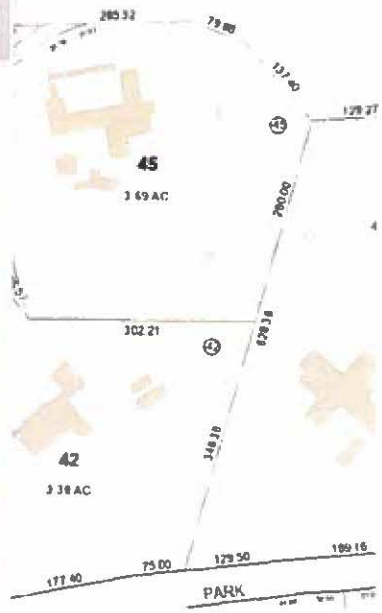
Parcel # 0592-34

10 KENILWORTH LN



Documents & Links Adjustment

ID	4010
PropertyAddress	10 KENILWORTH LN
PropertyStreet	KENILWORTH LN
Map Sheet	059
OwnerName	KRAMER, MARGERIE
CoOwnerName	N/A
OwnerAddress	10 KENILWORTH LN
OwnerAddress2	N/A
OwnerCity	RYE
OwnerState	NY
OwnerZip	10580
ParcelNumber	0592-34
GISFullNumber	0592-34
CamafullNumber	0592-34



CENTRAL NORTH LANE

APPROX. LOCATION OF AS-BUILT SENIOR SERVICE FORCE/MAIN CONNECTION (REV. 11/18/80) (REV. 11/18/80)

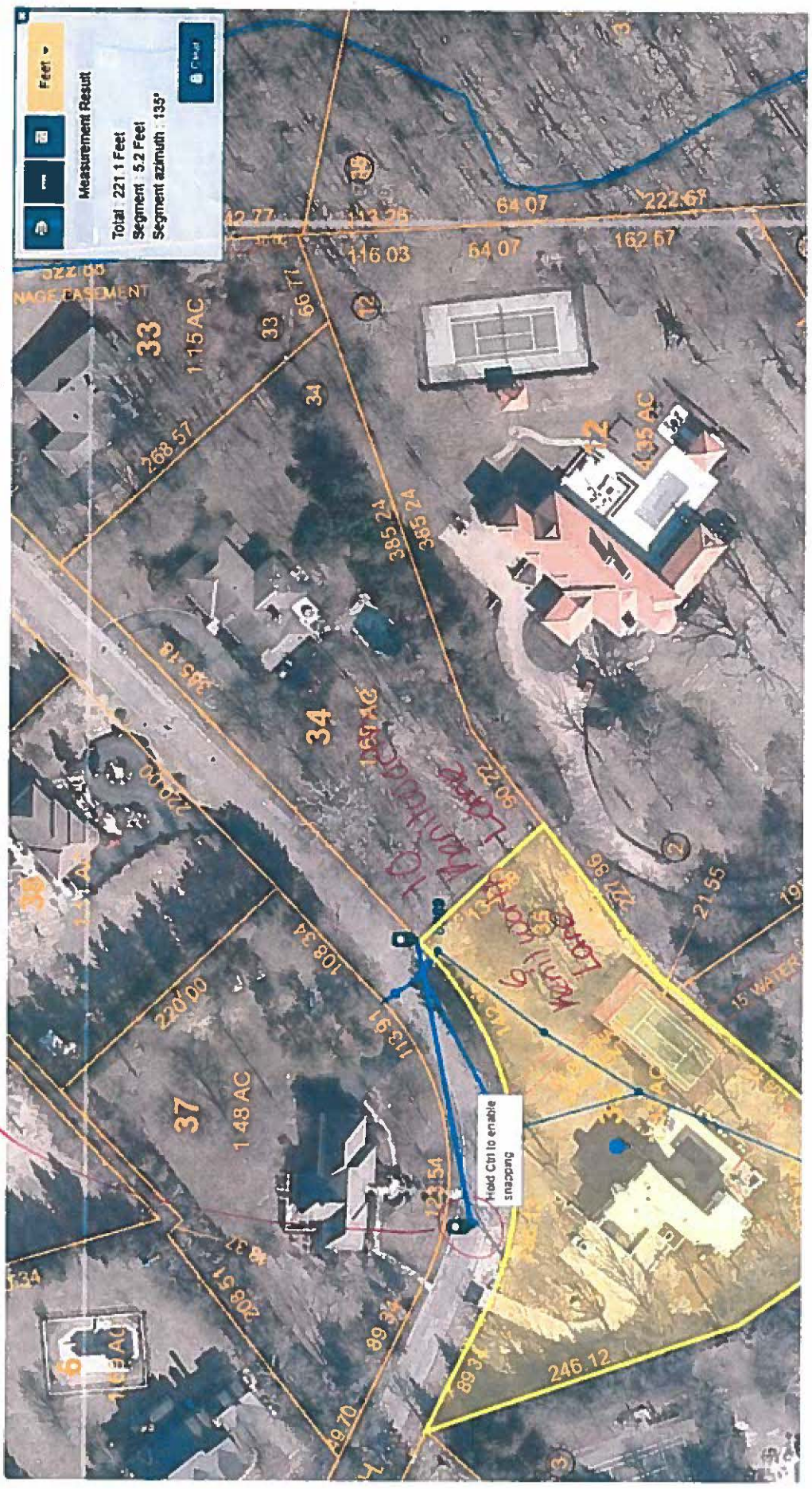
AS-BUILT CLEANOUT MANHOLE (SWM-3) (REV. 11/18/80)

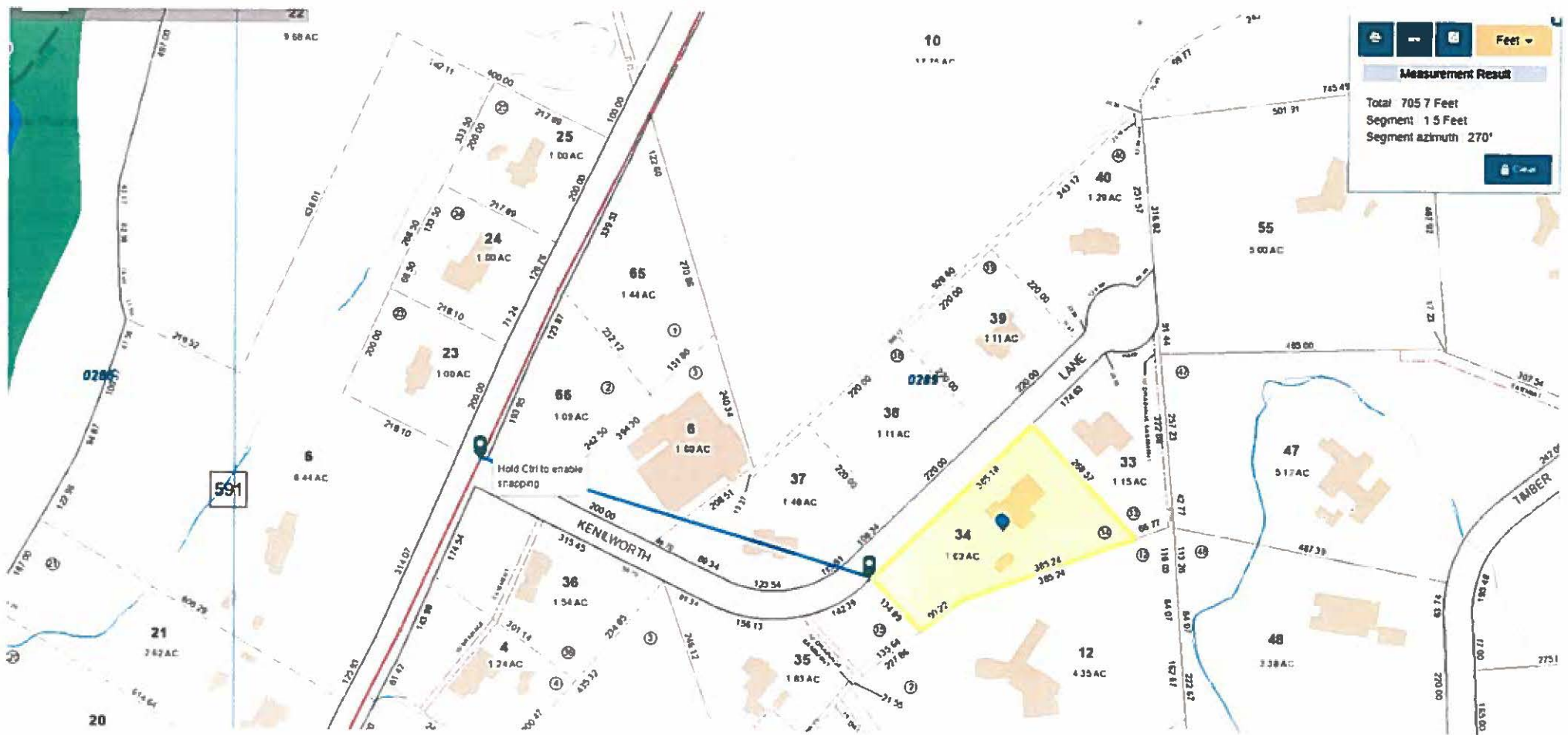
AS-BUILT LOW FORCE/MAIN

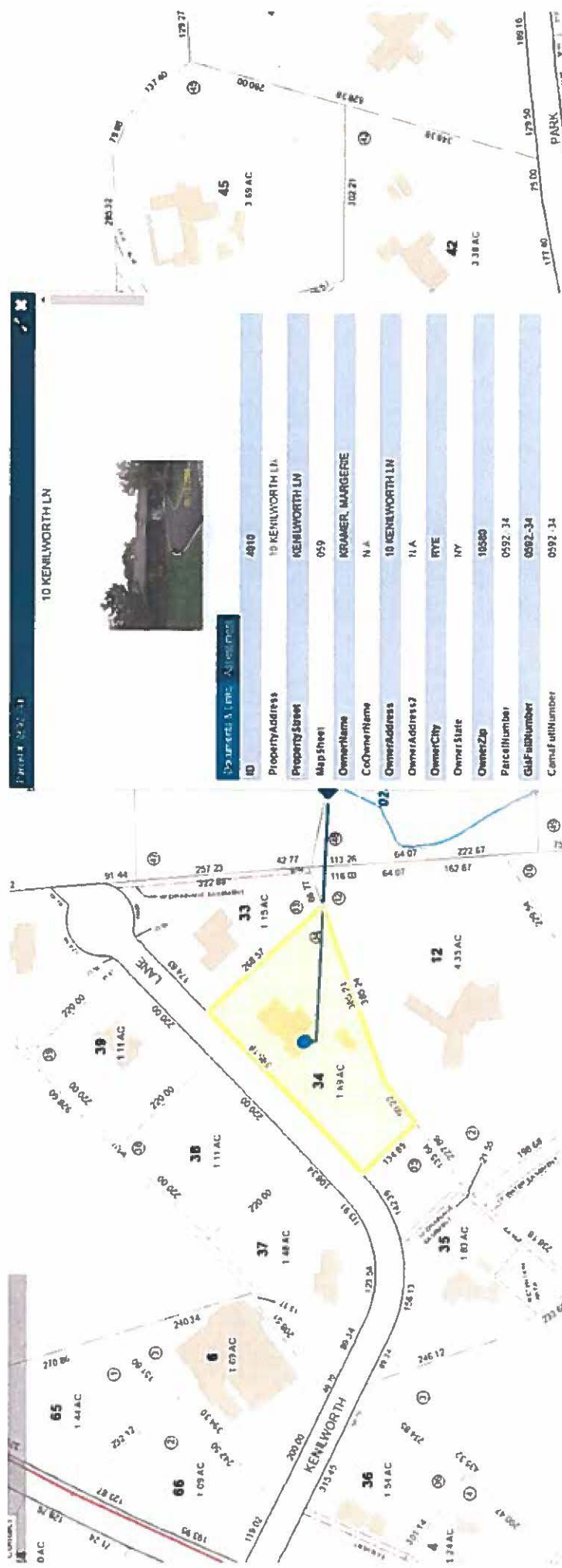
STONE CUTOFF

CITY

Approximate Location of new Force Main (in front of 6 Kenilworth Lane)
 ↳ Shown to be ± 220' Away from Property line of 10 Kenilworth Lane



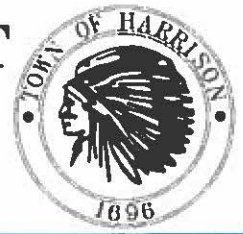




HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 9 Oak Valley Lane from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line is greater than 1,000' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Blind Brook Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM
Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 4:00

RECEIVED

July 7, 2022

V - - 2022 - - 071

AUTHORIZATION TO REMOVE 9 OAK VALLEY LANE (BLOCK 981, LOT 58)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown,

it was,

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of homeowners, Lawrence and Kimberly Motola, that their property identified as 9 Oak Valley Lane (Block 981, Lot 58) be removed from the Westchester County Sewer District. The Property is not connected to any public or private sewer systems.

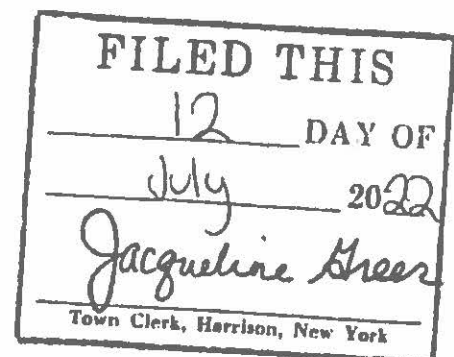
FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0981.-58 (HARRISON)
Legal Addr: 9 OAK VALLEY LN
Name: MOTOLA, LAWRENCE
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MOTOLA, LAWRENCE
 MOTOLA, KIMBERLY
 9 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description

Acreage: 2.52
Coord North: 0
Ownership:
Easement: None

East: 0

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
7,000	46,810

2021	
Land	Total
7,000	46,810

2022	
Land	Total
7,000	46,810

County Taxable
46,810

Town Taxable
46,810

School Taxable
46,810

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						46810
DD281	REF DISPOSAL DIST						46810
SF284	FIRE DST #4 PURCH						46810

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	3,900,000	6/6/2011	Yes	Land\Bldg	OAK VALLEY CON			6/20/2011
2	3,200,000	4/14/2005	Yes	Land\Bldg	FORBES, DANIEL			5/12/2005
3	3,700,000	11/4/2003	Yes	Land\Bldg	GENTRY, PROPER			4/20/2004
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996



Parcel ID: 0981.-58 (HARRISON)
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 Name: MOTOLA, LAWRENCE
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MOTOLA, LAWRENCE
 MOTOLA, KIMBERLY
 9 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description

Bank Code:
 Hstd:
 Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
 Res %:

Mortgage Num:
 Land Commitment: None
 Commitment End:

Acreage: 2.52
 Coord North: 0
 Ownership:
 Easement: None

East: 0

Assessment Information

2020	
Land	Total
7,000	46,810

2021	
Land	Total
7,000	46,810

2022	
Land	Total
7,000	46,810

County Taxable
46,810

Town Taxable
46,810

School Taxable
46,810

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						46810
DD281	REF DISPOSAL DIST						46810
SF284	FIRE DST #4 PURCH						46810

Sales Information

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2	3,200,000	4/14/2005	Yes	Land\Bldg	FORBES, DANIEL			5/12/2005
3	3,700,000	11/4/2003	Yes	Land\Bldg	GENTRY, PROPER			4/20/2004
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996



Parcel ID: 0981.-58 (HARRISON)
 Legal Addr: 9 OAK VALLEY LN
 Name: MOTOLA, LAWRENCE
 School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MOTOLA, LAWRENCE
 MOTOLA, KIMBERLY
 9 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description

Bank Code:
 Hstd:
 Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
 Res %:

Mortgage Num:
 Land Commitment: None
 Commitment End:

Acreage: 2.52
 Coord North: 0
 Ownership:
 Easement: None

East: 0

Assessment Information

2020	
Land	Total
7,000	46,810

2021	
Land	Total
7,000	46,810

2022	
Land	Total
7,000	46,810

County Taxable
46,810

Town Taxable
46,810

School Taxable
46,810

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						46810
DD281	REF DISPOSAL DIST						46810
SF284	FIRE DST #4 PURCH						46810

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
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2	3,200,000	4/14/2005	Yes	Land\Bldg	FORBES, DANIEL			5/12/2005
3	3,700,000	11/4/2003	Yes	Land\Bldg	GENTRY, PROPER			4/20/2004
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1122
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---	LAND---	TAX DESCRIPTION		TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---	TOTAL---	SPECIAL DISTRICTS		
***** 0981.-51 *****							
0981.-51		4330 PURCHASE ST			COUNTY TAXABLE		ACCT: 000057930
SUMMERHILL REALTY LLC		210 1 FAMILY RES			TOWN TAXABLE		13,050
287 BOWMAN AVENUE		HARRISON CENTRAL	8,110		SCHOOL TAXABLE		13,050
PURCHASE NY 10577		P025639			CS282 MAMARONECK VALL		13,050 TO C
		ACREAGE 5.46	13,050		DD281 REF DISPOSAL DI		13,050 TO
		BANK 152			SF284 FIRE DST #4 PUR		13,050 TO
		FULL MKT VAL 1,011,627					
***** 0981.-52 *****							
0981.-52		4350 PURCHASE ST			COUNTY TAXABLE		ACCT: 000057940
DELOTT, DAVID		210 1 FAMILY RES			TOWN TAXABLE		35,250
4350 PURCHASE STREET		HARRISON CENTRAL	6,500		SCHOOL TAXABLE		35,250
PURCHASE NY 10577		ACREAGE 2.77			CS282 MAMARONECK VALL		35,250 TO C
		FULL MKT VAL 2,732,558	35,250		DD281 REF DISPOSAL DI		35,250 TO
					SF284 FIRE DST #4 PUR		35,250 TO
***** 0981.-54 *****							
0981.-54		745 LAKE ST			COUNTY TAXABLE		ACCT: 000057960
ARDIS THOMAS		210 1 FAMILY RES			TOWN TAXABLE		11,780
ARDIS PATRICIA A		HARRISON CENTRAL	3,040		SCHOOL TAXABLE		11,780
745 LAKE ST		ACREAGE 2.02			DD281 REF DISPOSAL DI		11,780 TO
WEST HARRISON NY 10604		FULL MKT VAL 913,178	11,780		SF284 FIRE DST #4 PUR		11,780 TO
***** 0981.-56 *****							
0981.-56		251 OLD LAKE ST			COUNTY TAXABLE		ACCT: 000057970
KRAMER, JUSTIN		210 1 FAMILY RES			TOWN TAXABLE		15,700
KRAMER, STEPHANIE L		HARRISON CENTRAL	1,750		SCHOOL TAXABLE		15,700
79 LINCOLN AVE		ACREAGE 1.00			DD281 REF DISPOSAL DI		15,700 TO
WHITE PLAINS NY 10606		FULL MKT VAL 1,217,054	15,700		SF284 FIRE DST #4 PUR		15,700 TO
***** 0981.-57 *****							
0981.-57		5 OAK VALLEY LN			COUNTY TAXABLE		ACCT: 000057980
GARY, DAVID A		210 1 FAMILY RES			TOWN TAXABLE		45,950
GARY, TERRY W		HARRISON CENTRAL	11,400		SCHOOL TAXABLE		45,950
5 OAK VALLEY LN		ACREAGE 2.50			CS282 MAMARONECK VALL		45,950 TO C
PURCHASE NY 10577		FULL MKT VAL 3,562,015	45,950		DD281 REF DISPOSAL DI		45,950 TO
					SF284 FIRE DST #4 PUR		45,950 TO
***** 0981.-58 *****							
0981.-58		9 OAK VALLEY LN			COUNTY TAXABLE		ACCT: 000057990
MOTOLA, LAWRENCE		210 1 FAMILY RES			TOWN TAXABLE		46,810
MOTOLA, KIMBERLY		HARRISON CENTRAL	7,000		SCHOOL TAXABLE		46,810
9 OAK VALLEY LN		ACREAGE 2.52			CS282 MAMARONECK VALL		46,810 TO C
PURCHASE NY 10577		FULL MKT VAL 3,628,682	46,810		DD281 REF DISPOSAL DI		46,810 TO
					SF284 FIRE DST #4 PUR		46,810 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1122
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

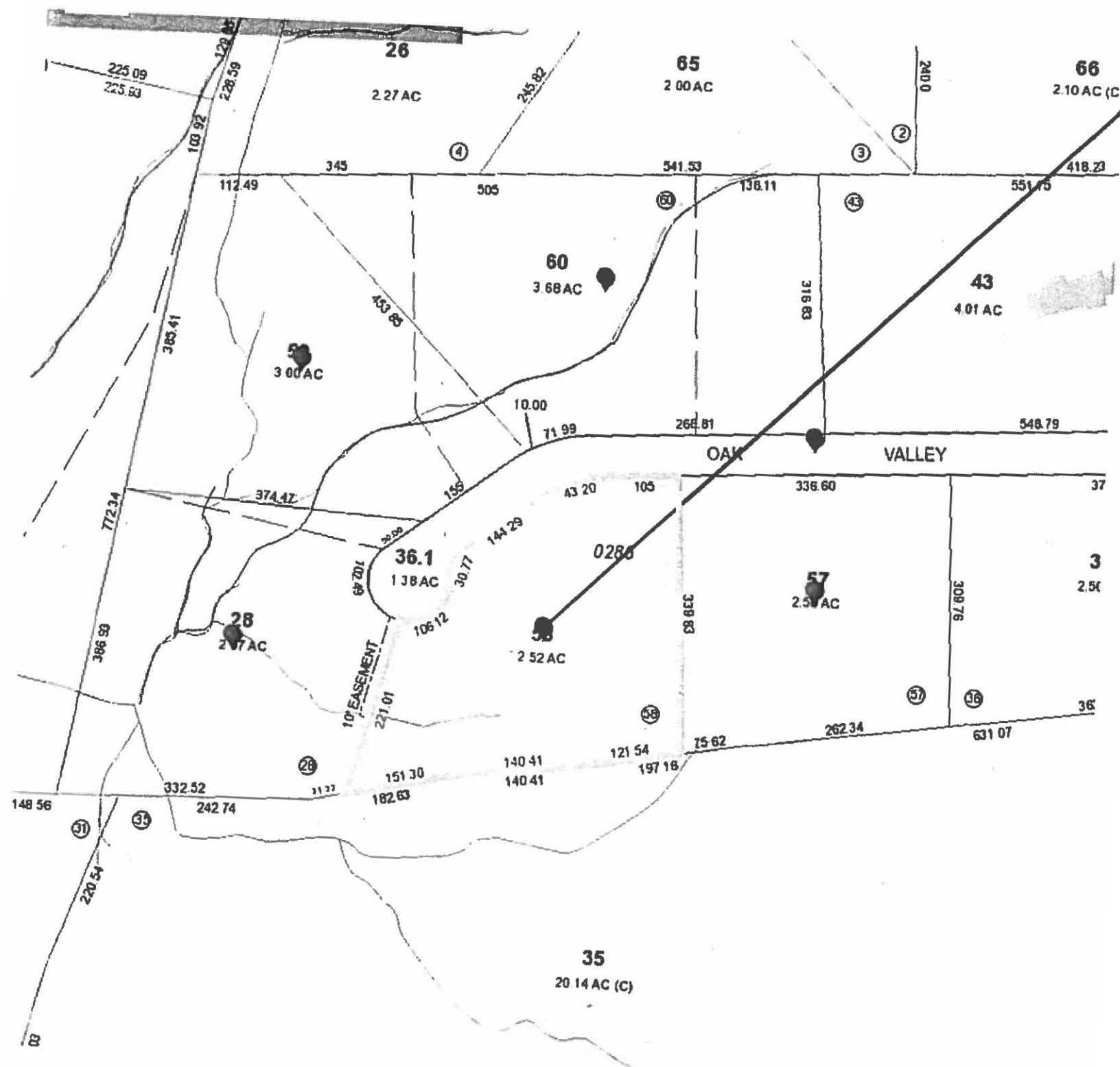
TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE-----	COUNTY-----	TOWN-----	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---TOTAL---	SPECIAL DISTRICTS			
***** 0981.-51 *****							
0981.-51		4330 PURCHASE ST		COUNTY TAXABLE			ACCT: 000057930
SUMMERHILL REALTY LLC		210 1 FAMILY RES		8,110 TOWN TAXABLE			13,050
287 BOWMAN AVENUE		HARRISON CENTRAL		SCHOOL TAXABLE			13,050
PURCHASE NY 10577		P025639	13,050	CS282 MAMARONECK VALL			13,050 TO C
		ACREAGE 5.46		DD281 REF DISPOSAL DI			13,050 TO
		BANK 152		SF284 FIRE DST #4 PUR			13,050 TO
		FULL MKT VAL 1,011,627		***** 0981.-52 *****			
0981.-52		4350 PURCHASE ST		COUNTY TAXABLE			ACCT: 000057940
DELOTT, DAVID		210 1 FAMILY RES		6,500 TOWN TAXABLE			35,250
4350 PURCHASE STREET		HARRISON CENTRAL		SCHOOL TAXABLE			35,250
PURCHASE NY 10577		ACREAGE 2.77	35,250	CS282 MAMARONECK VALL			35,250 TO C
		FULL MKT VAL 2,732,558		DD281 REF DISPOSAL DI			35,250 TO
				SF284 FIRE DST #4 PUR			35,250 TO
***** 0981.-54 *****							
0981.-54		745 LAKE ST		COUNTY TAXABLE			ACCT: 000057960
ARDIS THOMAS		210 1 FAMILY RES		3,040 TOWN TAXABLE			11,780
ARDIS PATRICIA A		HARRISON CENTRAL		SCHOOL TAXABLE			11,780
745 LAKE ST		ACREAGE 2.02	11,780	DD281 REF DISPOSAL DI			11,780 TO
WEST HARRISON NY 10604		FULL MKT VAL 913,178		SF284 FIRE DST #4 PUR			11,780 TO
***** 0981.-56 *****							
0981.-56		251 OLD LAKE ST		COUNTY TAXABLE			ACCT: 000057970
KRAMER, JUSTIN		210 1 FAMILY RES		1,750 TOWN TAXABLE			15,700
KRAMER, STEPHANIE L		HARRISON CENTRAL		SCHOOL TAXABLE			15,700
79 LINCOLN AVE		ACREAGE 1.00	15,700	DD281 REF DISPOSAL DI			15,700 TO
WHITE PLAINS NY 10606		FULL MKT VAL 1,217,054		SF284 FIRE DST #4 PUR			15,700 TO
***** 0981.-57 *****							
0981.-57		5 OAK VALLEY LN		COUNTY TAXABLE			ACCT: 000057980
GARY, DAVID A		210 1 FAMILY RES		11,400 TOWN TAXABLE			45,950
GARY, TERRY W		HARRISON CENTRAL		SCHOOL TAXABLE			45,950
5 OAK VALLEY LN		ACREAGE 2.50	45,950	CS282 MAMARONECK VALL			45,950 TO C
PURCHASE NY 10577		FULL MKT VAL 3,562,015		DD281 REF DISPOSAL DI			45,950 TO
				SF284 FIRE DST #4 PUR			45,950 TO
***** 0981.-58 *****							
0981.-58		9 OAK VALLEY LN		COUNTY TAXABLE			ACCT: 000057990
MOTOLA, LAWRENCE		210 1 FAMILY RES		7,000 TOWN TAXABLE			46,810
MOTOLA, KIMBERLY		HARRISON CENTRAL		SCHOOL TAXABLE			46,810
9 OAK VALLEY LN		ACREAGE 2.52	46,810	CS282 MAMARONECK VALL			46,810 TO C
PURCHASE NY 10577		FULL MKT VAL 3,628,682		DD281 REF DISPOSAL DI			46,810 TO
				SF284 FIRE DST #4 PUR			46,810 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

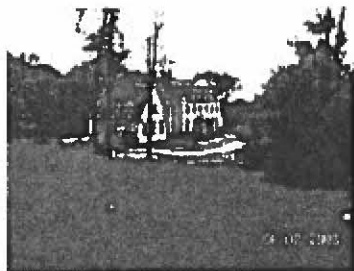
PAGE: 1122
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
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TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---TOTAL---	SPECIAL DISTRICTS			
***** 0981.-51 *****							
0981.-51		4330 PURCHASE ST			ACCT: 000057930		
SUMMERHILL REALTY LLC		210 1 FAMILY RES		COUNTY TAXABLE		13,050	
287 BOWMAN AVENUE		HARRISON CENTRAL	8,110	TOWN TAXABLE		13,050	
PURCHASE NY 10577		P025439		SCHOOL TAXABLE		13,050	
		ACREAGE 5.46	13,050	CS282 MAMARONECK VALL		13,050	TO C
		BANK 152		DD281 REF DISPOSAL DI		13,050	TO
		FULL MKT VAL 1,011,627		SF284 FIRE DST #4 PUR		13,050	TO
***** 0981.-52 *****							
0981.-52		4350 PURCHASE ST			ACCT: 000057940		
DELOTT, DAVID		210 1 FAMILY RES		COUNTY TAXABLE		35,250	
4350 PURCHASE STREET		HARRISON CENTRAL	6,500	TOWN TAXABLE		35,250	
PURCHASE NY 10577		ACREAGE 2.77	35,250	SCHOOL TAXABLE		35,250	
		FULL MKT VAL 2,732,558		CS282 MAMARONECK VALL		35,250	TO C
				DD281 REF DISPOSAL DI		35,250	TO
				SF284 FIRE DST #4 PUR		35,250	TO
***** 0981.-54 *****							
0981.-54		745 LAKE ST			ACCT: 000057960		
ARDIS THOMAS		210 1 FAMILY RES		COUNTY TAXABLE		11,780	
ARDIS PATRICIA A		HARRISON CENTRAL	3,040	TOWN TAXABLE		11,780	
745 LAKE ST		ACREAGE 2.02		SCHOOL TAXABLE		11,780	
WEST HARRISON NY 10604		FULL MKT VAL 913,178	11,780	DD281 REF DISPOSAL DI		11,780	TO
				SF284 FIRE DST #4 PUR		11,780	TO
***** 0981.-56 *****							
0981.-56		251 OLD LAKE ST			ACCT: 000057970		
KRAMER, JUSTIN		210 1 FAMILY RES		COUNTY TAXABLE		15,700	
KRAMER, STEPHANIE L		HARRISON CENTRAL	1,750	TOWN TAXABLE		15,700	
79 LINCOLN AVE		ACREAGE 1.00		SCHOOL TAXABLE		15,700	
WHITE PLAINS NY 10606		FULL MKT VAL 1,217,054	15,700	DD281 REF DISPOSAL DI		15,700	TO
				SF284 FIRE DST #4 PUR		15,700	TO
***** 0981.-57 *****							
0981.-57		5 OAK VALLEY LN			ACCT: 000057980		
GARY, DAVID A		210 1 FAMILY RES		COUNTY TAXABLE		45,950	
GARY, TERRY W		HARRISON CENTRAL	11,400	TOWN TAXABLE		45,950	
5 OAK VALLEY LN		ACREAGE 2.50		SCHOOL TAXABLE		45,950	
PURCHASE NY 10577		FULL MKT VAL 3,562,015	45,950	CS282 MAMARONECK VALL		45,950	TO C
				DD281 REF DISPOSAL DI		45,950	TO
				SF284 FIRE DST #4 PUR		45,950	TO
***** 0981.-58 *****							
0981.-58		9 OAK VALLEY LN			ACCT: 000057990		
MOTOLA, LAWRENCE		210 1 FAMILY RES		COUNTY TAXABLE		46,810	
MOTOLA, KIMBERLY		HARRISON CENTRAL	7,000	TOWN TAXABLE		46,810	
9 OAK VALLEY LN		ACREAGE 2.52		SCHOOL TAXABLE		46,810	
PURCHASE NY 10577		FULL MKT VAL 3,628,682	46,810	CS282 MAMARONECK VALL		46,810	TO C
				DD281 REF DISPOSAL DI		46,810	TO
				SF284 FIRE DST #4 PUR		46,810	TO



Parcel #: 0981-58

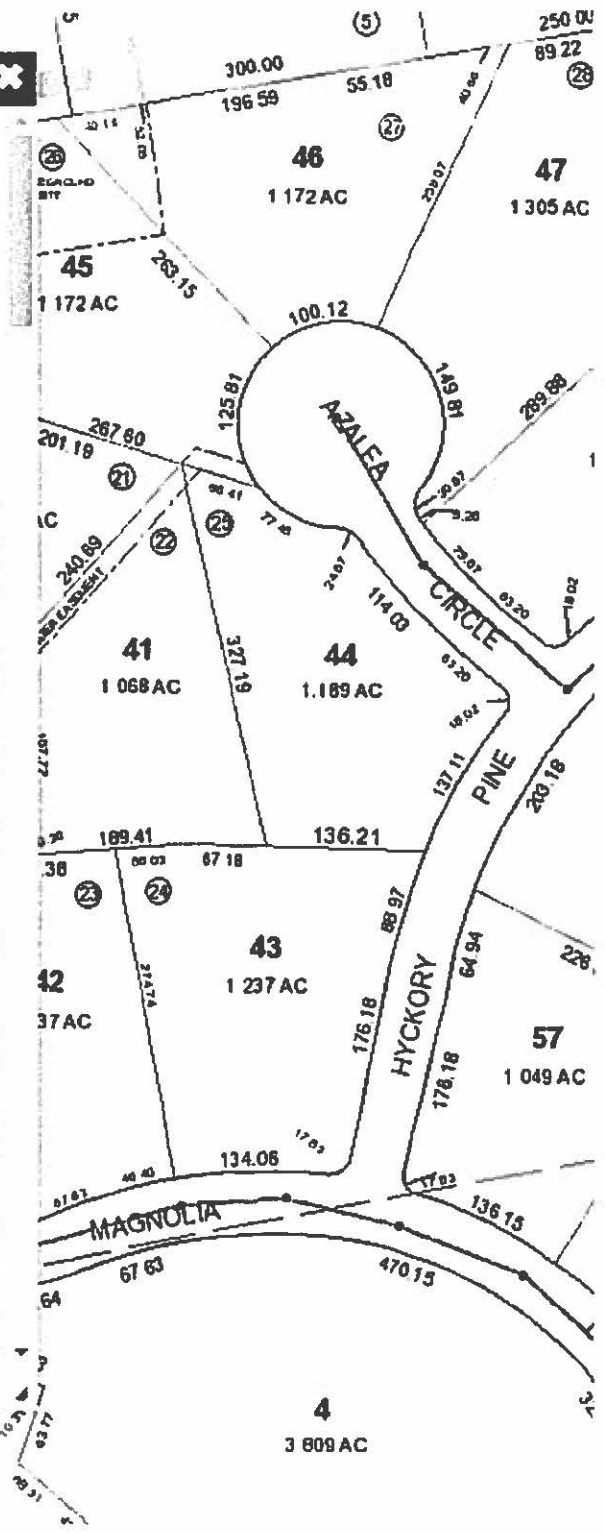
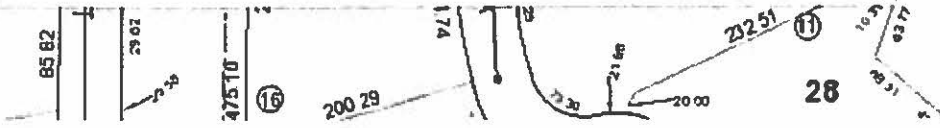
9 OAK VALLEY LN

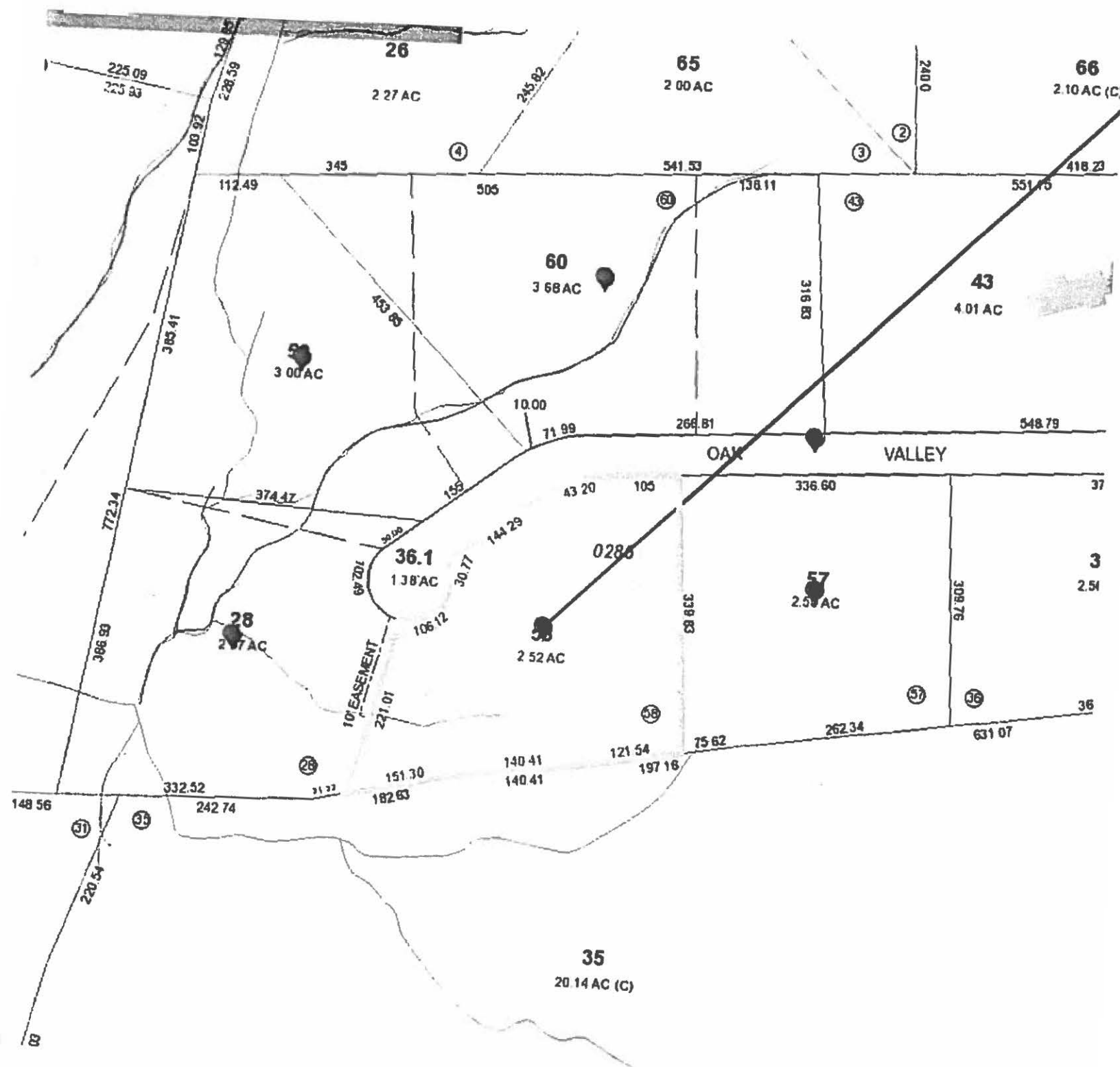


Documents & Links Assessment

ID	6327
PropertyAddress	9 OAK VALLEY LN
PropertyStreet	OAK VALLEY LN
MapSheet	098
OwnerName	MOTOLA, LAWRENCE
CoOwnerName	MOTOLA, KIMBERLY
OwnerAddress	9 OAK VALLEY LN
OwnerAddress2	N/A
OwnerCity	PURCHASE
OwnerState	NY
OwnerZip	10577
ParcelNumber	0981-58
GisFullNumber	0981-58
CamaFullNumber	0981-58
PID	0981-58
Parcel ID	0981-58
Owner	MOTOLA, LAWRENCE

Zoom to





Parcel # 0981-58

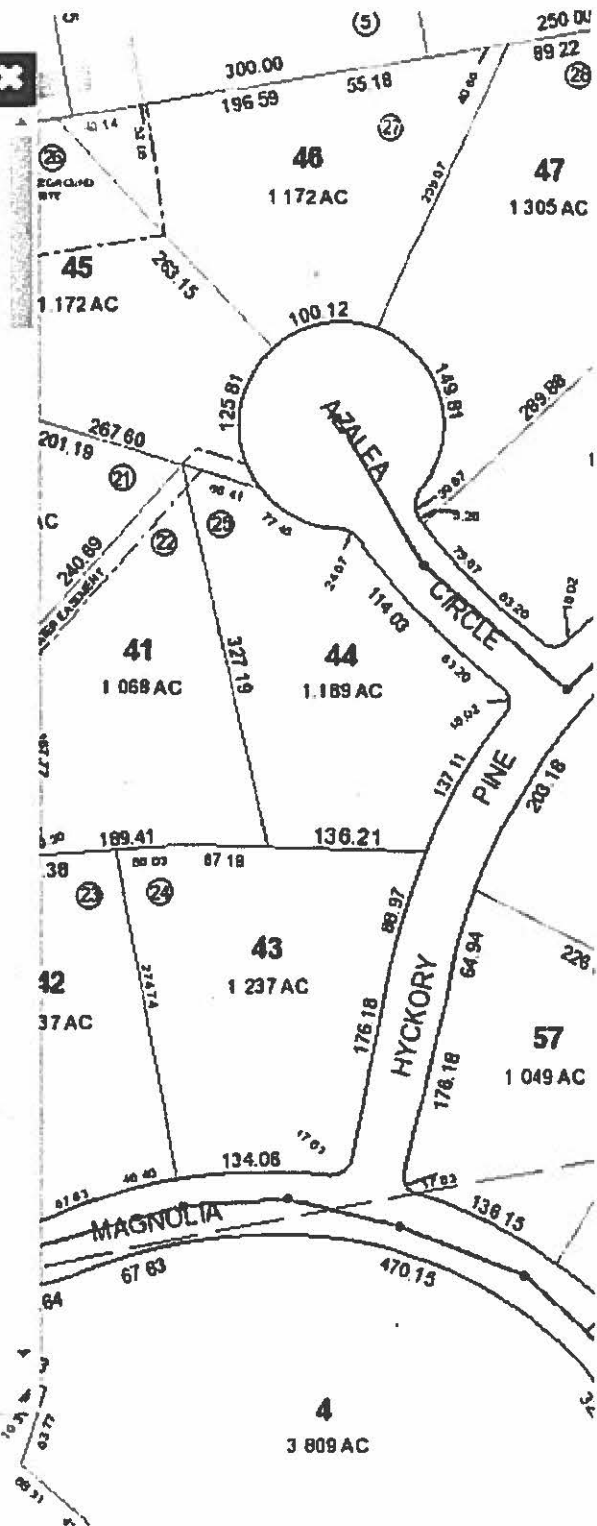
9 OAK VALLEY LN

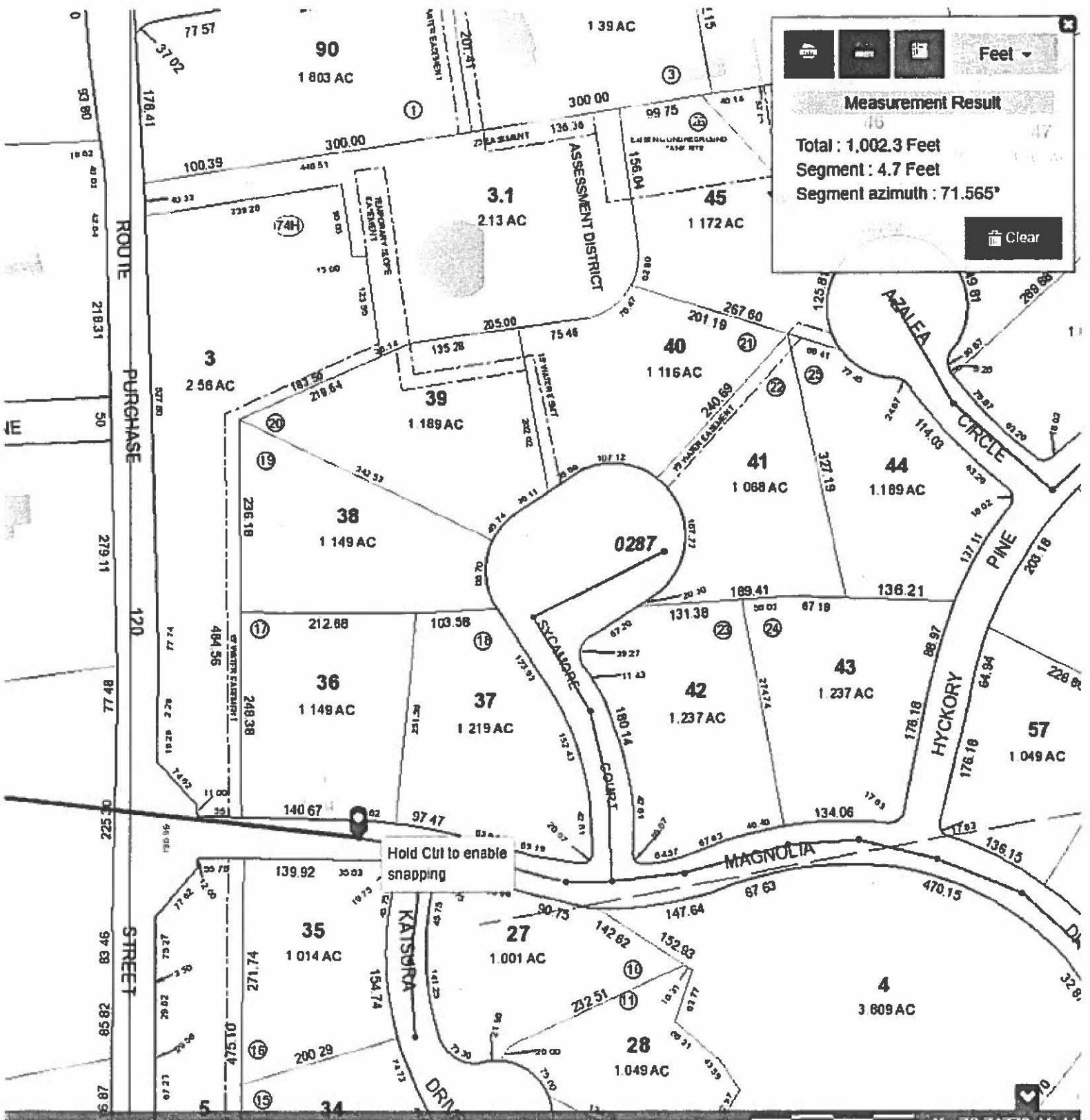


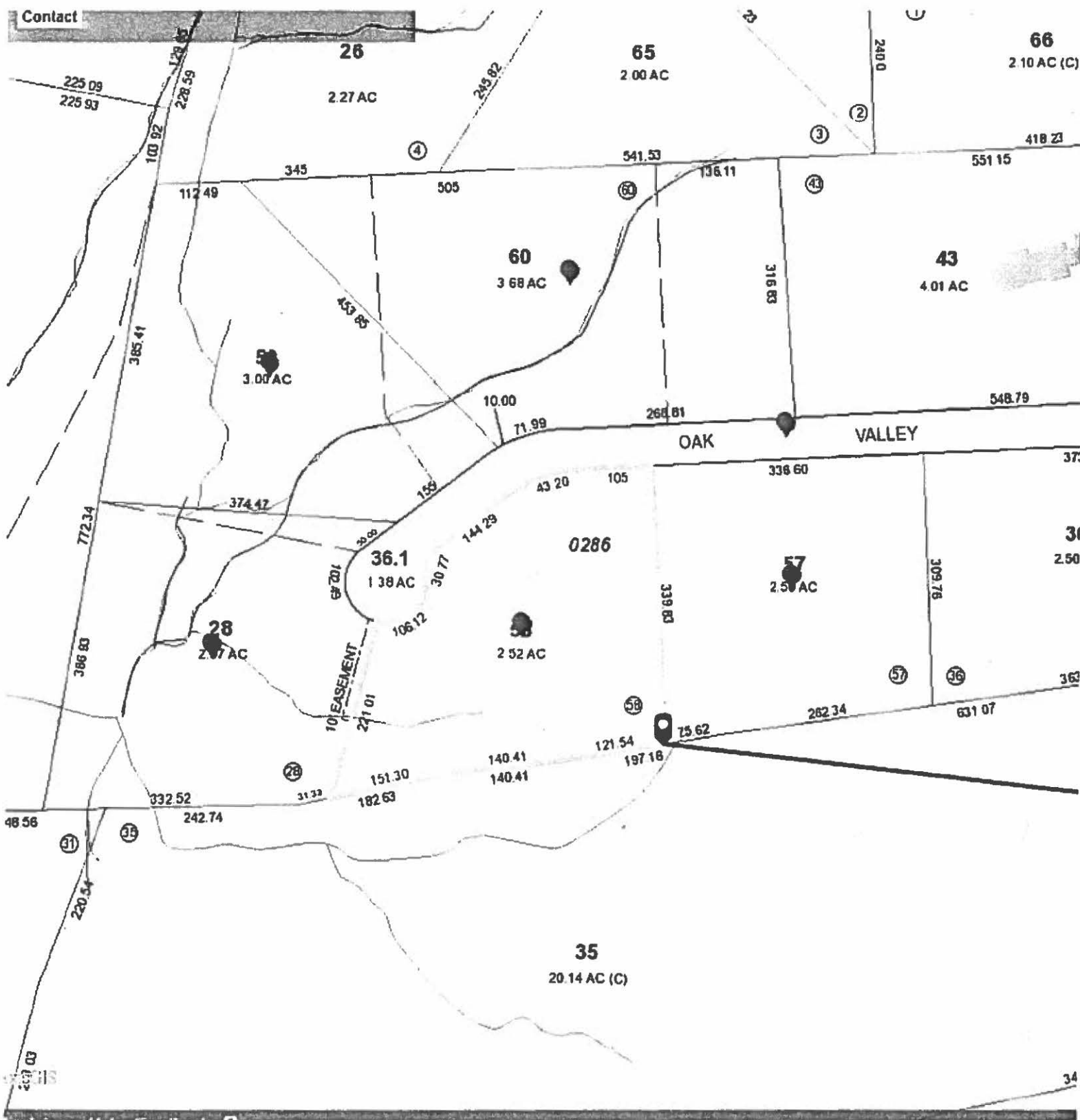
Documents & Links Assessment

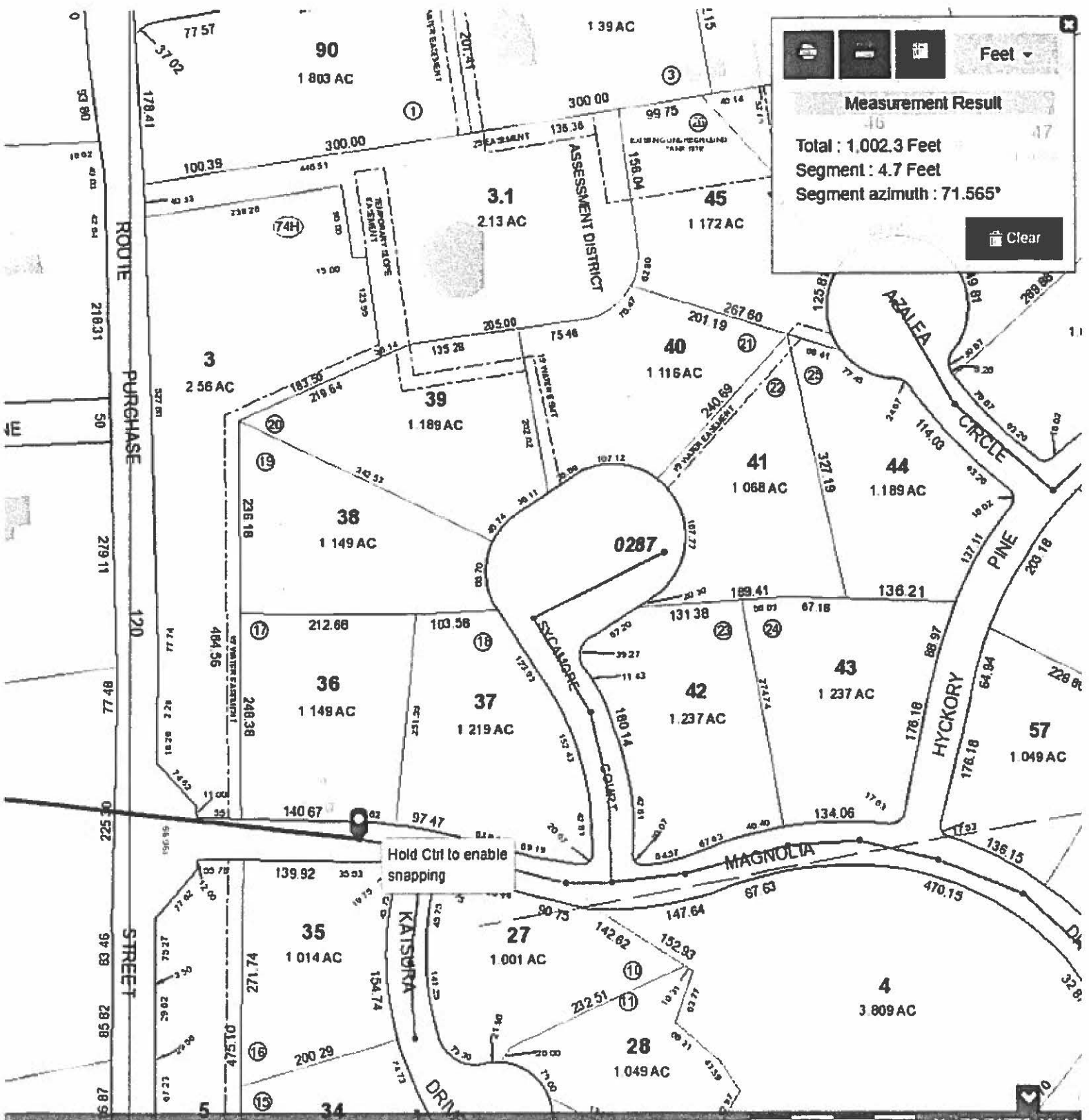
ID	6327
PropertyAddress	9 OAK VALLEY LN
PropertyStreet	OAK VALLEY LN
MapSheet	098
OwnerName	MOTOLA, LAWRENCE
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OwnerAddress	9 OAK VALLEY LN
OwnerAddress2	N/A
OwnerCity	PURCHASE
OwnerState	NY
OwnerZip	10577
ParcelNumber	0981-58
GisFullNumber	0981-58
CamaFullNumber	0981-58
PID	0981-58
Parcel ID	0981-58
Owner	MOTOLA, LAWRENCE

[Zoom to](#)





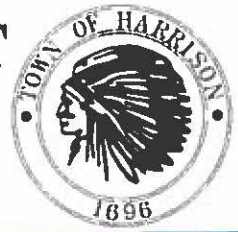




HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 15 Oak Valley Lane from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line is greater than 1,400' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Blind Brook Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM
Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 4:13

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\Oak Valley Lane\15 Oak Valley Lane\15 Oak Valley Lane Cover Letter for Package.docx

July 7, 2022

V - - 2022 - - 069

AUTHORIZATION TO REMOVE 15 OAK VALLEY LANE (BLOCK 981, LOT 28)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown,

it was,

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of homeowners, Paul David Mortimer-Lee and Christine Ann Lee, that their property identified as 15 Oak Valley Lane (Block 981, Lot 28) be removed from the Westchester County Sewer District. The Property is not connected to any public or private sewer systems.

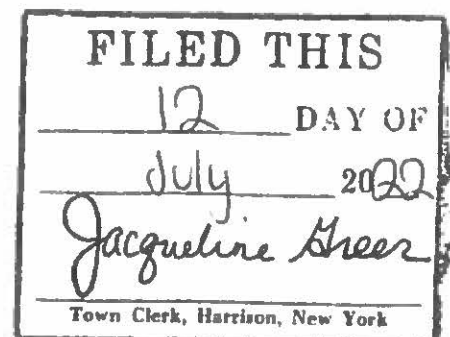
FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0981.-28 (HARRISON)
Legal Addr: 15 OAK VALLEY LN
Name: MORTIMER-LEE PAUL DAVID
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MORTIMER-LEE PAUL DAVID
 LEE CHRISTINE ANN
 15 OAK VALLEY LANE
 PURCHASE, NY 10577

Property Description
 28&PO59

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Acreage: 2.97
Coord North: 0
Ownership:
Easement: None

East: 0

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
8,500	34,200

2021	
Land	Total
8,500	34,200

2022	
Land	Total
8,500	34,200

County Taxable
34,200

Town Taxable
34,200

School Taxable
34,200

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						34200
DD281	REF DISPOSAL DIST						34200
SF284	FIRE DST #4 PURCH						34200

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	2,900,000	5/6/2002	Yes	Land\Bldg	CLARD CORP,		BARGAIN &	7/12/2002
2	525,000	10/3/2000	Yes	Land\Bldg	GENTRY, PROPER		BARGAIN &	11/8/2000
3	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996
5	2,060,000	12/16/2016	Yes	Land\Bldg	HOFFMAN BRIAN	563423740	Bargain &	12/23/2016

Parcel ID: 0981.-28 (HARRISON)
Name: MORTIMER-LEE PAUL DAVID

Legal Addr: 15 OAK VALLEY LN
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 Family Res)
Desirability:
Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Neighborhood:
Nbhd Rating:
Nbhd Type:
Water:
Road:
Phys Change:
Traffic:

Bldg Style: 05 (Colonial)
Condition:
Heat: 3 (Hot Water \ Steam)
Fuel: 4 (Oil)
Year Built: 2001
Garages: 3
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 3,420
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 7,632

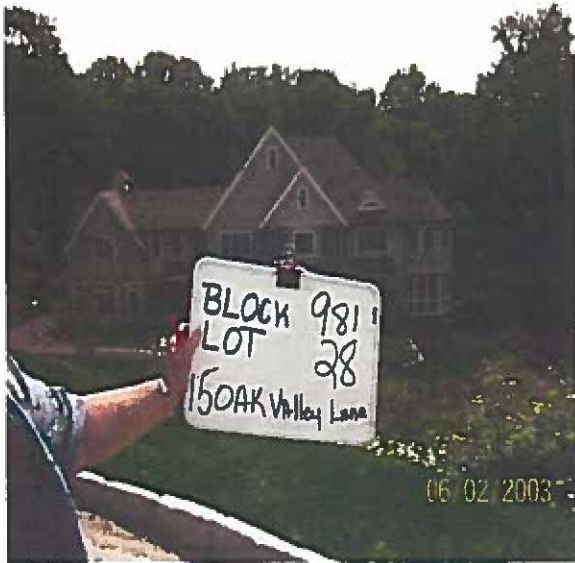
Porch: 1 (Open)
Year Remodeled:
Bsmt Garages:
Rooms: 14
1/2 Baths: 2
Kitchen Qual:
2nd Story: 4,212
3/4 Story:
Fin Bsmt:
Unfin 3/4:

Ext Wall: 01 (Wood)
Grade:
Basement: 4 (Full)

Central Air: Yes
Porch Area: 765
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 1
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

Improvement Information

#	Structure	Year	Dim	Dim 1	Dim 2	Qty	Grd	Cond	Fnc Obs	% Good	Rplc Cost	Less Dprc
1	Pool, Poured Con	2002	SqFt			875						



Parcel ID: 0981.-28 (HARRISON)
Legal Addr: 15 OAK VALLEY LN
Name: MORTIMER-LEE PAUL DAVID
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MORTIMER-LEE PAUL DAVID
 LEE CHRISTINE ANN
 15 OAK VALLEY LANE
 PURCHASE, NY 10577

Property Description
 28&PO59

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 2.97
Coord North: 0
Ownership:
Easement: None

East: 0

Assessment Information

2020	
Land	Total
8,500	34,200

2021	
Land	Total
8,500	34,200

2022	
Land	Total
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County Taxable
34,200

Town Taxable
34,200

School Taxable
34,200

STAR Amount
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Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
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SF284	FIRE DST #4 PURCH						34200

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2	525,000	10/3/2000	Yes	Land\Bldg	GENTRY, PROPER		BARGAIN &	11/8/2000
3	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996
5	2,060,000	12/16/2016	Yes	Land\Bldg	HOFFMAN BRIAN	63423740	Bargain &	12/23/2016

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School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 Family Res)
Desirability:
Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Neighborhood:
Nbhd Rating:
Nbhd Type:
Water:
Road:
Phys Change:
Traffic:

Bldg Style: 05 (Colonial)
Condition:
Heat: 3 (Hot Water \ Steam)
Fuel: 4 (Oil)
Year Built: 2001
Garages: 3
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 3,420
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 7,632

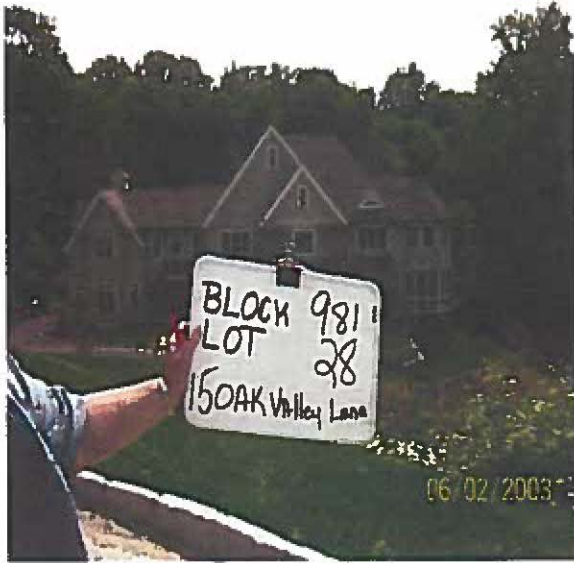
Porch: 1 (Open)
Year Remodeled:
Bsmt Garages:
Rooms: 14
1/2 Baths: 2
Kitchen Qual:
2nd Story: 4,212
3/4 Story:
Fin Bsmt:
Unfin 3/4:

Ext Wall: 01 (Wood)
Grade:
Basement: 4 (Full)

Central Air: Yes
Porch Area: 765
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 1
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

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Res %:

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3	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996
5	2,060,000	12/16/2016	Yes	Land\Bldg	HOFFMAN BRIAN	563423740	Bargain &	12/23/2016

Parcel ID: 0981.-28 (HARRISON)
Name: MORTIMER-LEE PAUL DAVID

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Residential Site 1

Prop Cls: 210 (1 Family Res)
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Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Neighborhood:
Nbhd Rating:
Nbhd Type:
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Traffic:

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1st Story: 3,420
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3/4 Story:
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Central Air: Yes
Porch Area: 765
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Fireplaces: 1
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1	Pool, Poured Con	2002	SqFt			875						

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1118
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP	PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME			SCHOOL DISTRICT	---	LAND---	TAX DESCRIPTION		TAXABLE VALUE
CURRENT OWNERS ADDRESS			PARCEL SIZE/GRID COORD	---	TOTAL---	SPECIAL DISTRICTS		
*****0981.-28*****								
0981.-28			15 OAK VALLEY LN			COUNTY TAXABLE		ACCT: 000057720
MORTIMER-LEE PAUL DAVID			210 1 FAMILY RES	8,500		TOWN TAXABLE		34,200
LEE CHRISTINE ANN			HARRISON CENTRAL			SCHOOL TAXABLE		34,200
15 OAK VALLEY LANE			28&PO59			CS282 MAMARONECK VALL		34,200 TO C
PURCHASE NY 10577			ACREAGE 2.97	34,200		DD281 REF DISPOSAL DI		34,200 TO
			FULL MKT VAL 2,651,162			SF284 FIRE DST #4 PUR		34,200 TO
*****0981.-31*****								
0981.-31			BARNES LN			COUNTY TAXABLE		ACCT: 000057730
HILL REALTY			311 RES VACANT LAND	6,420		TOWN TAXABLE		6,420
ASSOCIATES LLC			HARRISON CENTRAL			SCHOOL TAXABLE		6,420
DAVID L GOLDRICH ESQ			29-30-31			CS282 MAMARONECK VALL		6,420 TO C
P.O. BOX 35			ACREAGE 13.86	6,420		DD281 REF DISPOSAL DI		6,420 TO
PURCHASE NY 10577			BANK 170			SF284 FIRE DST #4 PUR		6,420 TO
			FULL MKT VAL 497,674					
*****0981.-33*****								
0981.-33			44 BARNES LN			COUNTY TAXABLE		ACCT: 000057740
YOUNG, CHARLES B			210 1 FAMILY RES	5,400		TOWN TAXABLE		20,700
YOUNG, CAROL L			HARRISON CENTRAL			SCHOOL TAXABLE		20,700
44 BARNES LN			ACREAGE 2.75			CS282 MAMARONECK VALL		20,700 TO C
PURCHASE NY 10577			FULL MKT VAL 1,604,651	20,700		DD281 REF DISPOSAL DI		20,700 TO
						SF284 FIRE DST #4 PUR		20,700 TO
*****0981.-34*****								
0981.-34			BARNES LN			COUNTY TAXABLE		ACCT: 000057750
HILL REALTY			311 RES VACANT LAND	14,340		TOWN TAXABLE		14,340
ASSOCIATES LLC			HARRISON CENTRAL			SCHOOL TAXABLE		14,340
DAVID L GOLDRICH ESQ			ACREAGE 13.80			CS282 MAMARONECK VALL		14,340 TO C
P.O. BOX 35			BANK 170	14,340		DD281 REF DISPOSAL DI		14,340 TO
PURCHASE NY 10577			FULL MKT VAL 1,111,627			SF284 FIRE DST #4 PUR		14,340 TO
*****0981.-35*****								
0981.-35			4160 PURCHASE ST			COUNTY TAXABLE		ACCT: 000057760
HILL REALTY			311 RES VACANT LAND	20,100		TOWN TAXABLE		20,100
ASSOCIATES LLC			HARRISON CENTRAL			SCHOOL TAXABLE		20,100
DAVID L GOLDRICH ESQ			ACREAGE 21.10			CS282 MAMARONECK VALL		20,100 TO C
P.O. BOX 35			BANK 170	20,100		DD281 REF DISPOSAL DI		20,100 TO
PURCHASE NY 10577			FULL MKT VAL 1,558,139			SF284 FIRE DST #4 PUR		20,100 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1118
ROLL PRINT DATE: 6/1/2022
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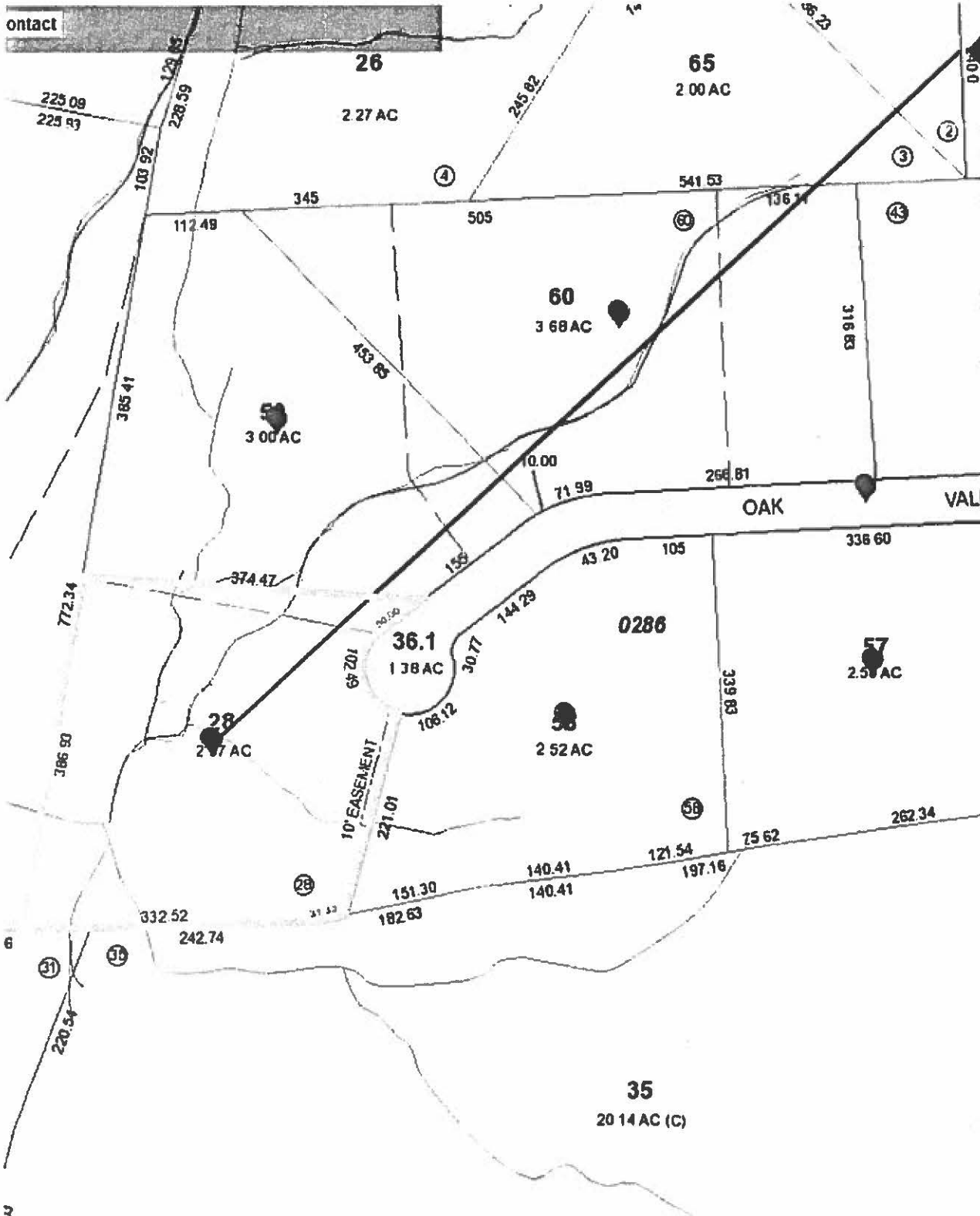
TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			
***** 0981.-28 *****							
0981.-28		15 OAK VALLEY LN		COUNTY TAXABLE			ACCT: 000057720
MORTIMER-LEE PAUL DAVID		210 1 FAMILY RES	8,500	TOWN TAXABLE			34,200
LEE CHRISTINE ANN		HARRISON CENTRAL		SCHOOL TAXABLE			34,200
15 OAK VALLEY LANE		28&PO59		CS282 MAMARONECK VALL			34,200 TO C
PURCHASE NY 10577		ACREAGE 2.97	34,200	DD281 REF DISPOSAL DI			34,200 TO
		FULL MKT VAL 2,651,162		SF284 FIRE DST #4 PUR			34,200 TO
***** 0981.-31 *****							
0981.-31		BARNES LN		COUNTY TAXABLE			ACCT: 000057730
HILL REALTY		311 RES VACANT LAND	6,420	TOWN TAXABLE			6,420
ASSOCIATES LLC		HARRISON CENTRAL		SCHOOL TAXABLE			6,420
DAVID L GOLDRICH ESQ		29-30-31	6,420	CS282 MAMARONECK VALL			6,420 TO C
P.O. BOX 35		ACREAGE 13.86		DD281 REF DISPOSAL DI			6,420 TO
PURCHASE NY 10577		BANK 170		SF284 FIRE DST #4 PUR			6,420 TO
		FULL MKT VAL 497,674					
***** 0981.-33 *****							
0981.-33		44 BARNES LN		COUNTY TAXABLE			ACCT: 000057740
YOUNG, CHARLES B		210 1 FAMILY RES	5,400	TOWN TAXABLE			20,700
YOUNG, CAROL L		HARRISON CENTRAL		SCHOOL TAXABLE			20,700
44 BARNES LN		ACREAGE 2.75	20,700	CS282 MAMARONECK VALL			20,700 TO C
PURCHASE NY 10577		FULL MKT VAL 1,604,651		DD281 REF DISPOSAL DI			20,700 TO
				SF284 FIRE DST #4 PUR			20,700 TO
***** 0981.-34 *****							
0981.-34		BARNES LN		COUNTY TAXABLE			ACCT: 000057750
HILL REALTY		311 RES VACANT LAND	14,340	TOWN TAXABLE			14,340
ASSOCIATES LLC		HARRISON CENTRAL		SCHOOL TAXABLE			14,340
DAVID L GOLDRICH ESQ		ACREAGE 13.80	14,340	CS282 MAMARONECK VALL			14,340 TO C
P.O. BOX 35		BANK 170		DD281 REF DISPOSAL DI			14,340 TO
PURCHASE NY 10577		FULL MKT VAL 1,111,627		SF284 FIRE DST #4 PUR			14,340 TO
***** 0981.-35 *****							
0981.-35		4160 PURCHASE ST		COUNTY TAXABLE			ACCT: 000057760
HILL REALTY		311 RES VACANT LAND	20,100	TOWN TAXABLE			20,100
ASSOCIATES LLC		HARRISON CENTRAL		SCHOOL TAXABLE			20,100
DAVID L GOLDRICH ESQ		ACREAGE 21.10	20,100	CS282 MAMARONECK VALL			20,100 TO C
P.O. BOX 35		BANK 170		DD281 REF DISPOSAL DI			20,100 TO
PURCHASE NY 10577		FULL MKT VAL 1,558,139		SF284 FIRE DST #4 PUR			20,100 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1118
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL---	SPECIAL DISTRICTS			
***** 0981.-28 *****							
0981.-28		15 OAK VALLEY LN		COUNTY TAXABLE			ACCT: 000057720
MORTIMER-LEE PAUL DAVID		210 1 FAMILY RES		TOWN TAXABLE			34,200
LEE CHRISTINE ANN		HARRISON CENTRAL	8,500	SCHOOL TAXABLE			34,200
15 OAK VALLEY LANE		28&PO59		CS282 MAMARONECK VALL			34,200 TO C
PURCHASE NY 10577		ACREAGE 2.97	34,200	DD281 REF DISPOSAL DI			34,200 TO
		FULL MKT VAL 2,651,162		SF284 FIRE DST #4 PUR			34,200 TO
***** 0981.-31 *****							
0981.-31		BARNES LN		COUNTY TAXABLE			ACCT: 000057730
HILL REALTY		311 RES VACANT LAND		TOWN TAXABLE			6,420
ASSOCIATES LLC		HARRISON CENTRAL	6,420	SCHOOL TAXABLE			6,420
DAVID L GOLDRICH ESQ		29-30-31		CS282 MAMARONECK VALL			6,420 TO C
P.O. BOX 35		ACREAGE 13.86	6,420	DD281 REF DISPOSAL DI			6,420 TO
PURCHASE NY 10577		BANK 170		SF284 FIRE DST #4 PUR			6,420 TO
		FULL MKT VAL 497,674					
***** 0981.-33 *****							
0981.-33		44 BARNES LN		COUNTY TAXABLE			ACCT: 000057740
YOUNG, CHARLES B		210 1 FAMILY RES		TOWN TAXABLE			20,700
YOUNG, CAROL L		HARRISON CENTRAL	5,400	SCHOOL TAXABLE			20,700
44 BARNES LN		ACREAGE 2.75		CS282 MAMARONECK VALL			20,700 TO C
PURCHASE NY 10577		FULL MKT VAL 1,604,651	20,700	DD281 REF DISPOSAL DI			20,700 TO
				SF284 FIRE DST #4 PUR			20,700 TO
***** 0981.-34 *****							
0981.-34		BARNES LN		COUNTY TAXABLE			ACCT: 000057750
HILL REALTY		311 RES VACANT LAND		TOWN TAXABLE			14,340
ASSOCIATES LLC		HARRISON CENTRAL	14,340	SCHOOL TAXABLE			14,340
DAVID L GOLDRICH ESQ		ACREAGE 13.80		CS282 MAMARONECK VALL			14,340 TO C
P.O. BOX 35		BANK 170	14,340	DD281 REF DISPOSAL DI			14,340 TO
PURCHASE NY 10577		FULL MKT VAL 1,111,627		SF284 FIRE DST #4 PUR			14,340 TO
***** 0981.-35 *****							
0981.-35		4160 PURCHASE ST		COUNTY TAXABLE			ACCT: 000057760
HILL REALTY		311 RES VACANT LAND		TOWN TAXABLE			20,100
ASSOCIATES LLC		HARRISON CENTRAL	20,100	SCHOOL TAXABLE			20,100
DAVID L GOLDRICH ESQ		ACREAGE 21.10		CS282 MAMARONECK VALL			20,100 TO C
P.O. BOX 35		BANK 170	20,100	DD281 REF DISPOSAL DI			20,100 TO
PURCHASE NY 10577		FULL MKT VAL 1,558,139		SF284 FIRE DST #4 PUR			20,100 TO



Parcel #: 0981-28

Documents & Links Asse

ID

PropertyAddress

PropertyStreet

MapSheet

OwnerName

CoOwnerName

OwnerAddress

OwnerAddress2

OwnerCity

OwnerState

OwnerZip

ParcelNumber

GisFullNumber

CamaFullNumber

PID

Parcel ID

Owner

Zoom to

15 OAK VALLEY LN



6301

15 OAK VALLEY LN

OAK VALLEY LN

098

MORTIMER-LEE PAUL DAVID

LEE CHRISTINE ANN

15 OAK VALLEY LANE

N/A

PURCHASE

NY

10577

0981-28

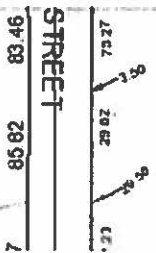
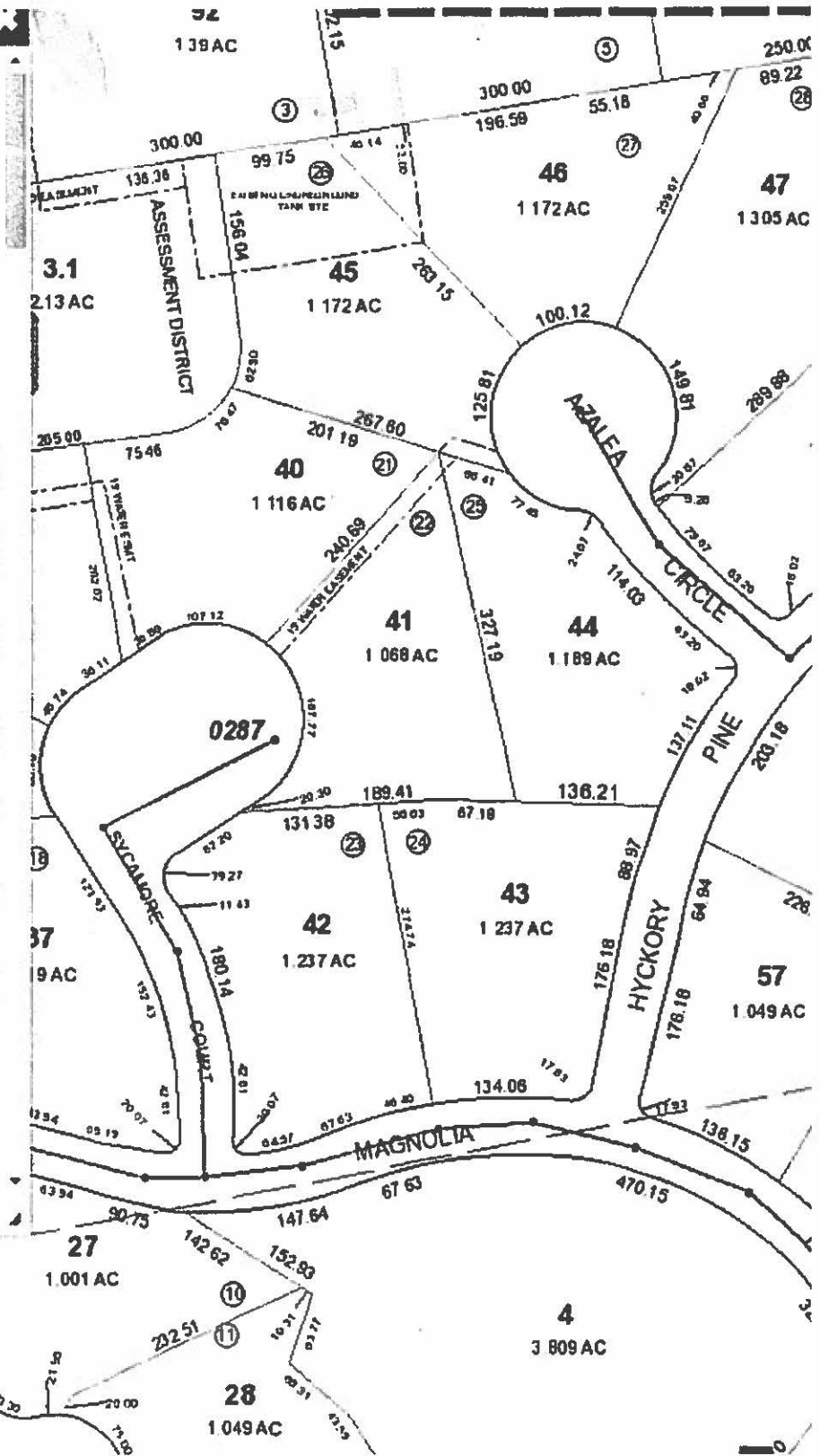
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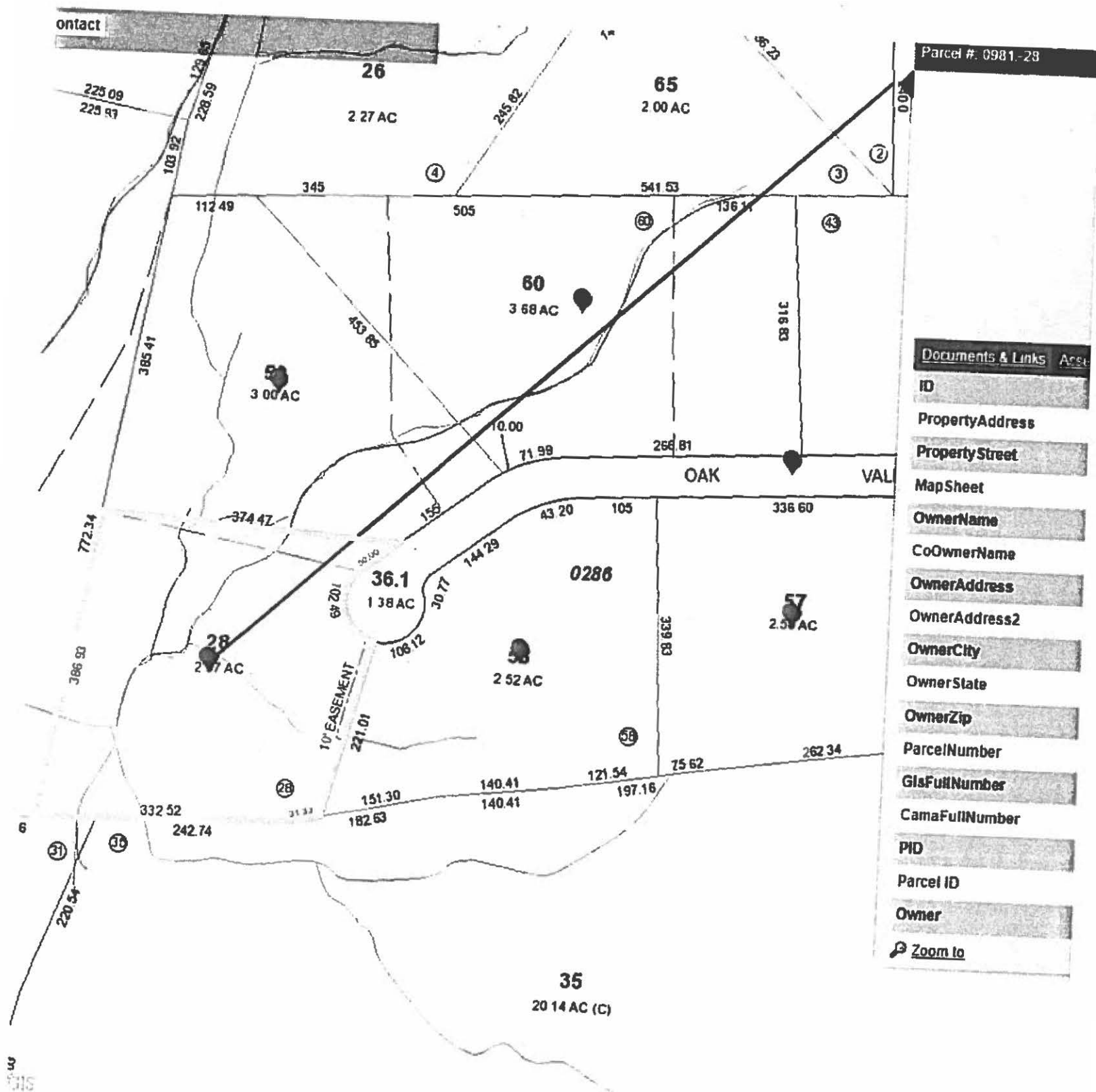
0981-28

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MORTIMER-LEE PAUL DAVID





15 OAK VALLEY LN



6301

15 OAK VALLEY LN

OAK VALLEY LN

098

MORTIMER-LEE PAUL DAVID

LEE CHRISTINE ANN

15 OAK VALLEY LANE

N/A

PURCHASE

NY

10577

0981.-28

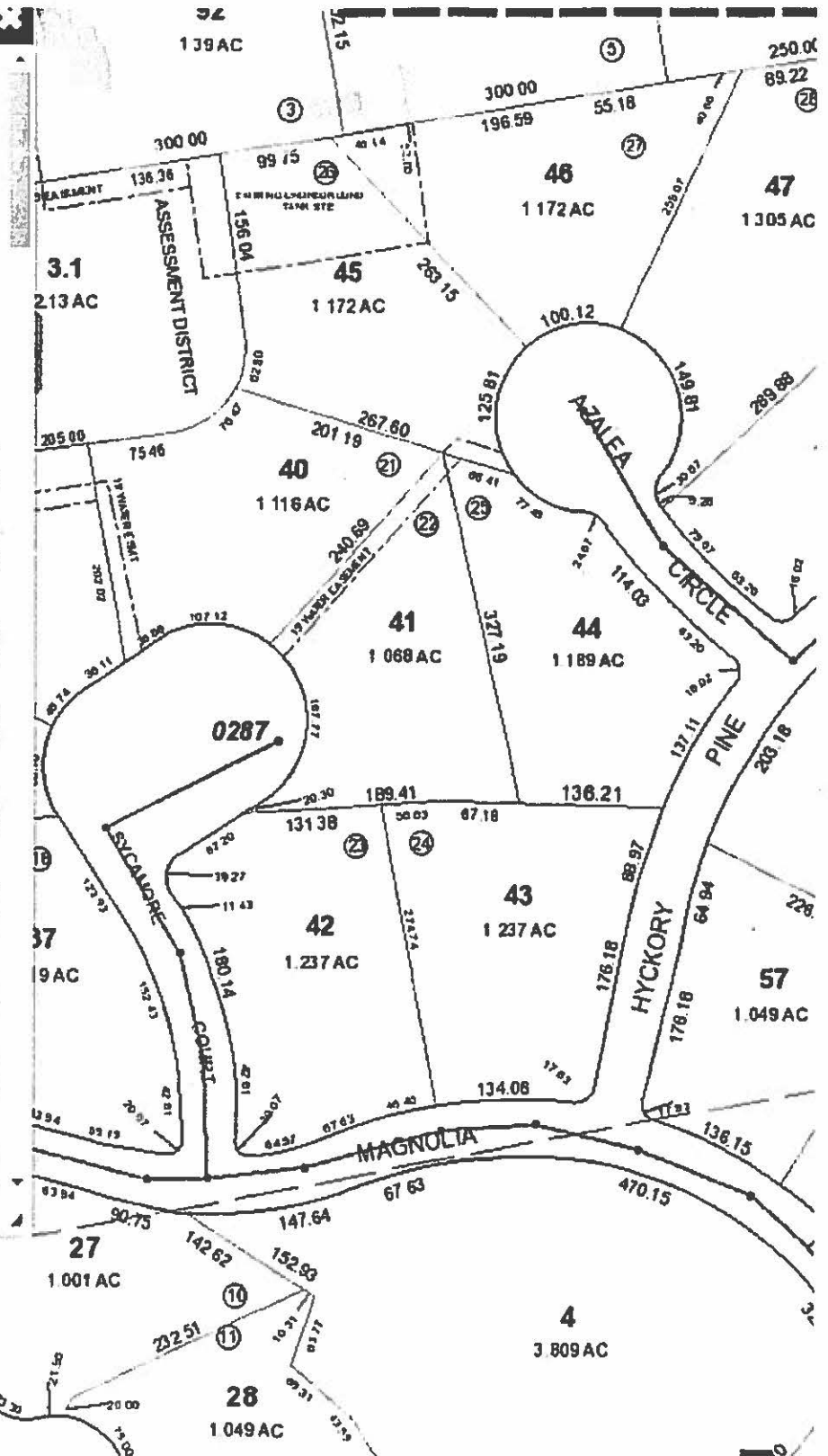
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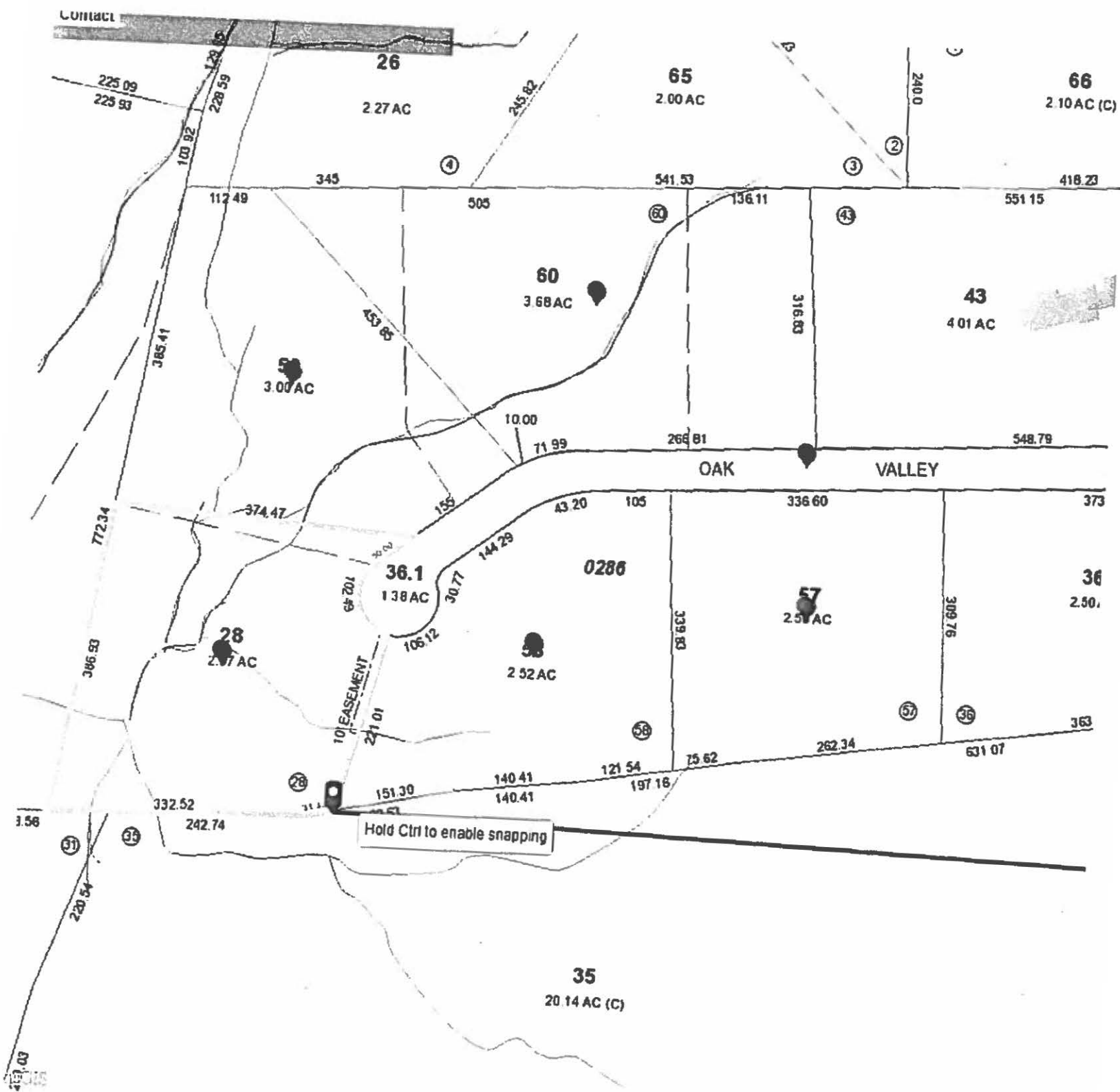
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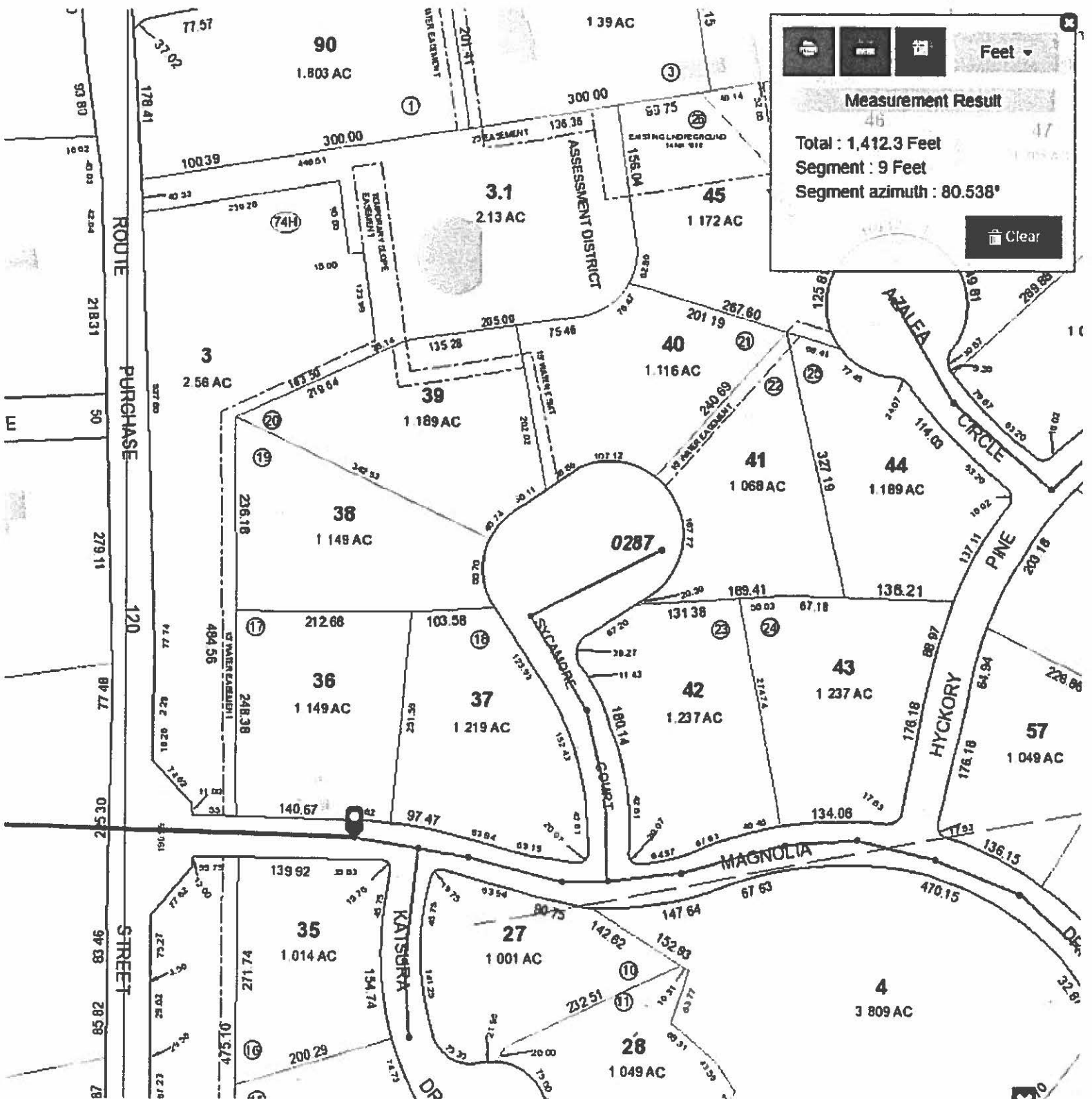
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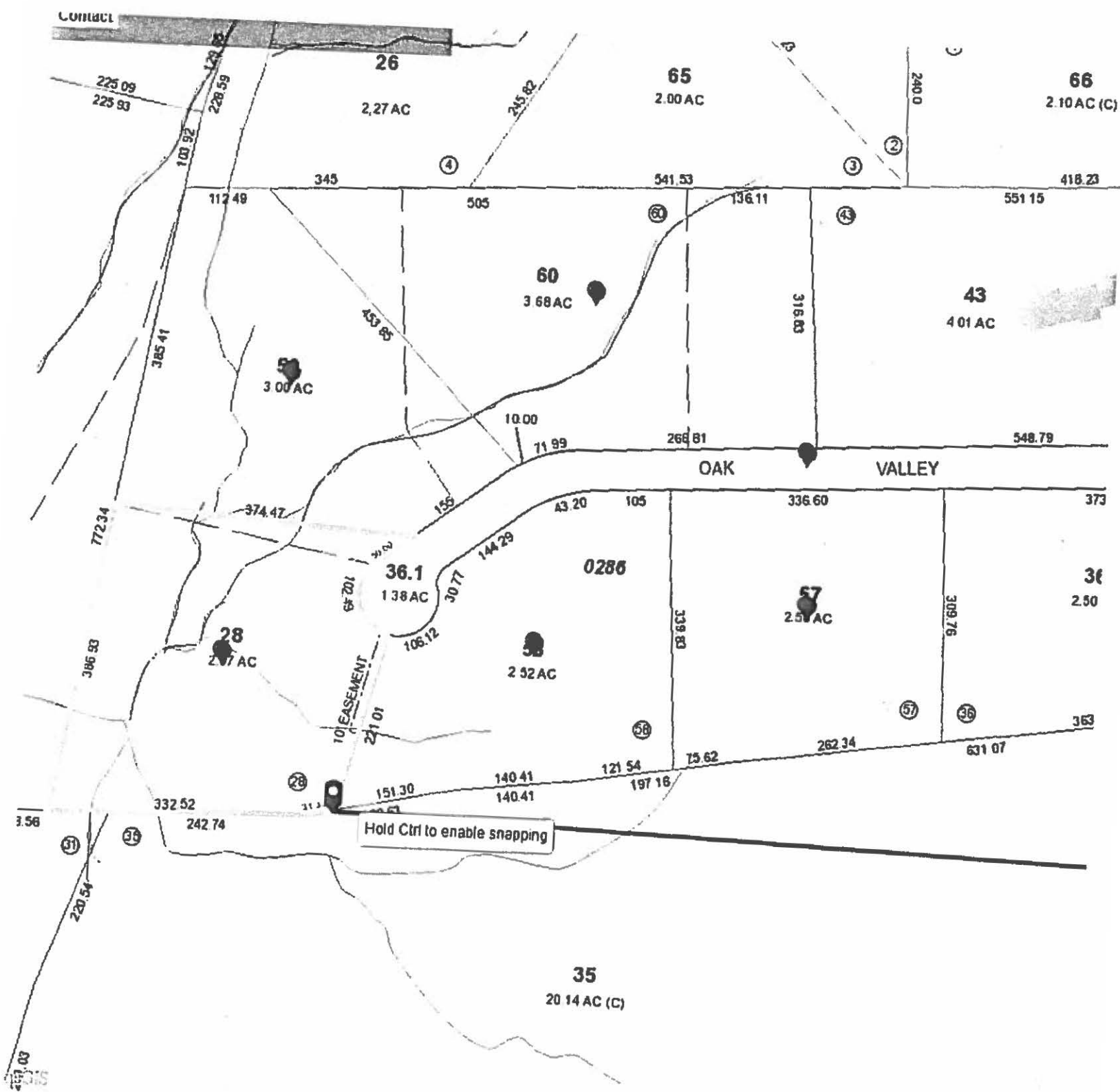
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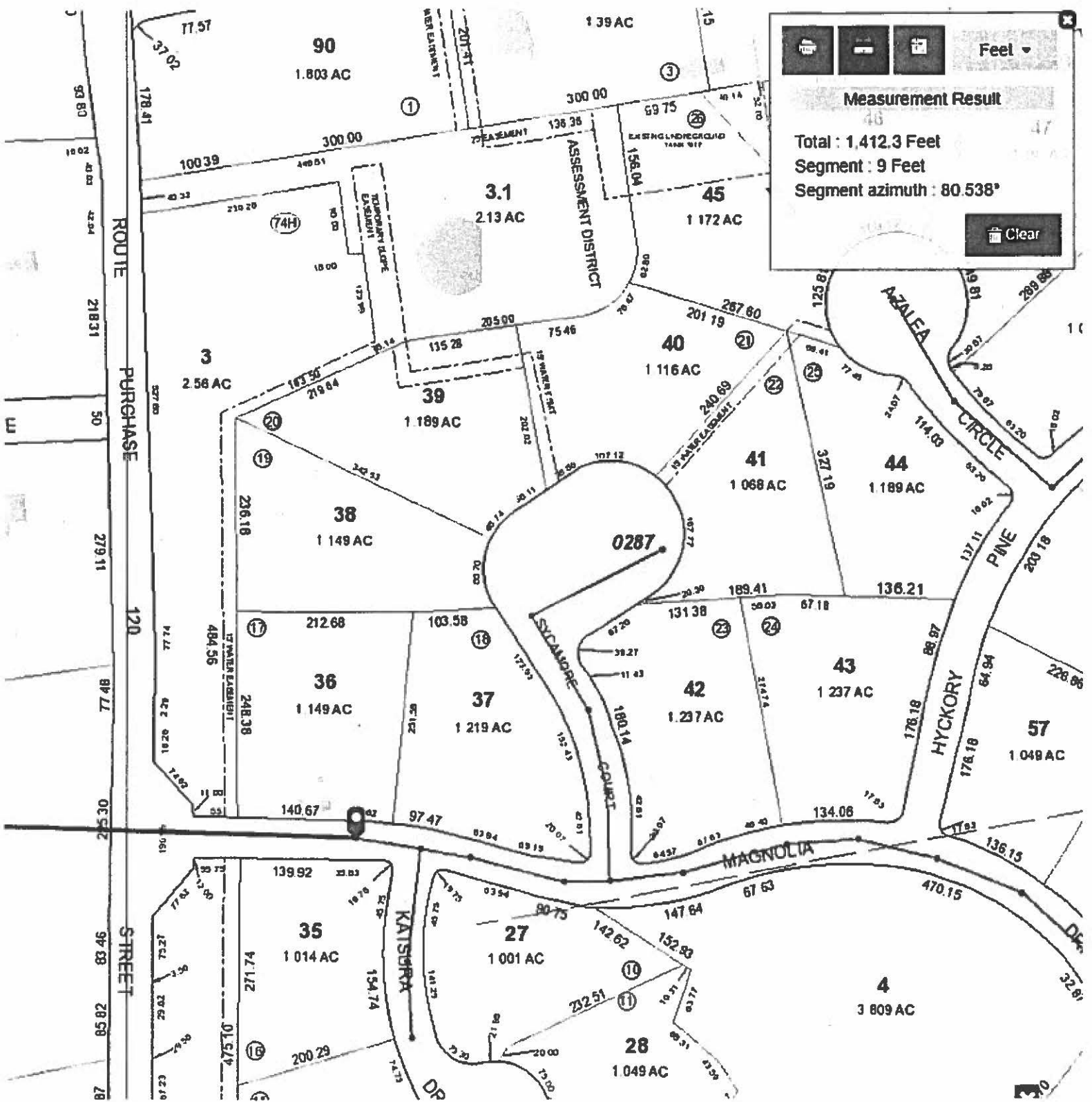
MORTIMER-LEE PAUL DAVID











HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 12 Oak Valley Lane from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line is greater than 1,270' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Blind Brook Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Michael J. Amodeo", is written over the "Sincerely yours," text.

Michael J. Amodeo, P.E., CFM
Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 4:30

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\Oak Valley Lane\12 Oak Valley Lane\12 Oak Valley Lane Cover Letter for Package.docx

July 7, 2022

V - - 2022 - - 070

AUTHORIZATION TO REMOVE 12 OAK VALLEY LANE (BLOCK 981, LOT 59)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown,

it was,

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of homeowner, Helen Maher, that her property identified as 12 Oak Valley Lane (Block 981, Lot 59) be removed from the Westchester County Sewer District. The Property is not connected to any public or private sewer systems.

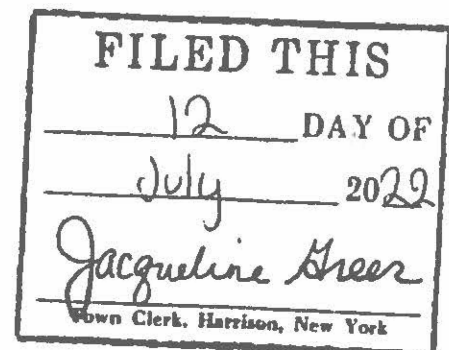
FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer and the Law Department.

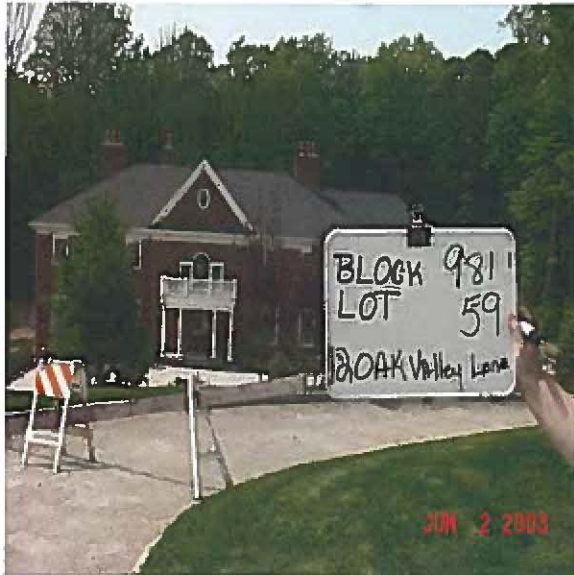
Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0981.-59 (HARRISON)
Legal Addr: 12 OAK VALLEY LN
Name: MAHER HELEN
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MAHER HELEN
 12 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description
 PO59&60
 PARTIAL

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Acreage: 3.00
Coord North: 0
Ownership:
Easement: None

East: 0

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
7,000	37,290

2021	
Land	Total
7,000	37,290

2022	
Land	Total
7,000	37,290

County Taxable
37,290

Town Taxable
37,290

School Taxable
37,290

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						37290
DD281	REF DISPOSAL DIST						37290
SF284	FIRE DST #4 PURCH						37290

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	25,000	3/3/2012	No	Land/Bldg	MIDOLLO, ROBIN			4/2/2012
2	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996

Parcel ID: 0981.-59 (HARRISON)
Name: MAHER HELEN

Legal Addr: 12 OAK VALLEY LN
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 Family Res)
Desirability:
Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Bldg Style: 05 (Colonial)
Condition:
Heat: 3 (Hot Water \ Steam)
Fuel: 4 (Oil)
Year Built: 2003
Garages: 3
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 3,888
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 7,821

Porch: 1 (Open)
Year Remodeled:
Bsmt Garages:
Rooms: 14
1/2 Baths: 1
Kitchen Qual:
2nd Story: 3,933
3/4 Story:
Fin Bsmt:
Unfin 3/4:

Neighborhood:
Nbhd Rating:
Nbhd Type:
Water:
Road:
Phys Change:
Traffic:

Ext Wall: 02 (Brick)
Grade:
Basement: 4 (Full)

Central Air: Yes
Porch Area: 0
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces:
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:



Parcel ID: 0981.-59 (HARRISON)
Legal Addr: 12 OAK VALLEY LN
Name: MAHER HELEN
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MAHER HELEN
 12 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description
 PO59&60
 PARTIAL

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Acreage: 3.00
Coord North: 0
Ownership:
Easement: None

East: 0

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
7,000	37,290

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Land	Total
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County Taxable
37,290

Town Taxable
37,290

School Taxable
37,290

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
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DD281	REF DISPOSAL DIST						37290
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School: 552801 (HARRISON CENTRAL)

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Desirability:
Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Neighborhood:
Nbhd Rating:
Nbhd Type:
Water:
Road:
Phys Change:
Traffic:

Bldg Style: 05 (Colonial)
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Heat: 3 (Hot Water \ Steam)
Fuel: 4 (Oil)
Year Built: 2003
Garages: 3
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 3,888
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 7,821

Porch: 1 (Open)
Year Remodeled:
Bsmt Garages:
Rooms: 14
1/2 Baths: 1
Kitchen Qual:
2nd Story: 3,933
3/4 Story:
Fin Bsmt:
Unfin 3/4:

Ext Wall: 02 (Brick)
Grade:
Basement: 4 (Full)

Central Air: Yes
Porch Area: 0
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces:
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:



Parcel ID: 0981.-59 (HARRISON)
Legal Addr: 12 OAK VALLEY LN
Name: MAHER HELEN
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 MAHER HELEN
 12 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description
 PO59&60
 PARTIAL

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Acreage: 3.00
Coord North: 0
Ownership:
Easement: None

East: 0

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
7,000	37,290

2021	
Land	Total
7,000	37,290

2022	
Land	Total
7,000	37,290

County Taxable
37,290

Town Taxable
37,290

School Taxable
37,290

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						37290
DD281	REF DISPOSAL DIST						37290
SF284	FIRE DST #4 PURCH						37290

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Prop Cls: 210 (1 Family Res)
Desirability:
Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Neighborhood:
Nbhd Rating:
Nbhd Type:
Water:
Road:
Phys Change:
Traffic:

Bldg Style: 05 (Colonial)
Condition:
Heat: 3 (Hot Water \ Steam)
Fuel: 4 (Oil)
Year Built: 2003
Garages: 3
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 3,888
1/2 Story:
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Unfin 1/2:
Tot Living Area: 7,821

Porch: 1 (Open)
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2nd Story: 3,933
3/4 Story:
Fin Bsmt:
Unfin 3/4:

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Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces:
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1123
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			
*****0981.-59*****							
0981.-59		12 OAK VALLEY LN			ACCT: 000058000		
MAHER HELEN		210 1 FAMILY RES		COUNTY TAXABLE		37,290	
12 OAK VALLEY LN		HARRISON CENTRAL	7,000	TOWN TAXABLE		37,290	
PURCHASE NY 10577		PO59&60		SCHOOL TAXABLE		37,290	
		PARTIAL	37,290	CS282 MAMARONECK VALL		37,290	TO C
		ACREAGE 3.00		DD281 REF DISPOSAL DI		37,290	TO
		FULL MKT VAL 2,890,697		SF284 FIRE DST #4 PUR		37,290	TO
*****0981.-60*****							
0981.-60		8 OAK VALLEY LN			ACCT: 000058010		
ISRAEL, RONEN		210 1 FAMILY RES		COUNTY TAXABLE		55,100	
NAGORSKY, MINDY		HARRISON CENTRAL	10,330	TOWN TAXABLE		55,100	
8 OAK VALLEY LN		PO59&60		SCHOOL TAXABLE		55,100	
PURCHASE NY 10577		ACREAGE 2.68	55,100	CS282 MAMARONECK VALL		55,100	TO C
		FULL MKT VAL 4,271,317		DD281 REF DISPOSAL DI		55,100	TO
				SF284 FIRE DST #4 PUR		55,100	TO
*****0981.-61*****							
0981.-61		38 BARNES LN			ACCT: 000066310		
HILL REALTY ASSOCIATES LL		311 RES VACANT LAND		COUNTY TAXABLE		1,400	
287 BOWMAN AVE		HARRISON CENTRAL	1,400	TOWN TAXABLE		1,400	
PURCHASE NY 10577		P055		SCHOOL TAXABLE		1,400	
		ACREAGE 0.44	1,400	CS282 MAMARONECK VALL		1,400	TO C
		BANK 170		DD281 REF DISPOSAL DI		1,400	TO
		FULL MKT VAL 108,527					
*****0981.-62*****							
0981.-62		761 LAKE ST			ACCT: 000058020		
DI FATE ANTHONY		210 1 FAMILY RES		41130 COMBAT VET	1,613	1,613	1,613
761 LAKE ST		HARRISON CENTRAL	1,530	COUNTY TAXABLE		9,587	
WEST HARRISON NY 10604		P014		TOWN TAXABLE		9,587	
		ACREAGE 1.00	11,200	SCHOOL TAXABLE		9,587	
		FULL MKT VAL 868,217		DD281 REF DISPOSAL DI		11,200	TO
				SF284 FIRE DST #4 PUR		11,200	TO
*****0981.-63*****							
0981.-63		261 OLD LAKE ST			ACCT: 000058030		
ADER, JOHN		210 1 FAMILY RES		41854 RES STAR			1,180
ANGELA, MARIE		HARRISON CENTRAL	3,500	COUNTY TAXABLE		17,400	
261 OLD LAKE ST		P019		TOWN TAXABLE		17,400	
WEST HARRISON NY 10604		ACREAGE 1.44	17,400	SCHOOL TAXABLE		16,220	
		FULL MKT VAL 1,348,837		DD281 REF DISPOSAL DI		17,400	TO
				SF284 FIRE DST #4 PUR		17,400	TO
*****0981.-64*****							
0981.-64		9 WINDSOR CT			ACCT: 000058040		
LUND, NICOLAI		210 1 FAMILY RES		COUNTY TAXABLE		39,000	
LUND, CATALINA		HARRISON CENTRAL	4,200	TOWN TAXABLE		39,000	
9 WINDSOR CT		ACREAGE 2.00		SCHOOL TAXABLE		39,000	
PURCHASE NY 10577		FULL MKT VAL 3,023,255	39,000	CS282 MAMARONECK VALL		39,000	TO C
				DD281 REF DISPOSAL DI		39,000	TO
				SF284 FIRE DST #4 PUR		39,000	TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
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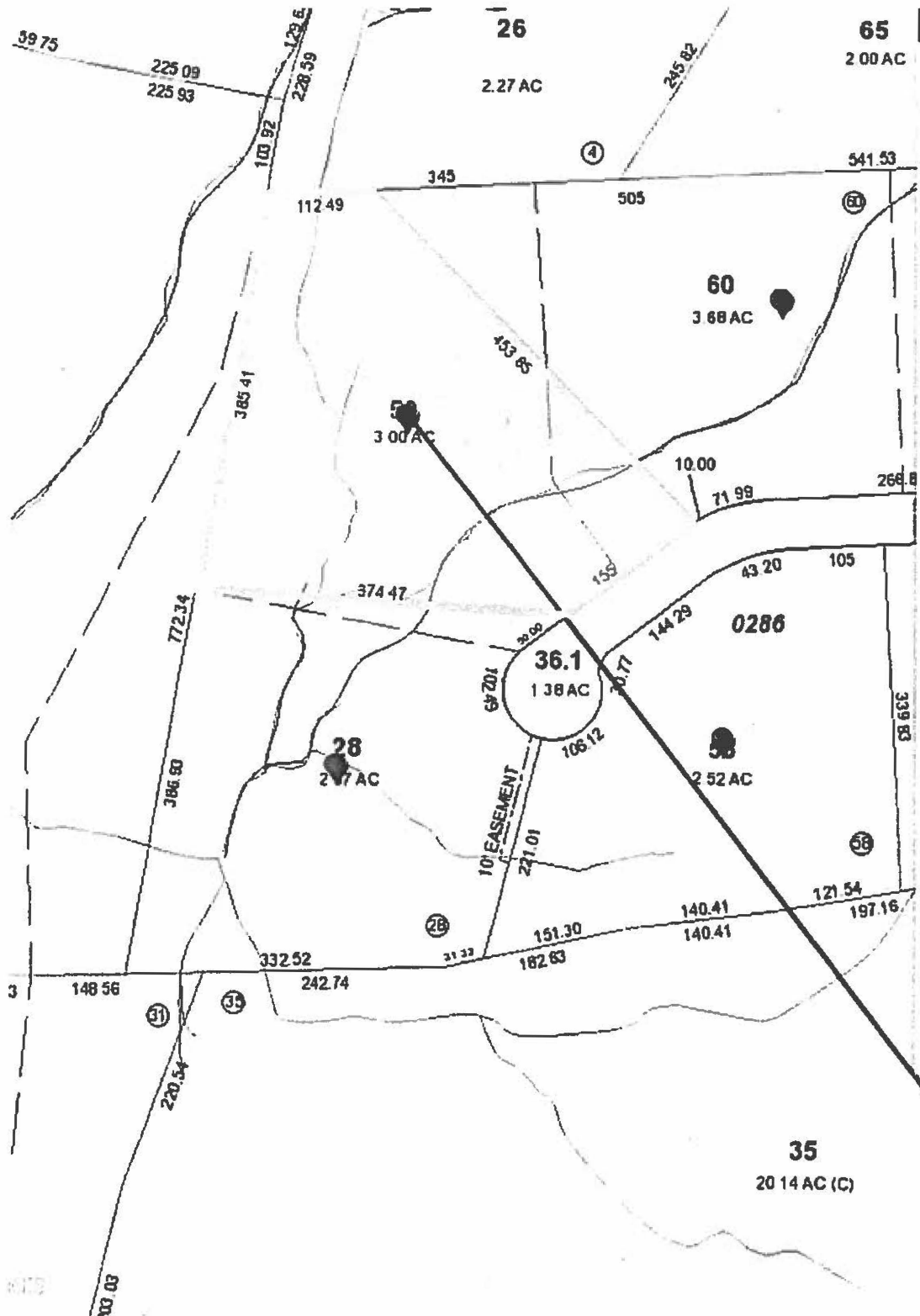
TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---	LAND---	TAX DESCRIPTION		TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---	TOTAL---	SPECIAL DISTRICTS		
***** 0981.-59 *****							
0981.-59		12 OAK VALLEY LN			COUNTY TAXABLE		ACCT: 000058000
MAHER HELEN		210 1 FAMILY RES			TOWN TAXABLE		37,290
12 OAK VALLEY LN		HARRISON CENTRAL	7,000		SCHOOL TAXABLE		37,290
PURCHASE NY 10577		PO59#60			CS282 MAMARONECK VALL		37,290 TO C
		PARTIAL	37,290		DD281 REF DISPOSAL DI		37,290 TO
		ACREAGE 3.00			SF284 FIRE DST #4 PUR		37,290 TO
		FULL MKT VAL 2,890,697					
***** 0981.-60 *****							
0981.-60		8 OAK VALLEY LN			COUNTY TAXABLE		ACCT: 000058010
ISRAEL, RONEN		210 1 FAMILY RES			TOWN TAXABLE		55,100
NAGORSKY, MINDY		HARRISON CENTRAL	10,330		SCHOOL TAXABLE		55,100
8 OAK VALLEY LN		PO59#60			CS282 MAMARONECK VALL		55,100 TO C
PURCHASE NY 10577		ACREAGE 2.68	55,100		DD281 REF DISPOSAL DI		55,100 TO
		FULL MKT VAL 4,271,317			SF284 FIRE DST #4 PUR		55,100 TO
***** 0981.-61 *****							
0981.-61		38 BARNES LN			COUNTY TAXABLE		ACCT: 000066310
HILL REALTY ASSOCIATES LL		311 RES VACANT LAND			TOWN TAXABLE		1,400
287 BOWMAN AVE		HARRISON CENTRAL	1,400		SCHOOL TAXABLE		1,400
PURCHASE NY 10577		PO55			CS282 MAMARONECK VALL		1,400 TO C
		ACREAGE 0.44	1,400		DD281 REF DISPOSAL DI		1,400 TO
		BANK 170					
		FULL MKT VAL 108,527					
***** 0981.-62 *****							
0981.-62		761 LAKE ST			41130 COMBAT VET		ACCT: 000058020
DI FATE ANTHONY		210 1 FAMILY RES			COUNTY TAXABLE	1,613	1,613
761 LAKE ST		HARRISON CENTRAL	1,530		TOWN TAXABLE		9,587
WEST HARRISON NY 10604		PO14			SCHOOL TAXABLE		9,587
		ACREAGE 1.00	11,200		DD281 REF DISPOSAL DI		9,587
		FULL MKT VAL 868,217			SF284 FIRE DST #4 PUR		11,200 TO
***** 0981.-63 *****							
0981.-63		261 OLD LAKE ST			41854 RES STAR		ACCT: 000058030
ADER, JOHN		210 1 FAMILY RES			COUNTY TAXABLE		17,400
ANGELA, MARIE		HARRISON CENTRAL	3,500		TOWN TAXABLE		17,400
261 OLD LAKE ST		PO19			SCHOOL TAXABLE		16,220
WEST HARRISON NY 10604		ACREAGE 1.44	17,400		DD281 REF DISPOSAL DI		17,400 TO
		FULL MKT VAL 1,348,837			SF284 FIRE DST #4 PUR		17,400 TO
***** 0981.-64 *****							
0981.-64		9 WINDSOR CT			COUNTY TAXABLE		ACCT: 000058040
LUND, NICOLAI		210 1 FAMILY RES			TOWN TAXABLE		39,000
LUND, CATALINA		HARRISON CENTRAL	4,200		SCHOOL TAXABLE		39,000
9 WINDSOR CT		ACREAGE 2.00			CS282 MAMARONECK VALL		39,000 TO C
PURCHASE NY 10577		FULL MKT VAL 3,023,255	39,000		DD281 REF DISPOSAL DI		39,000 TO
					SF284 FIRE DST #4 PUR		39,000 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1123
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	---TOTAL---	SPECIAL DISTRICTS			
***** 0981.-59 *****							
0981.-59		12 OAK VALLEY LN		COUNTY TAXABLE	ACCT: 000058000		
MAHER HELEN		210 1 FAMILY RES		TOWN TAXABLE			37,290
12 OAK VALLEY LN		HARRISON CENTRAL	7,000	SCHOOL TAXABLE			37,290
PURCHASE NY 10577		PO59&60		CS282 MAMARONECK VALL			37,290 TO C
		PARTIAL	37,290	DD281 REF DISPOSAL DI			37,290 TO
		ACREAGE 3.00		SF284 FIRE DST #4 PUR			37,290 TO
		FULL MKT VAL 2,890,697		***** 0981.-60 *****			
0981.-60		8 OAK VALLEY LN		COUNTY TAXABLE	ACCT: 000058010		
ISRAEL, RONEN		210 1 FAMILY RES		TOWN TAXABLE			55,100
NAGORSKY, MINDY		HARRISON CENTRAL	10,330	SCHOOL TAXABLE			55,100
8 OAK VALLEY LN		PO59&60		CS282 MAMARONECK VALL			55,100 TO C
PURCHASE NY 10577		ACREAGE 2.68	55,100	DD281 REF DISPOSAL DI			55,100 TO
		FULL MKT VAL 4,271,317		SF284 FIRE DST #4 PUR			55,100 TO
***** 0981.-61 *****							
0981.-61		38 BARNES LN		COUNTY TAXABLE	ACCT: 000066310		
HILL REALTY ASSOCIATES LL		311 RES VACANT LAND		TOWN TAXABLE			1,400
287 BOWMAN AVE		HARRISON CENTRAL	1,400	SCHOOL TAXABLE			1,400
PURCHASE NY 10577		PO55		CS282 MAMARONECK VALL			1,400 TO C
		ACREAGE 0.44	1,400	DD281 REF DISPOSAL DI			1,400 TO
		BANK 170		***** 0981.-62 *****			
		FULL MKT VAL 108,527		ACCT: 000058020			
0981.-62		761 LAKE ST		41130 COMBAT VET	1,613	1,613	1,613
DI FATE ANTHONY		210 1 FAMILY RES		COUNTY TAXABLE			9,587
761 LAKE ST		HARRISON CENTRAL	1,530	TOWN TAXABLE			9,587
WEST HARRISON NY 10604		PO14		SCHOOL TAXABLE			9,587
		ACREAGE 1.00	11,200	DD281 REF DISPOSAL DI			11,200 TO
		FULL MKT VAL 868,217		SF284 FIRE DST #4 PUR			11,200 TO
***** 0981.-63 *****							
0981.-63		261 OLD LAKE ST		41854 RES STAR			1,180
ADER, JOHN		210 1 FAMILY RES		COUNTY TAXABLE			17,400
ANGELA, MARIE		HARRISON CENTRAL	3,500	TOWN TAXABLE			17,400
261 OLD LAKE ST		PO19		SCHOOL TAXABLE			16,220
WEST HARRISON NY 10604		ACREAGE 1.44	17,400	DD281 REF DISPOSAL DI			17,400 TO
		FULL MKT VAL 1,348,837		SF284 FIRE DST #4 PUR			17,400 TO
***** 0981.-64 *****							
0981.-64		9 WINDSOR CT		COUNTY TAXABLE	ACCT: 000058040		
LUND, NICOLAI		210 1 FAMILY RES		TOWN TAXABLE			39,000
LUND, CATALINA		HARRISON CENTRAL	4,200	SCHOOL TAXABLE			39,000
9 WINDSOR CT		ACREAGE 2.00		CS282 MAMARONECK VALL			39,000 TO C
PURCHASE NY 10577		FULL MKT VAL 3,023,255	39,000	DD281 REF DISPOSAL DI			39,000 TO
				SF284 FIRE DST #4 PUR			39,000 TO



Parcel #: 0981-59

12 OAK V



[Documents & Links](#) [Assessment](#)

ID

PropertyAddress

PropertyStreet

MapSheet

OwnerName

CoOwnerName

OwnerAddress

OwnerAddress2

OwnerCity

OwnerState

OwnerZip

ParcelNumber

GisFullNumber

CamaFullNumber

PID

[Zoom to](#)



Y LN



OAK VALLEY LN

K VALLEY LN

HER HELEN

OAK VALLEY LN

RCHASE

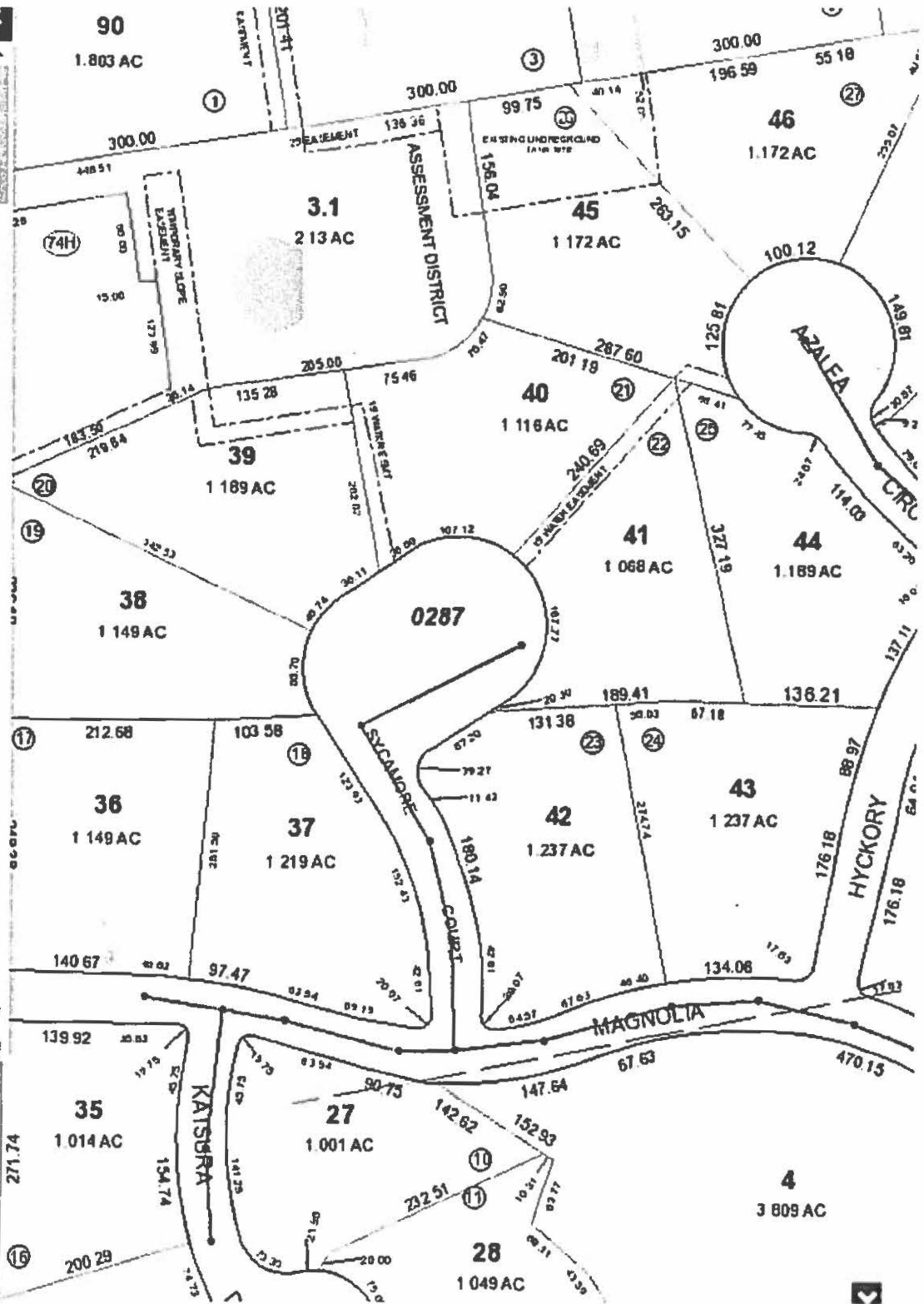
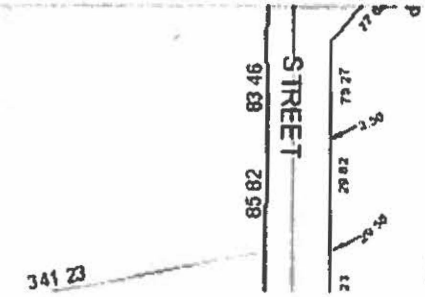
577

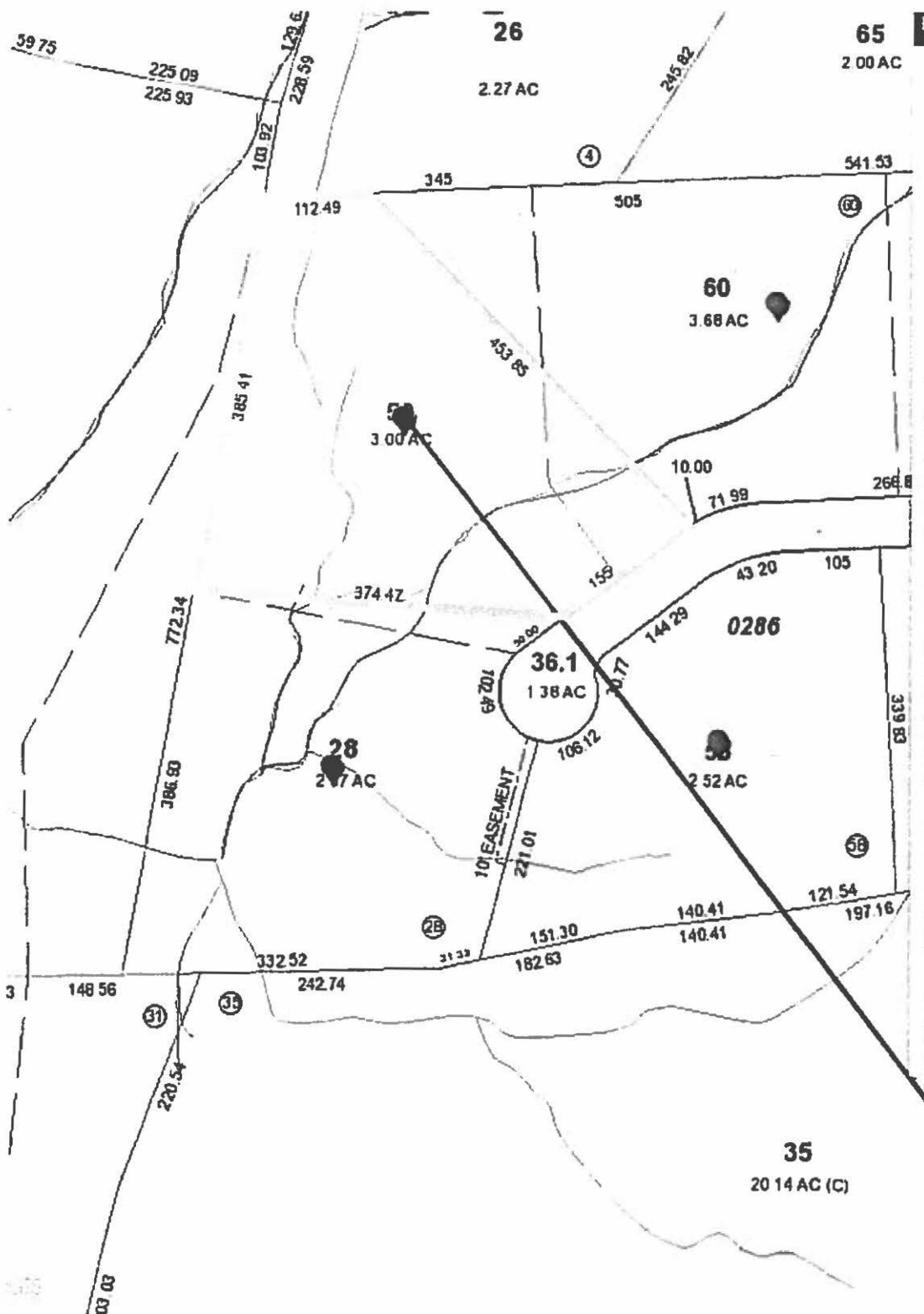
81-59

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Parcel #: 0981-59

12 OAK V



[Documents & Links](#) [Assessment](#)

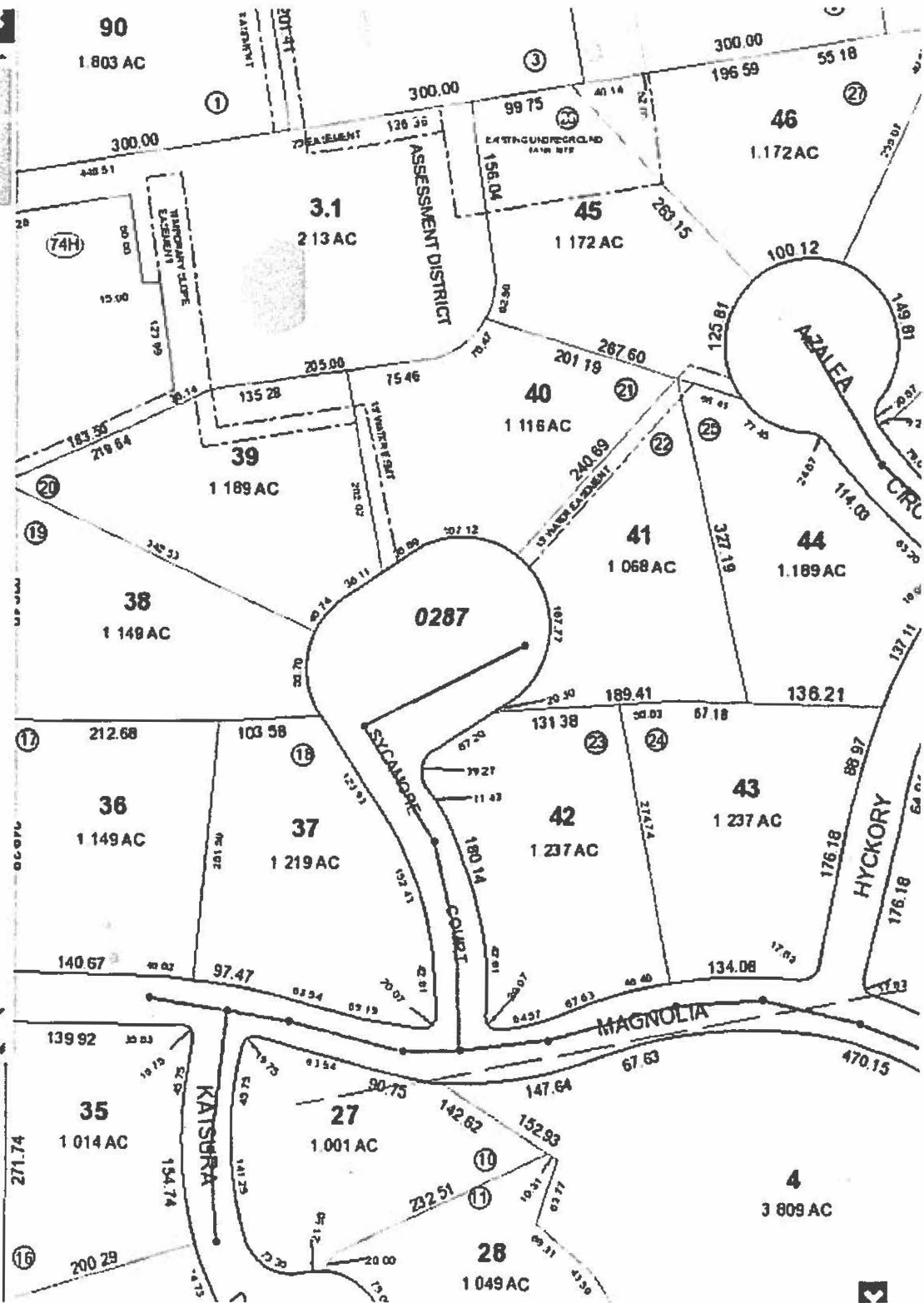
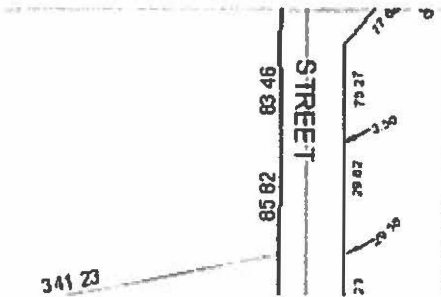
ID
PropertyAddress
PropertyStreet
MapSheet
OwnerName
CoOwnerName
OwnerAddress
OwnerAddress2
OwnerCity
OwnerState
OwnerZip
ParcelNumber
GisFullNumber
CamaFullNumber
PID
Zoom to

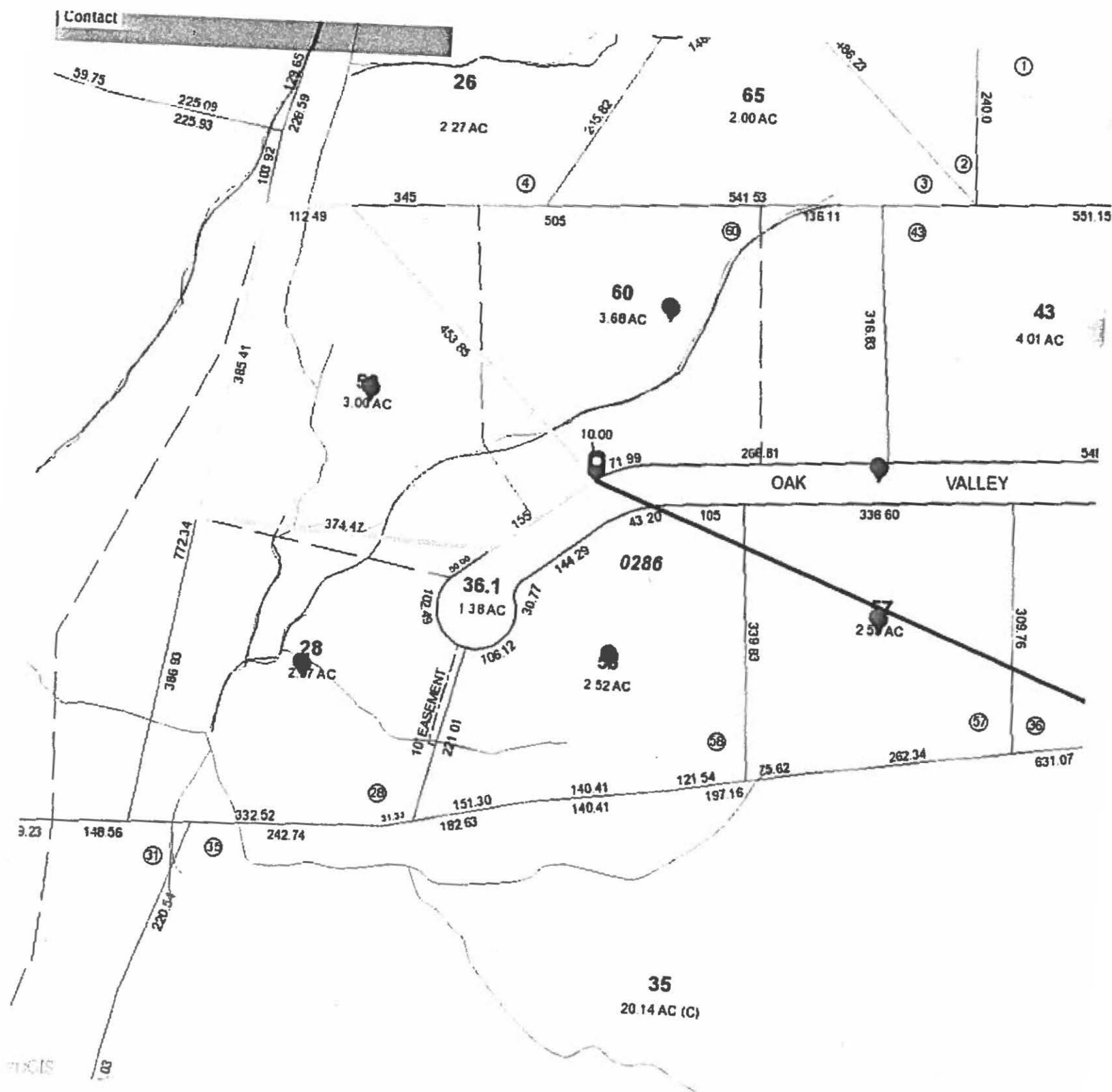


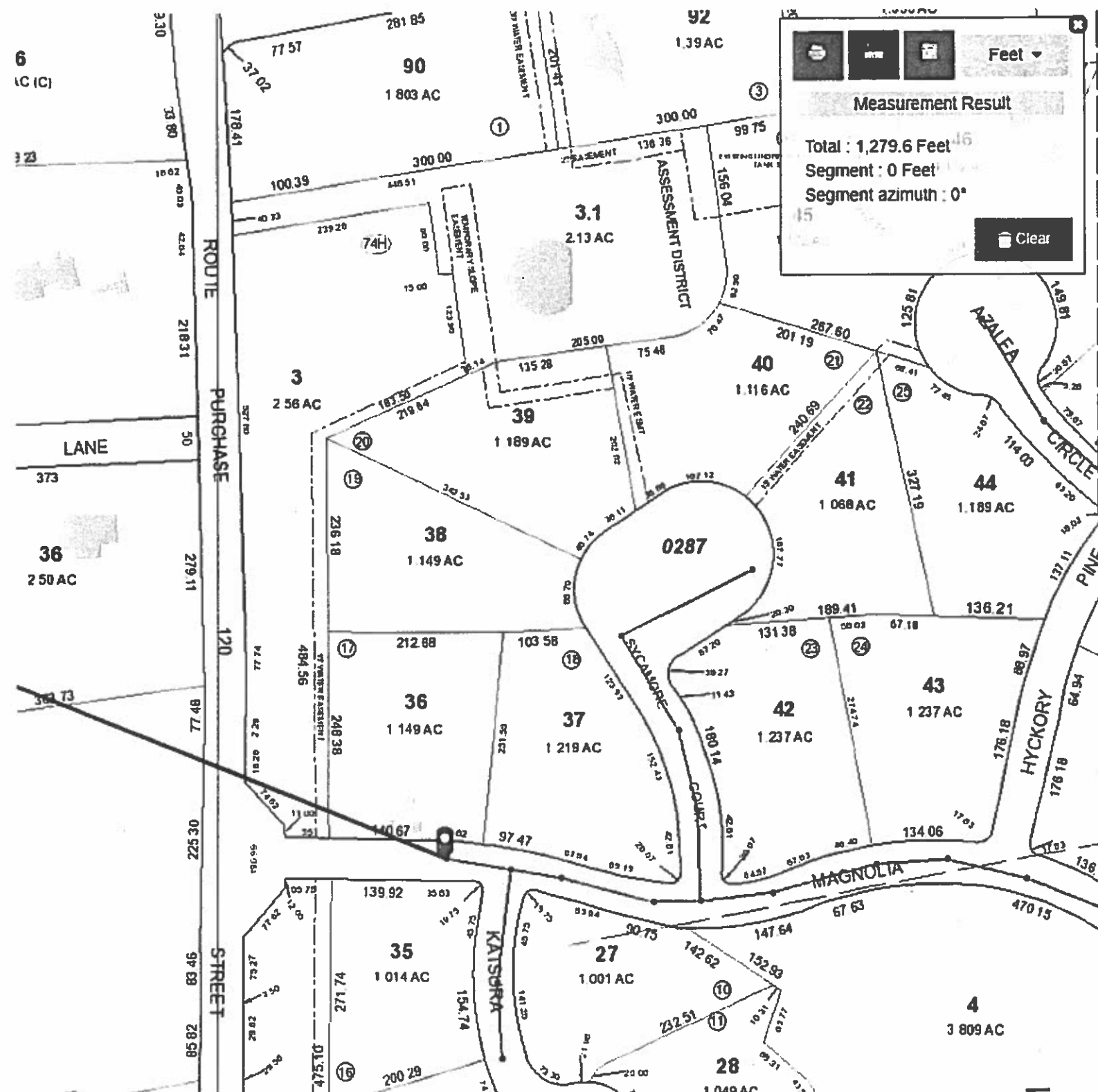
LEY LN



- 28
- OAK VALLEY LN
- OAK VALLEY LN
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- HER HELEN
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- OAK VALLEY LN
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- 81.-59







Feet ▾

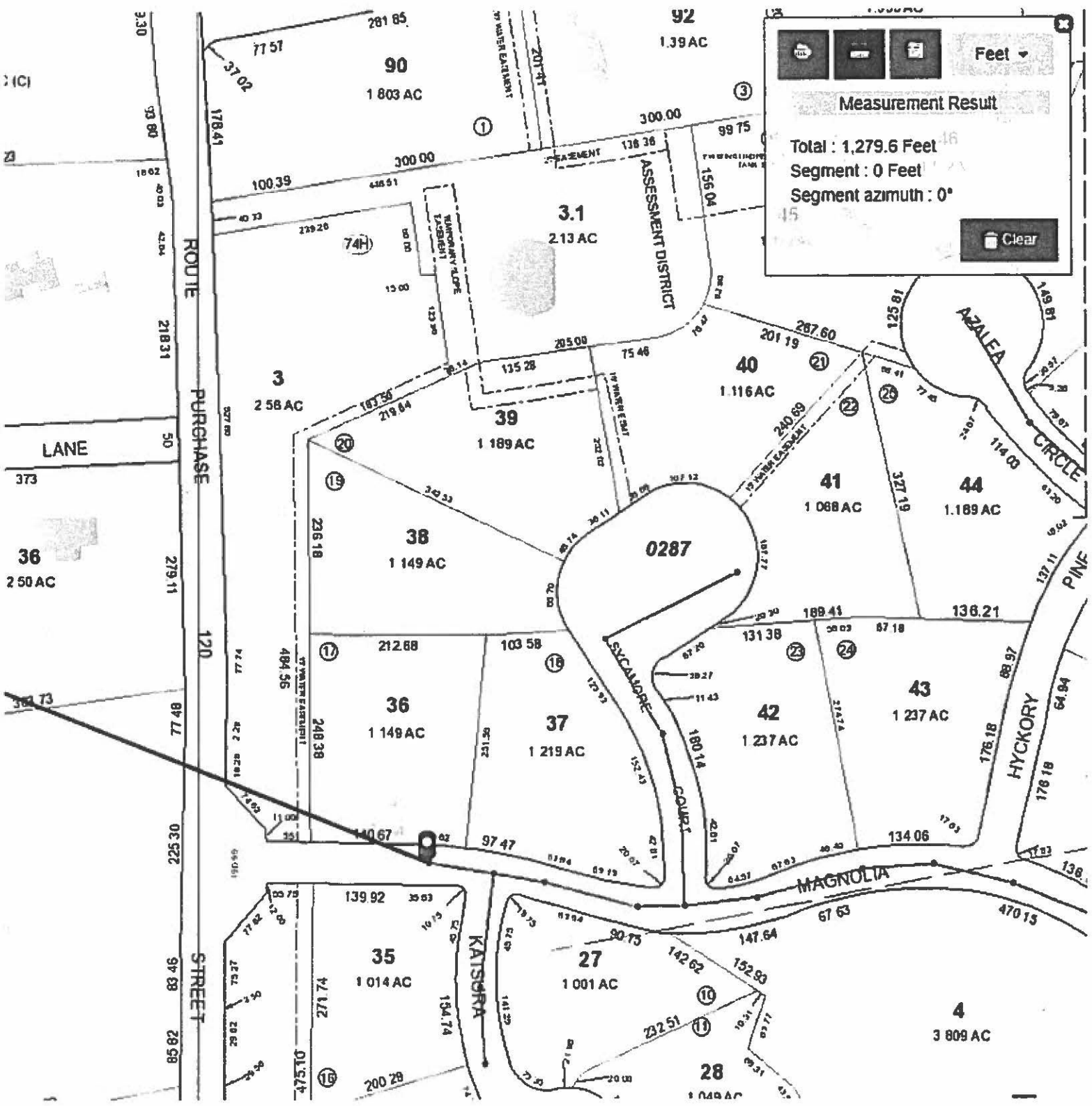
Measurement Result

Total : 1,279.6 Feet

Segment : 0 Feet

Segment azimuth : 0°

Clear



HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 5 Oak Valley Lane from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line is greater than 685' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Blind Brook Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM

Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 4:45

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\Oak Valley Lane\5 Oak Valley Lane\5 Oak Valley Lane Cover Letter for Package.docx

July 7, 2022

V - - 2022 - - 068

AUTHORIZATION TO REMOVE 5 OAK VALEY LANE (BLOCK 981, LOT 57)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown,

it was,

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of homeowners, David and Terry Gary, that their property identified as 5 Oak Valley Lane (Block 981, Lot 57) be removed from the Westchester County Sewer District. The Property is not connected to any public or private sewer systems.

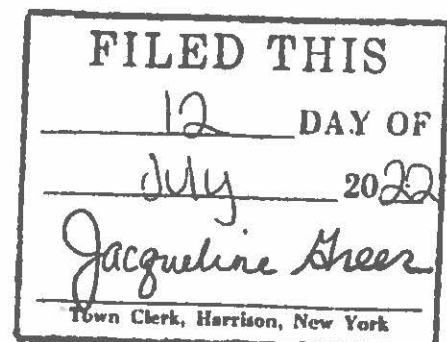
FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer and the Law Department.

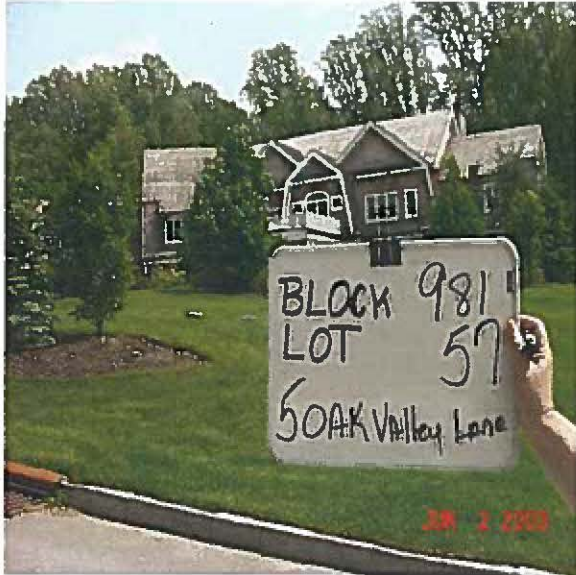
Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0981.-57 (HARRISON)
Legal Addr: 5 OAK VALLEY LN
Name: GARY, DAVID A
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 GARY, DAVID A
 GARY, TERRY W
 5 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Acreage: 2.50
Coord North: 0
Ownership:
Easement: None

East: 0

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
11,400	45,950

2021	
Land	Total
11,400	45,950

2022	
Land	Total
11,400	45,950

County Taxable
45,950

Town Taxable
45,950

School Taxable
45,950

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						45950
DD281	REF DISPOSAL DIST						45950
SF284	FIRE DST #4 PURCH						45950

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	3,075,000	8/13/1999	Yes	Land\Bldg	GENTRY, PROPER		BARGAIN &	3/14/2000
2	320,000	6/26/1996	Yes	Land	PARETI, LOUIS		BARGAIN &	8/15/1996

Parcel ID: 0981.-57 (HARRISON)
Name: GARY, DAVID A

Legal Addr: 5 OAK VALLEY LN
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 FAMILY RES)
Desirability: 2 (TYPICAL)
Zoning: R-2 (R-2)
Sewer: 3 (COMM/PUBLIC)
Utilities: 4 (GAS/ELECTRIC)
Route #:
Elevation:

Bldg Style: 05 (COLONIAL)
Condition: (GOOD)
Heat: 2 (HOT AIR)
Fuel: 2 (GAS)
Year Built: 1997
Garages: 4
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 4,630
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 114

Porch: 1 (Open)
Year Remodeled: 0
Bsmt Garages:
Rooms: 17
1/2 Baths: 2
Kitchen Qual:
2nd Story: 5,256
3/4 Story:
Fin Bsmt: 1,434
Unfin 3/4:

Neighborhood: 15
Nbhd Rating: 2 (AVERAGE)
Nbhd Type: 2 (SUBURBAN)
Water: 3 (COMM/PUBLIC)
Road: 3 (IMPROVED)
Phys Change:
Traffic:

Ext Wall: 01 (WOOD)
Grade: (EXCELLENT)
Basement: 4 (FULL)

Central Air: Yes
Porch Area:
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 3
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

Land Information

#	Land Type	Frntg	Depth	Acres	Sq Feet	Influence	Soil	Wtrfrnt	Land Val	Unit Val
1				2.50						

Improvement Information

#	Structure	Year	Dim	Dim 1	Dim 2	Qty	Grd	Cond	Fnc Obs	% Good	Rplc Cost	Less Dprec
1	Pool, Gunite	2012	Dim	50	22							



Parcel ID: 0981.-57 (HARRISON)
Legal Addr: 5 OAK VALLEY LN
Name: GARY, DAVID A
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 GARY, DAVID A
 GARY, TERRY W
 5 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 2.50
Coord North: 0
Ownership:
Easement: None

East: 0

Assessment Information

2020	
Land	Total
11,400	45,950

2021	
Land	Total
11,400	45,950

2022	
Land	Total
11,400	45,950

County Taxable
45,950

Town Taxable
45,950

School Taxable
45,950

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						45950
DD281	REF DISPOSAL DIST						45950
SF284	FIRE DST #4 PURCH						45950

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2	320,000	6/26/1996	Yes	Land	PARETI, LOUIS		BARGAIN &	8/15/1996

Parcel ID: 0981.-57 (HARRISON)
Name: GARY, DAVID A

Legal Addr: 5 OAK VALLEY LN
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 FAMILY RES)
Desirability: 2 (TYPICAL)
Zoning: R-2 (R-2)
Sewer: 3 (COMM/PUBLIC)
Utilities: 4 (GAS/ELECTRIC)
Route #:
Elevation:

Neighborhood: 15
Nbhd Rating: 2 (AVERAGE)
Nbhd Type: 2 (SUBURBAN)
Water: 3 (COMM/PUBLIC)
Road: 3 (IMPROVED)
Phys Change:
Traffic:

Bldg Style: 05 (COLONIAL)
Condition: (GOOD)
Heat: 2 (HOT AIR)
Fuel: 2 (GAS)
Year Built: 1997
Garages: 4
Stories: 2.0
Bathrooms: 7.0
Kitchens: 1
1st Story: 4,630
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 114

Porch: 1 (Open)
Year Remodeled: 0
Bsmt Garages:
Rooms: 17
1/2 Baths: 2
Kitchen Qual:
2nd Story: 5,256
3/4 Story:
Fin Bsmt: 1,434
Unfin 3/4:

Ext Wall: 01 (WOOD)
Grade: (EXCELLENT)
Basement: 4 (FULL)
Central Air: Yes
Porch Area:
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 3
3rd Story:
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

Land Information

#	Land Type	Frntg	Depth	Acres	Sq Feet	Influence	Soil	Wtrfrnt	Land Val	Unit Val
1				2.50						

Improvement Information

#	Structure	Year	Dim	Dim 1	Dim 2	Qty	Grd	Cond	Fnc Obs	% Good	Rplc Cost	Less Dprc
1	Pool, Gunite	2012	Dim	50	22							



Parcel ID: 0981.-57 (HARRISON)
Legal Addr: 5 OAK VALLEY LN
Name: GARY, DAVID A
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 GARY, DAVID A
 GARY, TERRY W
 5 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 2.50
Coord North: 0
Ownership:
Easement: None

East: 0

Assessment Information

2020	
Land	Total
11,400	45,950

2021	
Land	Total
11,400	45,950

2022	
Land	Total
11,400	45,950

County Taxable
45,950

Town Taxable
45,950

School Taxable
45,950

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						45950
DD281	REF DISPOSAL DIST						45950
SF284	FIRE DST #4 PURCH						45950

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Name: GARY, DAVID A

School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 FAMILY RES)

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Zoning: R-2 (R-2)

Sewer: 3 (COMMPUBLIC)

Utilities: 4 (GAS\ELECTRIC)

Route #:

Elevation:

Neighborhood: 15

Nbhd Rating: 2 (AVERAGE)

Nbhd Type: 2 (SUBURBAN)

Water: 3 (COMMPUBLIC)

Road: 3 (IMPROVED)

Phys Change:

Traffic:

Bldg Style: 05 (COLONIAL)

Condition: (GOOD)

Heat: 2 (HOT AIR)

Fuel: 2 (GAS)

Year Built: 1997

Garages: 4

Stories: 2.0

Bathrooms: 7.0

Kitchens: 1

1st Story: 4,630

1/2 Story:

Fin Attic:

Unfin 1/2:

Tot Living Area: 114

Ext Wall: 01 (WOOD)

Grade: (EXCELLENT)

Basement: 4 (FULL)

Porch: 1 (Open)

Year Remodeled: 0

Bsmt Garages:

Rooms: 17

1/2 Baths: 2

Kitchen Qual:

2nd Story: 5,256

3/4 Story:

Fin Bsmt: 1,434

Unfin 3/4:

Central Air: Yes

Porch Area:

Dtch Garages:

Bedrooms:

Bathroom Qual:

Fireplaces: 3

3rd Story:

Fin Over Garage:

Fin Rec Rm:

Unfin Room:

Land Information

#	Land Type	Frntg	Depth	Acres	Sq Feet	Influence	Soil	Wtrfrnt	Land Val	Unit Val
1				2.50						

Improvement Information

#	Structure	Year	Dim	Dim 1	Dim 2	Qty	Grd	Cond	Fnc Obs	% Good	Rplc Cost	Less Dprc
1	Pool, Gunite	2012	Dim	50	22							

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1122
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL--	SPECIAL DISTRICTS			TAXABLE VALUE
***** 0981.-51 *****							
0981.-51		4330 PURCHASE ST					ACCT: 000057930
SUMMERHILL REALTY LLC		210 1 FAMILY RES		COUNTY TAXABLE			13,050
287 BOWMAN AVENUE		HARRISON CENTRAL	8,110	TOWN TAXABLE			13,050
PURCHASE NY 10577		P025639		SCHOOL TAXABLE			13,050
		ACREAGE 5.46	13,050	CS282 MAMARONECK VALL			13,050 TO C
		BANK 152		DD281 REF DISPOSAL DI			13,050 TO
		FULL MKT VAL 1,011,627		SF284 FIRE DST #4 PUR			13,050 TO
***** 0981.-52 *****							
0981.-52		4350 PURCHASE ST					ACCT: 000057940
DELOTT, DAVID		210 1 FAMILY RES		COUNTY TAXABLE			35,250
4350 PURCHASE STREET		HARRISON CENTRAL	6,500	TOWN TAXABLE			35,250
PURCHASE NY 10577		ACREAGE 2.77	35,250	SCHOOL TAXABLE			35,250
		FULL MKT VAL 2,732,558		CS282 MAMARONECK VALL			35,250 TO C
				DD281 REF DISPOSAL DI			35,250 TO
				SF284 FIRE DST #4 PUR			35,250 TO
***** 0981.-54 *****							
0981.-54		745 LAKE ST					ACCT: 000057960
ARDIS THOMAS		210 1 FAMILY RES		COUNTY TAXABLE			11,780
ARDIS PATRICIA A		HARRISON CENTRAL	3,040	TOWN TAXABLE			11,780
745 LAKE ST		ACREAGE 2.02		SCHOOL TAXABLE			11,780
WEST HARRISON NY 10604		FULL MKT VAL 913,178	11,780	DD281 REF DISPOSAL DI			11,780 TO
				SF284 FIRE DST #4 PUR			11,780 TO
***** 0981.-56 *****							
0981.-56		251 OLD LAKE ST					ACCT: 000057970
KRAMER, JUSTIN		210 1 FAMILY RES		COUNTY TAXABLE			15,700
KRAMER, STEPHANIE L		HARRISON CENTRAL	1,750	TOWN TAXABLE			15,700
79 LINCOLN AVE		ACREAGE 1.00		SCHOOL TAXABLE			15,700
WHITE PLAINS NY 10606		FULL MKT VAL 1,217,054	15,700	DD281 REF DISPOSAL DI			15,700 TO
				SF284 FIRE DST #4 PUR			15,700 TO
***** 0981.-57 *****							
0981.-57		5 OAK VALLEY LN					ACCT: 000057980
GARY, DAVID A		210 1 FAMILY RES		COUNTY TAXABLE			45,950
GARY, TERRY W		HARRISON CENTRAL	11,400	TOWN TAXABLE			45,950
5 OAK VALLEY LN		ACREAGE 2.50		SCHOOL TAXABLE			45,950
PURCHASE NY 10577		FULL MKT VAL 3,562,015	45,950	CS282 MAMARONECK VALL			45,950 TO C
				DD281 REF DISPOSAL DI			45,950 TO
				SF284 FIRE DST #4 PUR			45,950 TO
***** 0981.-58 *****							
0981.-58		9 OAK VALLEY LN					ACCT: 000057990
MOTOLA, LAWRENCE		210 1 FAMILY RES		COUNTY TAXABLE			46,810
MOTOLA, KIMBERLY		HARRISON CENTRAL	7,000	TOWN TAXABLE			46,810
9 OAK VALLEY LN		ACREAGE 2.52		SCHOOL TAXABLE			46,810
PURCHASE NY 10577		FULL MKT VAL 3,628,682	46,810	CS282 MAMARONECK VALL			46,810 TO C
				DD281 REF DISPOSAL DI			46,810 TO
				SF284 FIRE DST #4 PUR			46,810 TO

STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1122
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL---	SPECIAL DISTRICTS			TAXABLE VALUE

0981.-51		4330 PURCHASE ST			0981.-51		*****
SUMMERHILL REALTY LLC		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057930		
287 BOWMAN AVENUE		HARRISON CENTRAL	8,110	TOWN TAXABLE			13,050
PURCHASE NY 10577		P025639		SCHOOL TAXABLE			13,050
		ACREAGE 5.46	13,050	CS282 MAMARONECK VALL			13,050 TO C
		BANK 152		DD281 REF DISPOSAL DI			13,050 TO
		FULL MKT VAL 1,011,627		SF284 FIRE DST #4 PUR			13,050 TO

0981.-52		4350 PURCHASE ST			0981.-52		*****
DELOTT, DAVID		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057940		
4350 PURCHASE STREET		HARRISON CENTRAL	6,500	TOWN TAXABLE			35,250
PURCHASE NY 10577		ACREAGE 2.77	35,250	SCHOOL TAXABLE			35,250
		FULL MKT VAL 2,732,558		CS282 MAMARONECK VALL			35,250 TO C
				DD281 REF DISPOSAL DI			35,250 TO
				SF284 FIRE DST #4 PUR			35,250 TO

0981.-54		745 LAKE ST			0981.-54		*****
ARDIS THOMAS		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057960		
ARDIS PATRICIA A		HARRISON CENTRAL	3,040	TOWN TAXABLE			11,780
745 LAKE ST		ACREAGE 2.02	11,780	SCHOOL TAXABLE			11,780
WEST HARRISON NY 10604		FULL MKT VAL 913,178		DD281 REF DISPOSAL DI			11,780 TO
				SF284 FIRE DST #4 PUR			11,780 TO

0981.-56		251 OLD LAKE ST			0981.-56		*****
KRAMER, JUSTIN		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057970		
KRAMER, STEPHANIE L		HARRISON CENTRAL	1,750	TOWN TAXABLE			15,700
79 LINCOLN AVE		ACREAGE 1.00	15,700	SCHOOL TAXABLE			15,700
WHITE PLAINS NY 10606		FULL MKT VAL 1,217,054		DD281 REF DISPOSAL DI			15,700 TO
				SF284 FIRE DST #4 PUR			15,700 TO

0981.-57		5 OAK VALLEY LN			0981.-57		*****
GARY, DAVID A		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057980		
GARY, TERRY W		HARRISON CENTRAL	11,400	TOWN TAXABLE			45,950
5 OAK VALLEY LN		ACREAGE 2.50	45,950	SCHOOL TAXABLE			45,950
PURCHASE NY 10577		FULL MKT VAL 3,562,015		CS282 MAMARONECK VALL			45,950 TO C
				DD281 REF DISPOSAL DI			45,950 TO
				SF284 FIRE DST #4 PUR			45,950 TO

0981.-58		9 OAK VALLEY LN			0981.-58		*****
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MOTOLA, KIMBERLY		HARRISON CENTRAL	7,000	TOWN TAXABLE			46,810
9 OAK VALLEY LN		ACREAGE 2.52	46,810	SCHOOL TAXABLE			46,810
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PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

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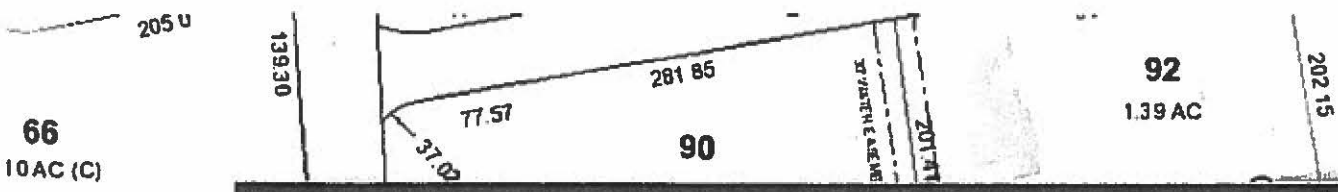
0981.-52		4350 PURCHASE ST			0981.-52		*****
DELOTT, DAVID		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057940		
4350 PURCHASE STREET		HARRISON CENTRAL	6,500	TOWN TAXABLE			35,250
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		FULL MKT VAL 2,732,558		CS282 MAMARONECK VALL			35,250 TO C
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PURCHASE NY 10577		FULL MKT VAL 3,562,015		CS282 MAMARONECK VALL			45,950 TO C
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0981.-58		9 OAK VALLEY LN			0981.-58		*****
MOTOLA, LAWRENCE		210 1 FAMILY RES		COUNTY TAXABLE	ACCT: 000057990		
MOTOLA, KIMBERLY		HARRISON CENTRAL	7,000	TOWN TAXABLE			46,810
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PURCHASE NY 10577		FULL MKT VAL 3,628,682		CS282 MAMARONECK VALL			46,810 TO C
				DD281 REF DISPOSAL DI			46,810 TO
				SF284 FIRE DST #4 PUR			46,810 TO



Parcel #: 0981-57

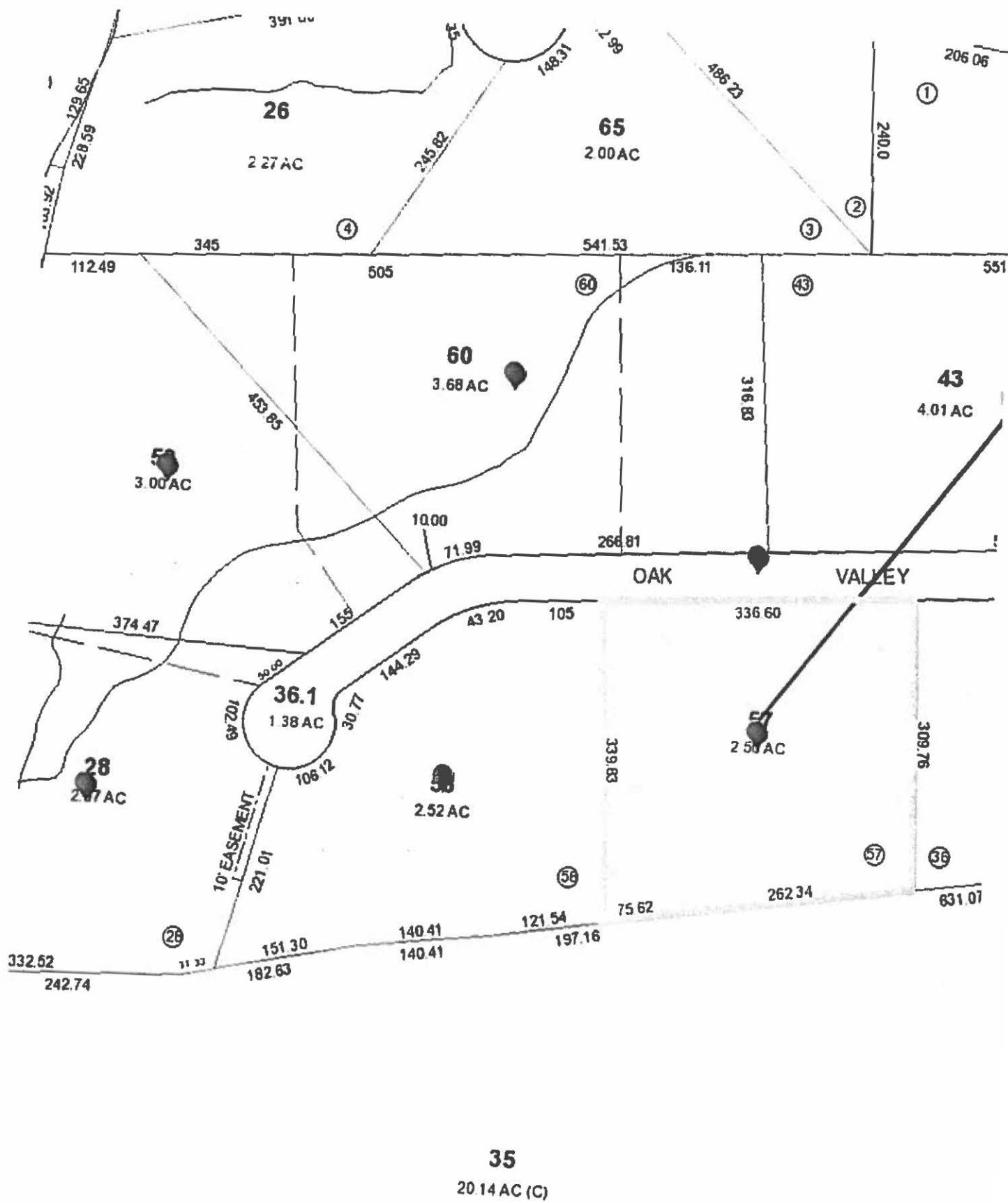
5 OAK VALLEY LN

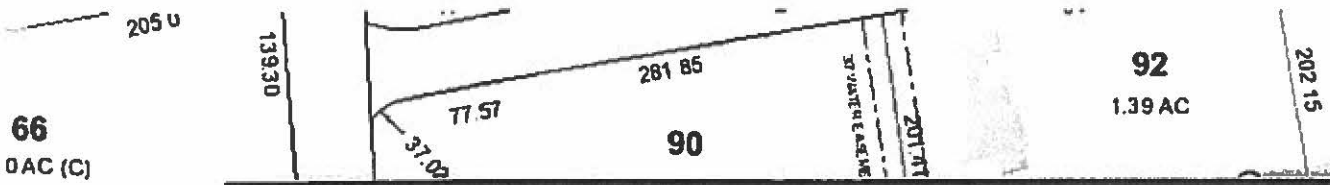


Documents & Links **Assessment**

ID	6326
PropertyAddress	5 OAK VALLEY LN
PropertyStreet	OAK VALLEY LN
MapSheet	098
OwnerName	GARY, DAVID A
CoOwnerName	GARY, TERRY W
OwnerAddress	5 OAK VALLEY LN
OwnerAddress2	N/A
OwnerCity	PURCHASE
OwnerState	NY
OwnerZip	10577
ParcelNumber	0981-57
GisFullNumber	0981-57
CamaFullNumber	0981-57
PID	0981-57
Parcel ID	0981-57
Owner	GARY, DAVID A

[Zoom to](#)





Parcel #: 0981-57

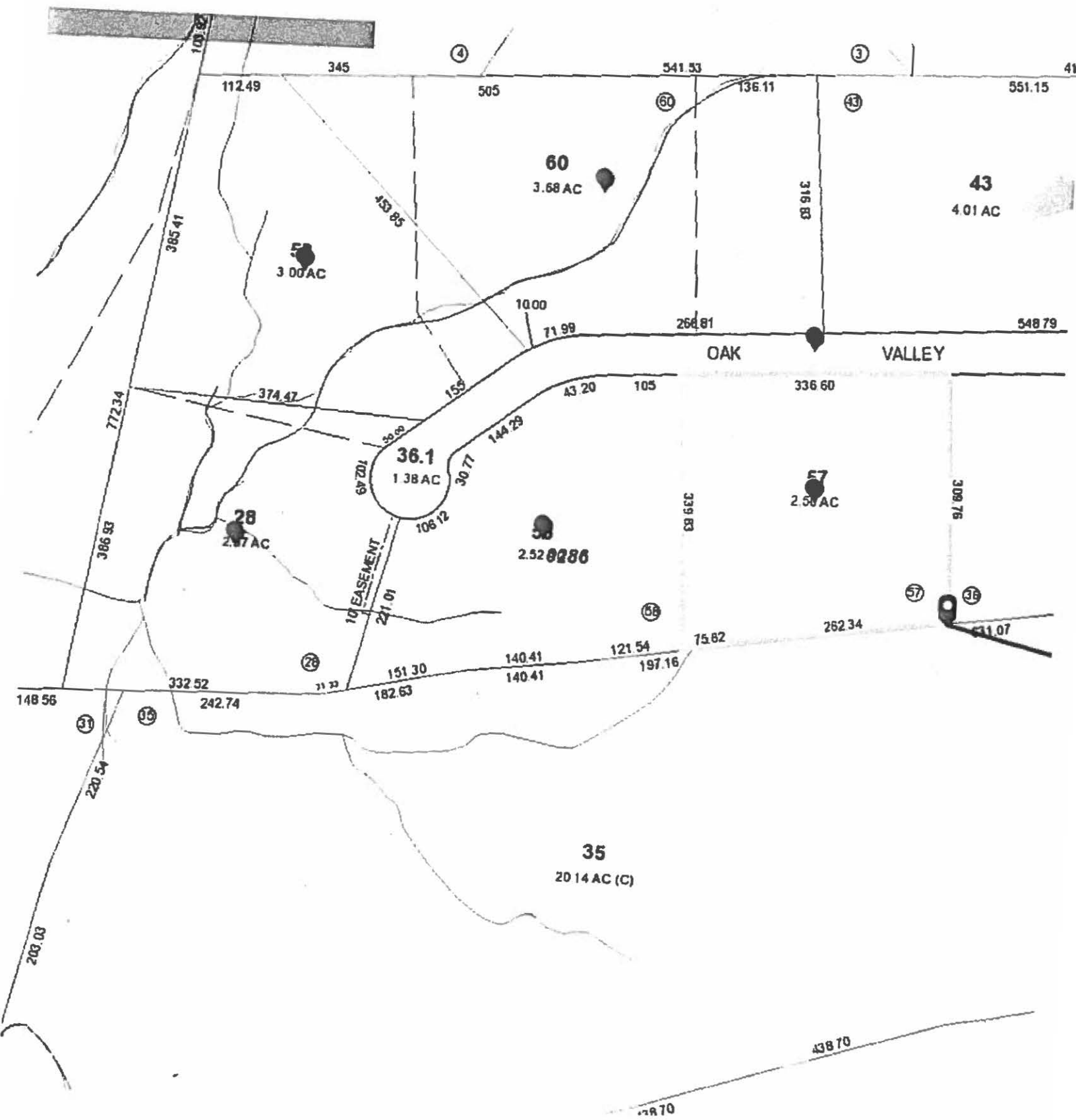
5 OAK VALLEY LN

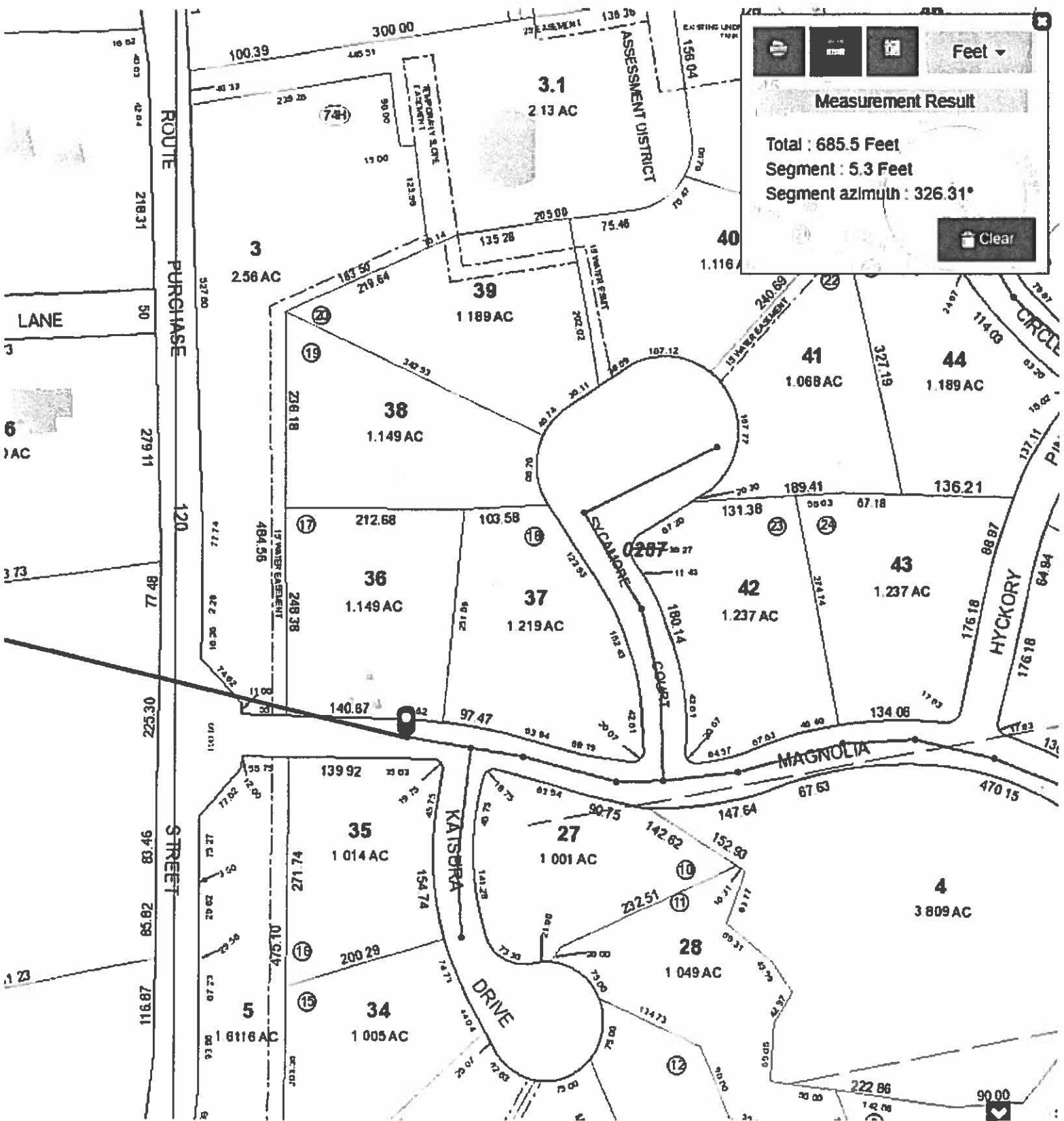


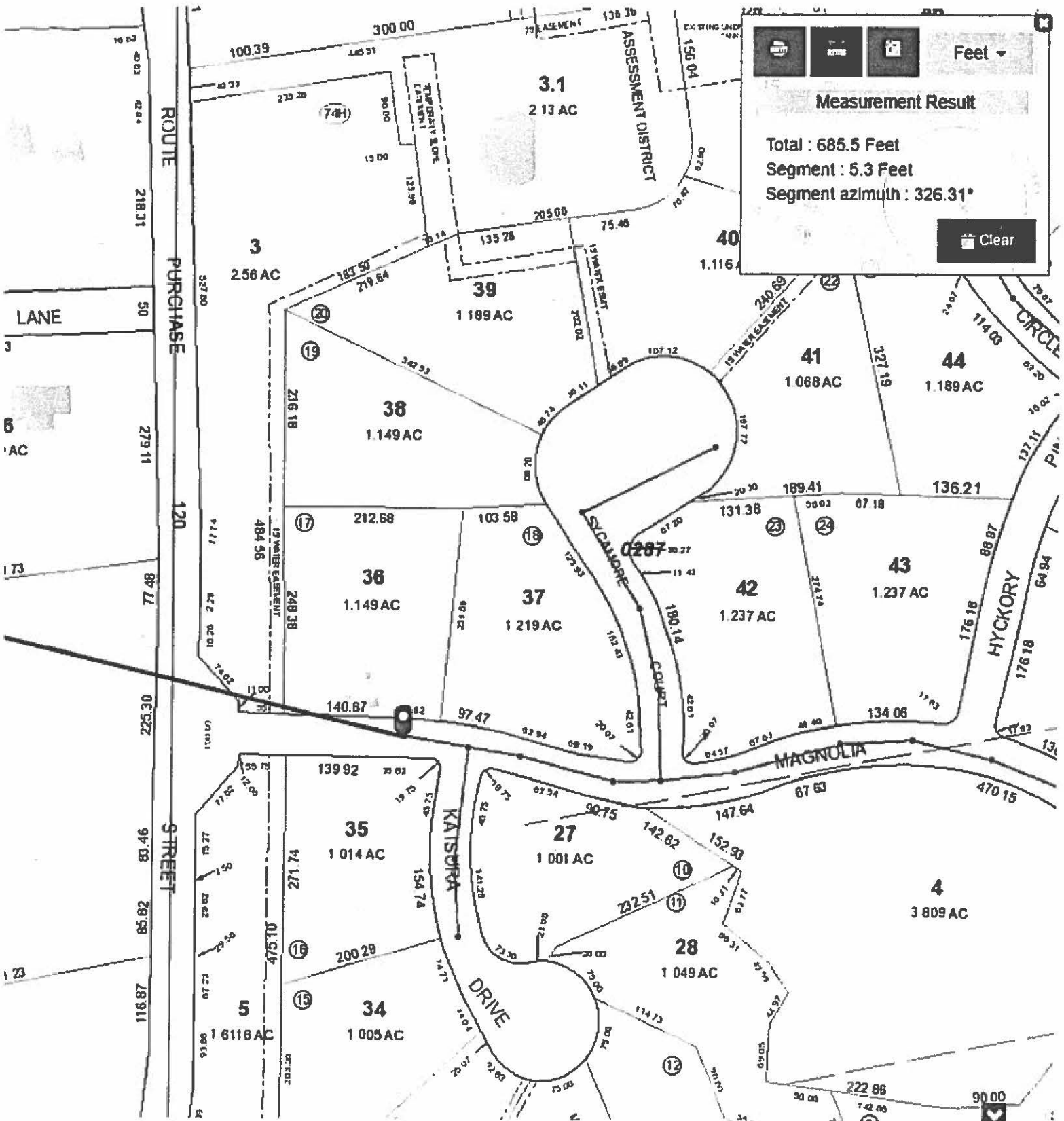
[Documents & Links](#) [Assessment](#)

ID	8326
PropertyAddress	5 OAK VALLEY LN
PropertyStreet	OAK VALLEY LN
MapSheet	098
OwnerName	GARY, DAVID A
CoOwnerName	GARY TERRY W
OwnerAddress	5 OAK VALLEY LN
OwnerAddress2	N/A
OwnerCity	PURCHASE
OwnerState	NY
OwnerZip	10577
ParcelNumber	0981-57
GisFullNumber	0981-57
CamaFullNumber	0981-57
PID	0981-57
Parcel ID	0981-57
Owner	GARY, DAVID A

[Zoom to](#)







HARRISON ENGINEERING DEPARTMENT

Town/Village of Harrison
Alfred F. Sulla, Jr. Municipal Building
1 Heineman Place
Harrison, New York 10528

Michael J. Amodeo, P.E., CFM
Town/Village Engineer



August 1, 2022

Legislator Nancy E. Barr
800 Michaelian Office Building
148 Martine Avenue, 8th Floor
White Plains, NY, 10601

Dear Legislator Barr,

We are reaching out regarding requested changes to the County Sanitary Sewer District, specifically to the removal of the property at 8 Oak Valley Lane from the Westchester County Sewer District. This package serves as a formal request to remove the property from the Westchester County Sewer District.

After inspecting our maps, we show that the distance between the property in question and the nearest Town Sewer line is greater than 960' away. Thus the property would require a sewer main extension in order to connect.

Furthermore, after inspecting all related documentation, we also state that this property is located within the Blind Brook Sewer District.

Thank you for your time and assistance in this process.

Sincerely yours,

Michael J. Amodeo, P.E., CFM
Town/Village Engineer

MJA/mep

WESTCHESTER COUNTY
BOARD OF LEGISLATORS

2022 AUG 23 PM 4: 57

RECEIVED

G:\Sanitary Sewer\Removal from County Sewer District\Oak Valley Lane\8 Oak Valley Lane\8 Oak Valley Lane Cover Letter for Package.docx

July 7, 2022

V - - 2022 - - 072

AUTHORIZATION TO REMOVE 8 OAK VALLEY LANE (BLOCK 981, LOT 60)
FROM WESTCHESTER COUNTY SEWER DISTRICT

On motion of Trustee Evangelista, seconded by Trustee Brown,

it was,

RESOLVED to accept the request by, Town Engineer, Michael J. Amodeo, on behalf of homeowners, Ronen Israel and Mindy Nagorsky, that their property identified as 8 Oak Valley Lane (Block 981, Lot 60) be removed from the Westchester County Sewer District. The Property is not connected to any public or private sewer systems.

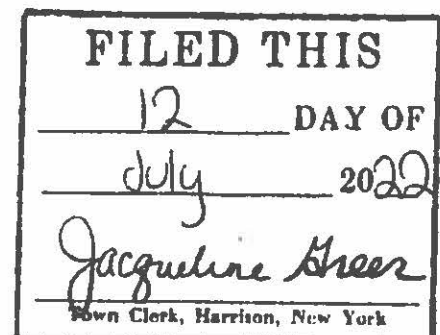
FURTHER RESOLVED to forward a copy of this Resolution to the Village Engineer and the Law Department.

Adopted by the following vote:

AYES: Trustees Brown, Evangelista, Leader, and Sciliano
Mayor Dionisio

NAYS: None

ABSENT: None





Parcel ID: 0981.-60 (HARRISON)
Legal Addr: 8 OAK VALLEY LN
Name: ISRAEL, RONEN
School: 552801 (HARRISON CENTRAL)

Mailing Address:
 ISRAEL, RONEN
 NAGORSKY, MINDY
 8 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description
 PO59&60

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Acreage: 2.68
Coord North: 0
Ownership:
Easement: None

East: 0

Mortgage Num:
Land Commitment: None
Commitment End:

Assessment Information

2020	
Land	Total
10,330	55,100

2021	
Land	Total
10,330	55,100

2022	
Land	Total
10,330	55,100

County Taxable
55,100

Town Taxable
55,100

School Taxable
55,100

STAR Amount
0

Exemption Information

No exemptions.

Special District Information

Code	Description	Calc	%	Units	Secondary Units	Amount	Taxable Val
CS282	MAMARONECK VALLEY						55100
DD281	REF DISPOSAL DIST						55100
SF284	FIRE DST #4 PURCH						55100

Sales Information

#	Sale Price	Sale Date	Valid	Sale Type	Old Owner	Control #	Deed Type	Deed Date
1	3,400,000	5/23/2005	Yes	Land\Bldg	ANDERSON, SHAN			6/27/2005
2	2,500,000	12/10/2001	Yes	Land\Bldg	LOUIS S DAMATO		BARGAIN &	3/20/2002
3	625,000	8/10/2000	Yes	Land	GENTRY, PROPER		BARGAIN &	9/18/2000
4	999,000	4/24/1996	Yes	Land	MARTY, MACHINE		BARGAIN &	7/25/1996

Parcel ID: 0981.-60 (HARRISON)
Name: ISRAEL, RONEN

Legal Addr: 8 OAK VALLEY LN
School: 552801 (HARRISON CENTRAL)

Residential Site 1

Prop Cls: 210 (1 Family Res)
Desirability:
Zoning:
Sewer:
Utilities:
Route #:
Elevation:

Neighborhood:
Nbhd Rating:
Nbhd Type:
Water:
Road:
Phys Change:
Traffic:

Bldg Style: 05 (Colonial)
Condition:
Heat: 2 (Hot Air)
Fuel: 4 (Oil)
Year Built: 2000
Garages: 3
Stories: 2.0
Bathrooms: 6.0
Kitchens: 1
1st Story: 4,884
1/2 Story:
Fin Attic:
Unfin 1/2:
Tot Living Area: 9,101

Porch: 3 (Screen)
Year Remodeled:
Bsmt Garages:
Rooms: 15
1/2 Baths: 2
Kitchen Qual:
2nd Story: 3,204
3/4 Story:
Fin Bsmt: 2,600
Unfin 3/4:

Ext Wall: 02 (Brick)
Grade:
Basement: 4 (Full)

Central Air: Yes
Porch Area: 0
Dtch Garages:
Bedrooms:
Bathroom Qual:
Fireplaces: 2
3rd Story: 1,013
Fin Over Garage:
Fin Rec Rm:
Unfin Room:

Improvement Information

#	Structure	Year	Dim	Dim 1	Dim 2	Qty	Grd	Cond	Fnc Obs	% Good	Rplc Cost	Less Dprc
1	Pool, Gunite	2008	Dim	21	40							
2	Tennis Court, Sy	2017	Dim	60	120							



Parcel ID: 0981.-60 (HARRISON)
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Mailing Address:
 ISRAEL, RONEN
 NAGORSKY, MINDY
 8 OAK VALLEY LN
 PURCHASE, NY 10577

Property Description
 PO59&60

Bank Code:
Hstd:
Prop Class: 210 (1 FAMILY RES)

Roll Sect: 1
Res %:

Mortgage Num:
Land Commitment: None
Commitment End:

Acreage: 2.68
Coord North: 0
Ownership:
Easement: None

East: 0

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10,330	55,100

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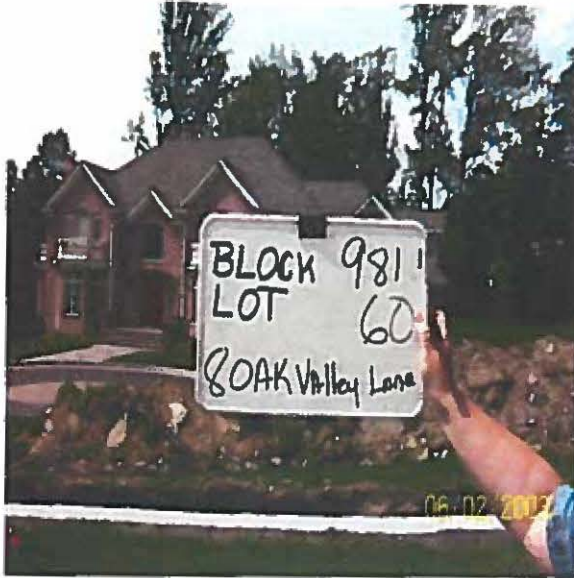
Porch: 3 (Screen)
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Bsmt Garages:
Rooms: 15
1/2 Baths: 2
Kitchen Qual:
2nd Story: 3,204
3/4 Story:
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TOWN OF HARRISON
SWIS: 552800 (HARRISON)

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PURCHASE NY 10577		PO59&60	37,290	CS282 MAMARONECK VALL			37,290 TO C
		PARTIAL		DD281 REF DISPOSAL DI			37,290 TO
		ACREAGE 3.00		SF284 FIRE DST #4 PUR			37,290 TO
		FULL MKT VAL 2,890,697					
*****0981.-60*****							
0981.-60		8 OAK VALLEY LN		COUNTY TAXABLE			ACCT: 000058010
ISRAEL, RONEN		210 1 FAMILY RES	10,330	TOWN TAXABLE			55,100
NAGORSKY, MINDY		HARRISON CENTRAL		SCHOOL TAXABLE			55,100
8 OAK VALLEY LN		PO59&60	55,100	CS282 MAMARONECK VALL			55,100 TO C
PURCHASE NY 10577		ACREAGE 2.68		DD281 REF DISPOSAL DI			55,100 TO
		FULL MKT VAL 4,271,317		SF284 FIRE DST #4 PUR			55,100 TO
*****0981.-61*****							
0981.-61		38 BARNES LN		COUNTY TAXABLE			ACCT: 000066310
HILL REALTY ASSOCIATES LL		311 RES VACANT LAND	1,400	TOWN TAXABLE			1,400
287 BOWMAN AVE		HARRISON CENTRAL		SCHOOL TAXABLE			1,400
PURCHASE NY 10577		P055	1,400	CS282 MAMARONECK VALL			1,400 TO C
		ACREAGE 0.44		DD281 REF DISPOSAL DI			1,400 TO
		BANK 170					
		FULL MKT VAL 108,527					
*****0981.-62*****							
0981.-62		761 LAKE ST		41130 COMBAT VET			ACCT: 000058020
DI FATE ANTHONY		210 1 FAMILY RES	1,530	COUNTY TAXABLE	1,613	1,613	1,613
761 LAKE ST		HARRISON CENTRAL		TOWN TAXABLE			9,587
WEST HARRISON NY 10604		PO14	11,200	SCHOOL TAXABLE			9,587
		ACREAGE 1.00		DD281 REF DISPOSAL DI			9,587
		FULL MKT VAL 868,217		SF284 FIRE DST #4 PUR			11,200 TO
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0981.-63		261 OLD LAKE ST		41854 RES STAR			ACCT: 000058030
ADER, JOHN		210 1 FAMILY RES	3,500	COUNTY TAXABLE			1,180
ANGELA, MARIE		HARRISON CENTRAL		TOWN TAXABLE			17,400
261 OLD LAKE ST		PO19	17,400	SCHOOL TAXABLE			17,400
WEST HARRISON NY 10604		ACREAGE 1.44		DD281 REF DISPOSAL DI			16,220
		FULL MKT VAL 1,348,837		SF284 FIRE DST #4 PUR			17,400 TO
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LUND, NICOLAI		210 1 FAMILY RES	4,200	TOWN TAXABLE			39,000
LUND, CATALINA		HARRISON CENTRAL		SCHOOL TAXABLE			39,000
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PURCHASE NY 10577		FULL MKT VAL 3,023,255		DD281 REF DISPOSAL DI			39,000 TO
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STATE OF NEW YORK
COUNTY: Westchester
TOWN OF HARRISON
SWIS: 552800 (HARRISON)

2022 TOWN TENTATIVE ROLL
TAXABLE SECTION OF THE ROLL - 1
PARCEL ID ORDER
UNIFORM PERCENT OF VALUE = 1.29

PAGE: 1123
ROLL PRINT DATE: 6/1/2022
VALUATION DATE: 5/1/2022
TAXABLE STATUS DATE: 5/1/2022

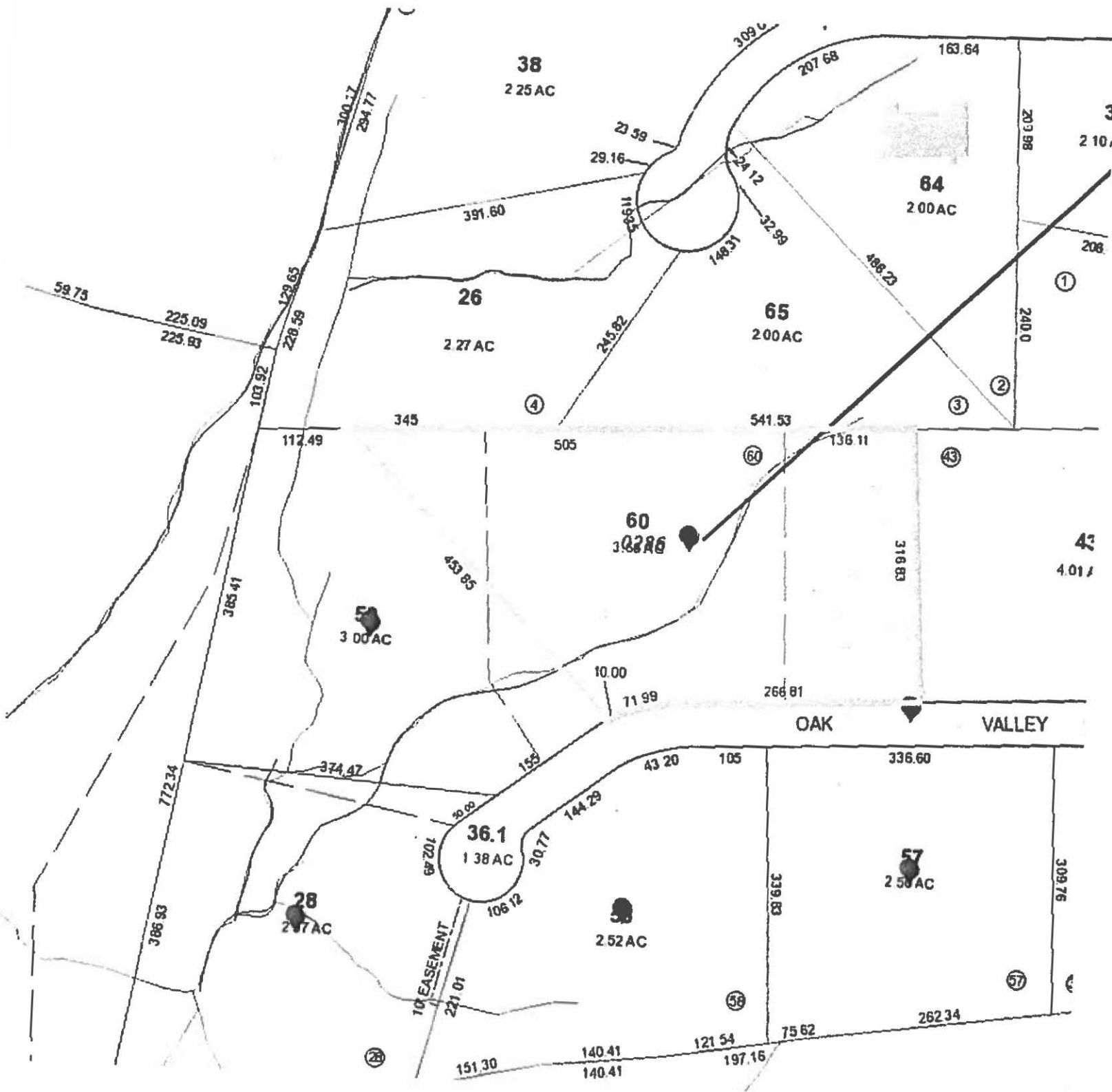
TAX MAP PARCEL ID	CD	PROPERTY LOCATION & CLASS	ASSESSMENT	EXEMPTION CODE	COUNTY	TOWN	SCHOOL
CURRENT OWNERS NAME		SCHOOL DISTRICT	---LAND---	TAX DESCRIPTION			TAXABLE VALUE
CURRENT OWNERS ADDRESS		PARCEL SIZE/GRID COORD	--TOTAL---	SPECIAL DISTRICTS			
***** 0981.-59 *****							
0981.-59		12 OAK VALLEY LN		COUNTY TAXABLE			ACCT: 000058000
MAHER HELEN		210 1 FAMILY RES		TOWN TAXABLE			37,290
12 OAK VALLEY LN		HARRISON CENTRAL	7,000	SCHOOL TAXABLE			37,290
PURCHASE NY 10577		PO59&60		CS282 MAMARONECK VALL			37,290 TO C
		PARTIAL	37,290	DD281 REF DISPOSAL DI			37,290 TO
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PURCHASE NY 10577		PO55			CS282 MAMARONECK VALL		1,400 TO C
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Parcel #: 0981-60

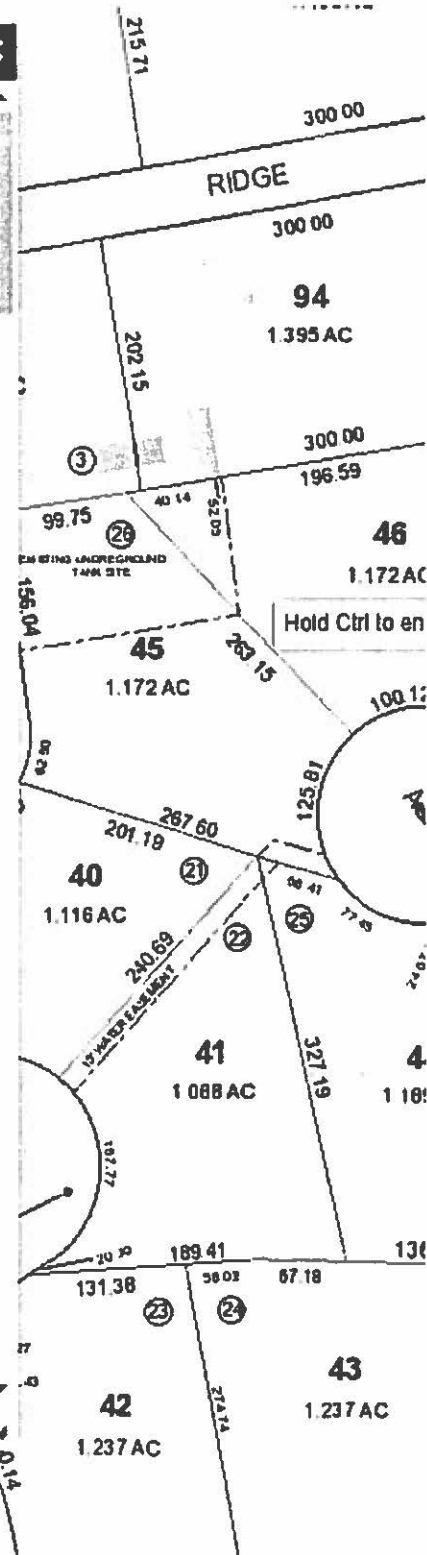
8 OAK VALLEY LN



[Documents & Links](#) [Assessment](#)

ID	6329
PropertyAddress	8 OAK VALLEY LN
PropertyStreet	OAK VALLEY LN
MapSheet	098
OwnerName	ISRAEL, RONEN
CoOwnerName	NAGORSKY, MINDY
OwnerAddress	8 OAK VALLEY LN
OwnerAddress2	N/A
OwnerCity	PURCHASE
OwnerState	NY
OwnerZip	10577
ParcelNumber	0981-60
GisFullNumber	0981-60
CamaFullNumber	0981-60
PID	0981-60
Parcel ID	0981-60
Owner	ISRAEL, RONEN

[Zoom to](#)

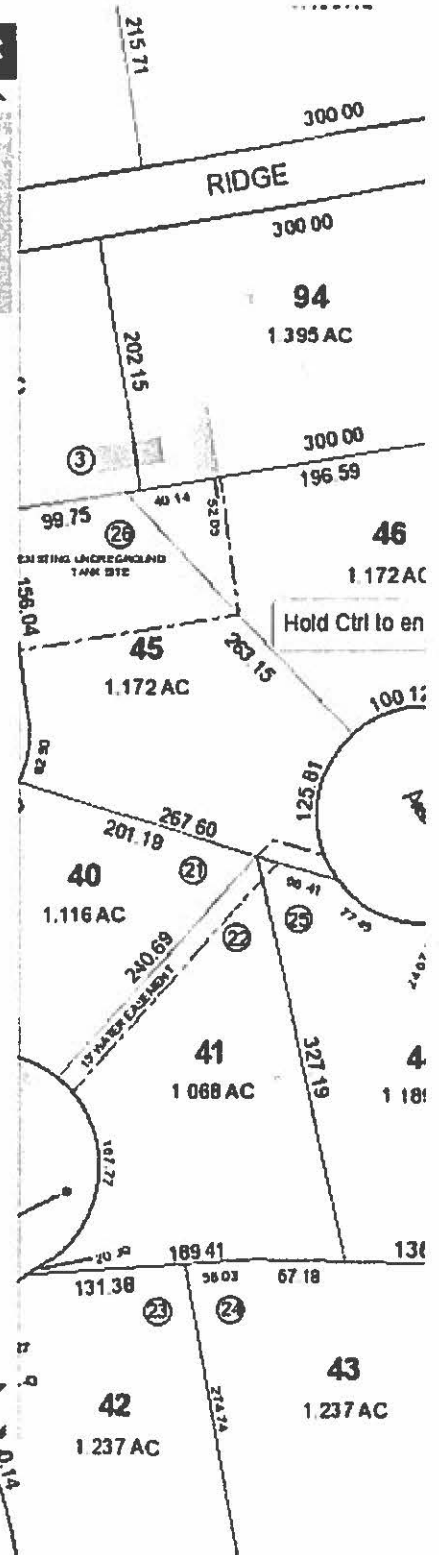


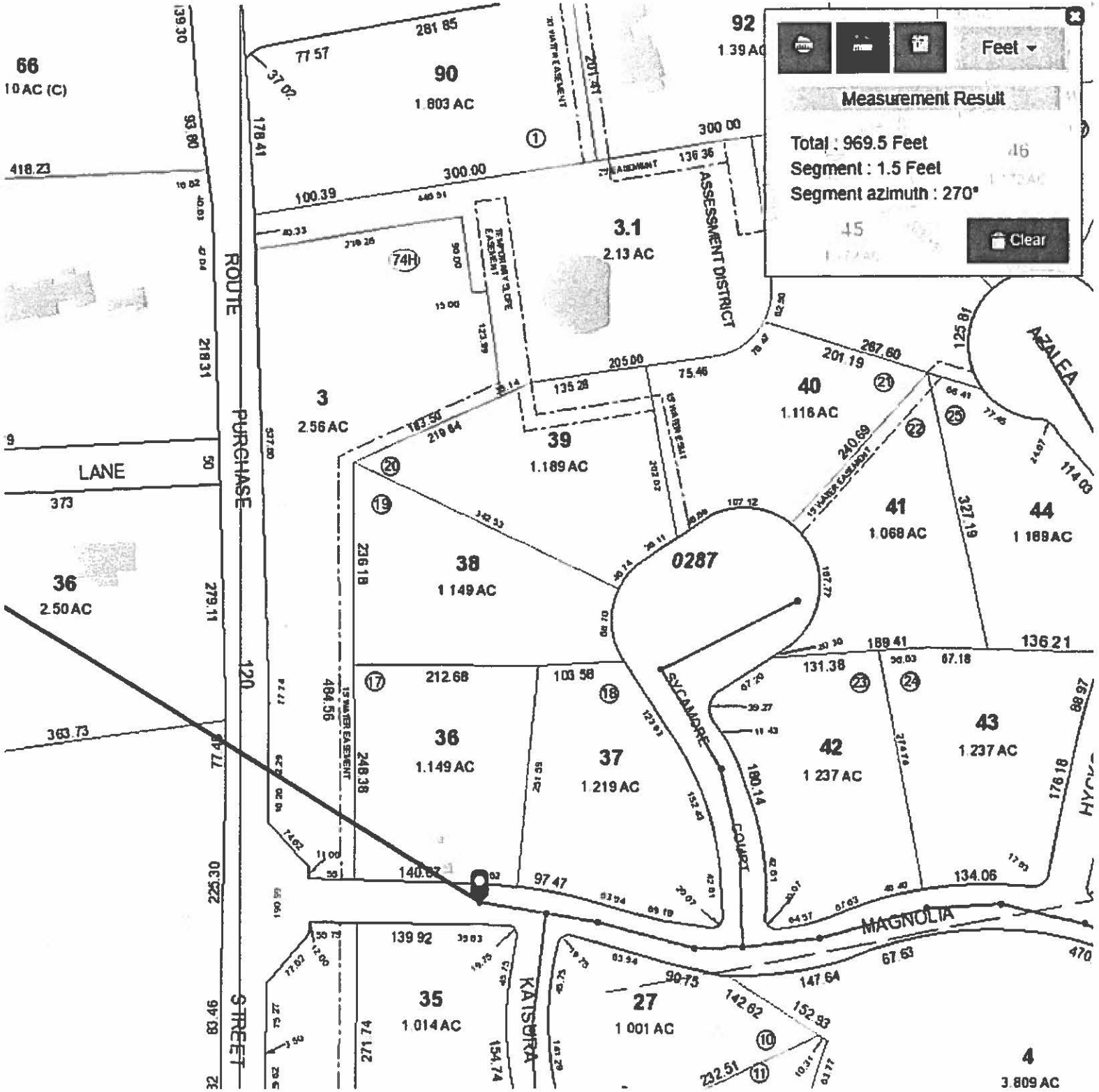


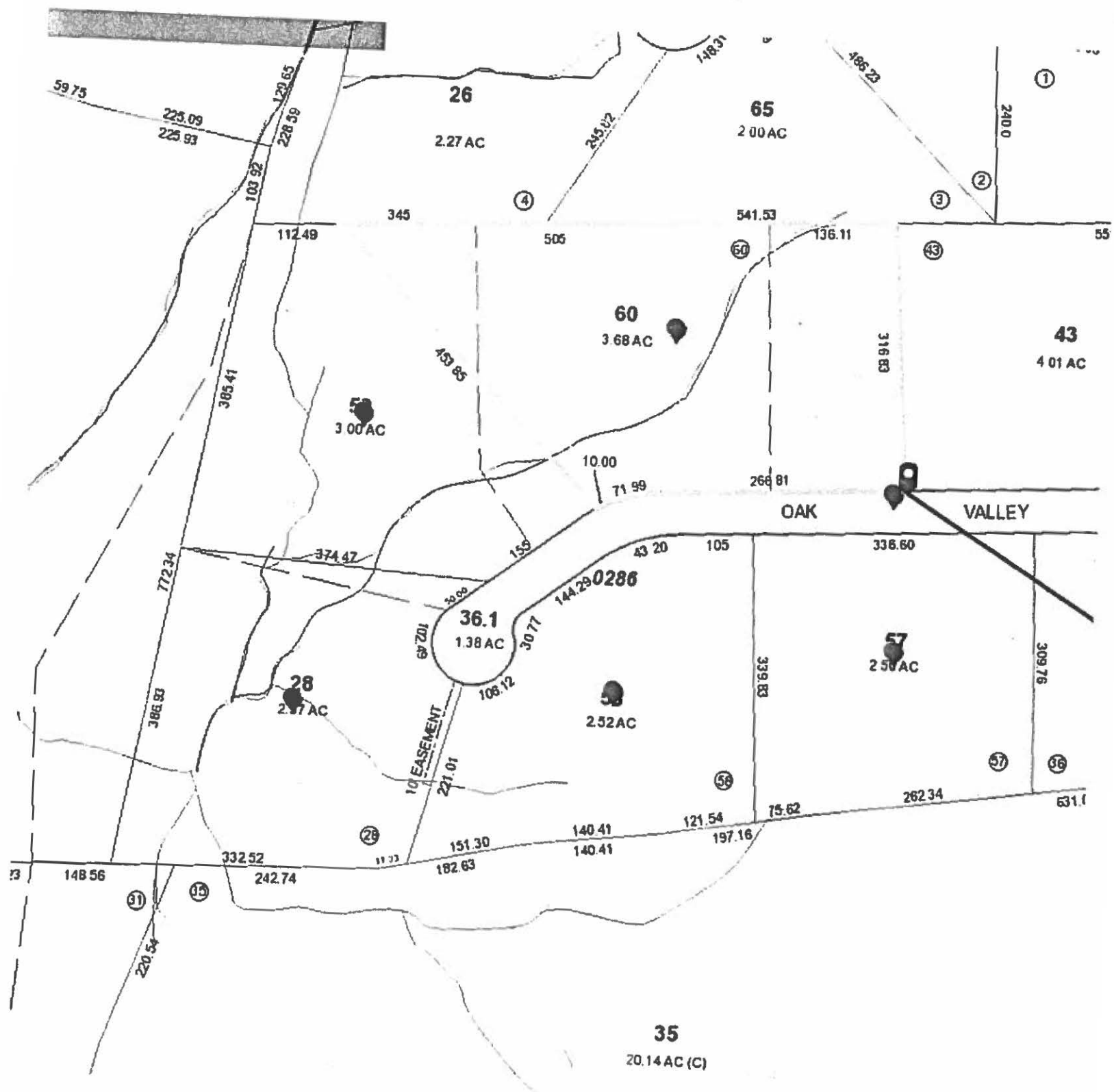
Documents & Links Assessment

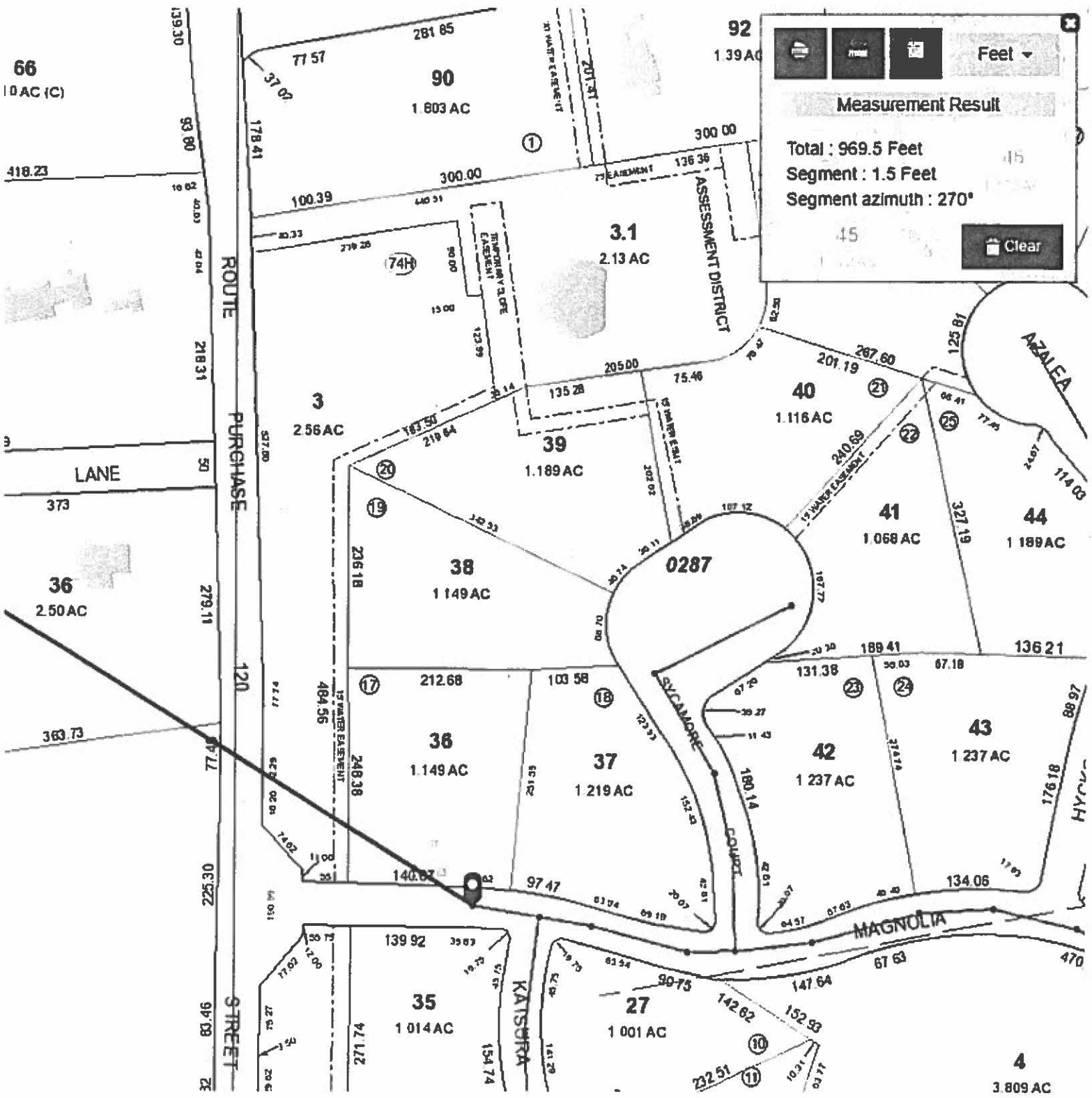
ID	6329
PropertyAddress	8 OAK VALLEY LN
PropertyStreet	OAK VALLEY LN
MapSheet	098
OwnerName	ISRAEL, RONEN
CoOwnerName	NAGORSKY, MINDY
OwnerAddress	8 OAK VALLEY LN
OwnerAddress2	N/A
OwnerCity	PURCHASE
OwnerState	NY
OwnerZip	10577
ParcelNumber	0981-60
GisFullNumber	0981-60
CamaFullNumber	0981-60
PID	0981-60
Parcel ID	0981-60
Owner	ISRAEL, RONEN

 Zoom to











TO: Catherine Borgia, Chairwoman of the Board of Legislators
Sunday Vanderberg, Clerk of the Board of Legislators

FROM: Jewel Williams Johnson, Legislator, 8th District
Erika Pierce, Legislator, 2nd District
Nancy Barr, Legislator, 6th District
MaryJane Shimsky, 12th District

DATE: August 29, 2022

RE: Amending the Laws of Westchester County by adding a new Chapter 539 in relation to prohibiting the sale or distribution of flavored tobacco products

We request that the attached proposal, a local law amending the Laws of Westchester County by adding a new Chapter 539 in relation to prohibiting the sale or distribution of flavored tobacco products, be added to the agenda for the September 12, 2022 meeting of the Westchester County Board of Legislators so that it may be referred to the appropriate committees.

Thank you.

CC: Marcello Figueroa
Melanie Montalto

TO: HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW adding a new Chapter 539 of the Laws of Westchester County in relation to prohibiting the sale or distribution of flavored tobacco products.” Your Committee has determined that Chapter 539 will have the effect of mitigating the impact of the public health crisis caused by tobacco use on Westchester County residents.

As your Committee is aware, tobacco use remains the leading cause of preventable death in the United States. It causes or contributes to many forms of cancer, as well as heart and respiratory diseases and other health disorders. The financial cost of tobacco use in New York alone amounts to \$17.72 billion per year in direct healthcare expenses and lost productivity.

Your Committee is informed that each year in New York, 5,800 children become smokers. Flavored tobacco products promote the initiation of tobacco use among young people, and help turn occasional smokers into daily smokers, by reducing or masking the natural harshness and taste of tobacco smoke. As tobacco companies know, menthol in particular cools and numbs the throat to reduce throat irritation. This makes menthol cigarettes an appealing option for youth who are initiating tobacco use. Tobacco companies have used flavorings in their products as part of a “graduation strategy” to encourage new users to progress to products with increasingly higher levels of nicotine. It is therefore unsurprising that young people are much more likely than adults to use menthol-, candy-, and fruit-flavored tobacco products, including cigarettes and

cigarillos. Data from the National Youth Tobacco Survey indicate that more than two-fifths of U.S. middle-school and high-school smokers report using such flavored tobacco products.

Your Committee is further informed that menthol-flavored tobacco products are aggressively, and disproportionately, marketed towards racial minorities.

Your Committee finds that in order to improve the safety and well-being of the residents of Westchester County, a new law that prohibits the sale or distribution of flavored tobacco products is needed. This proposed legislation is modeled after existing laws in San Francisco and New York City. The law in New York City previously survived judicial scrutiny. The implementation of these new legislative provisions will help to protect the public health, avoid losses in workforce productivity, and save taxpayer money.

Your Committee notes that a 2020 New York State law, Section 1399-mm-1 of the Public Health law, bans the sale of flavored vapor products, but does not apply to other tobacco products such as cigarettes. Your Committee further notes that while the federal Food and Drug Administration has advanced two proposed tobacco product standards – one prohibiting menthol as a characterizing flavor in cigarettes and another prohibiting all characterizing flavors (including menthol) in cigars – final rules based on those proposals have yet to be published. Additionally, the final rules will not take effect until one year after they are published.

As you know, this Honorable Board must comply with the requirements of the State Environmental Quality Review Act (“SEQRA”). The proposed Local Law does not meet the

definition of an action under SEQRA and its implementing regulations, 6 NYCRR Part 617.

Please refer to the January 14, 2022 Department of Planning memorandum, which is on file with the Clerk of the Board of Legislators.

Your Committee, after careful consideration, recommends adoption of this Local Law.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

DHC 8/24/2022

Resolution No. -2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. - 2022, entitled “A LOCAL LAW in relation to prohibiting the sale or distribution of flavored tobacco products.” The public hearing will be held at ____ .m. on the _____ day of ____, 2022 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.

LOCAL LAW INTRO. NO. -2022

A LOCAL LAW amending the Laws of Westchester County by adding a new Chapter 539 in relation to prohibiting the sale or distribution of flavored tobacco products.

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

Section 1. The Laws of Westchester County are hereby amended to include a new Chapter 539 to read as follows:

CHAPTER 539

BAN ON SALE OR DISTRIBUTION OF FLAVORED TOBACCO PRODUCTS

Sec. 539.01 Definitions.

Sec. 539.11 Sale or Distribution of Flavored Tobacco Products Prohibited.

Sec. 539.21 Enforcement and Penalties.

Sec. 539.31 Severability.

Sec. 532.41 Reverse Preemption.

Section 539.01 Definitions.

1. “Characterizing Flavor” means a distinguishable taste or aroma or both, other than the taste or aroma of tobacco, imparted by a Tobacco Product or any byproduct produced by the Tobacco Product. Characterizing Flavors include, but are not limited to, tastes or aromas relating to any fruit, chocolate, vanilla, honey, candy, cocoa, dessert, alcoholic beverage, menthol, mint, wintergreen, herb, or spice. A Tobacco Product shall not be determined to have a Characterizing Flavor solely because of the use of additives or flavorings or the provision of ingredient information. Rather, it is the presence of a distinguishable taste or aroma or both, as described in the first sentence of this definition that constitutes a Characterizing Flavor.

2. “Constituent” means any ingredient, substance, chemical, or compound, other than tobacco, water, or reconstituted tobacco sheet that is added by the manufacturer to a Tobacco Product during the processing, manufacture, or packing of the Tobacco Product.
3. “Distinguishable” means perceivable by either the sense of smell or taste.
4. “Establishment” means any store, stand, booth, concession or any other enterprise that engages in the retail sale of Tobacco Products, including stores engaging in the retail sale of food items.
5. “Flavored Tobacco Product” means any Tobacco Product that contains a Constituent that imparts a Characterizing Flavor.
6. “Labeling” means written, printed, pictorial, or graphic matter upon any Tobacco Product or any of its Packaging.
7. “Packaging” means a pack, box, carton, or container of any kind or, if no other container, any wrapping (including cellophane) in which a Tobacco Product is sold or offered for sale to a consumer.
8. “Tobacco Product” means any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, little cigars (“cigarillos”), chewing tobacco, or snuff; and any electronic device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette. “Tobacco Product” includes any component, part, or accessory of a tobacco product, whether or not sold separately. For purposes of this chapter, “Tobacco Product” does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where such product is marketed and sold solely for such an approved purpose.

Section 539.11 Sale or Distribution of Flavored Tobacco Products Prohibited.

1. The sale or distribution by an Establishment of any Flavored Tobacco Product is prohibited.
2. There shall be a rebuttable presumption that a Tobacco Product is a Flavored Tobacco Product if a manufacturer or any of the manufacturer’s agents or employees, in the course of their

agency or employment, has made a statement or claim directed to consumers or to the public that the Tobacco Product has or produces a Characterizing Flavor, including, but not limited to, text, color, and/or images on the product's Labeling or Packaging that are used to explicitly or implicitly communicate that the Tobacco Product has a Characterizing Flavor.

Section 539.21 Enforcement and Penalties.

1. The Westchester County Board of Health and the Westchester County Department of Public Safety are authorized to enforce this chapter.
2. Any person who violates any provision of this chapter:
 - (a) Shall be subject to a fine or civil penalty of a minimum of \$300.00, but not to exceed \$1,000.00, for a first violation within a two-year period;
 - (b) Shall be subject to a fine or civil penalty of a minimum of \$500.00, but not to exceed \$1,500.00, for each subsequent violation within a two-year period; and
 - (c) Shall also be subject to any penalty provided for under New York State Public Health Law § 1399-ee and § 1399-ff unless such penalty is expressly provided for herein.
 - (d) If an individual violates a provision of this chapter three times or more within a two-year period, then, in addition to any other penalty permitted by this section, the New York State Commissioner of Taxation and Finance shall be contacted in order to suspend the individual's applicable registration in accordance with New York State Public Health Law § 1399-ee.
3. A person shall be guilty of a Class B misdemeanor and subject to penalty as prescribed by law if he or she has violated section 539.11(1) of this chapter more than once.

Section 539.31 Severability.

If any clause, sentence, paragraph, or section of this chapter shall be held invalid by any court of competent jurisdiction, or the application of this chapter to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or

operation of this chapter directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this chapter are hereby declared to be severable.

Section 532.41 Reverse Preemption.

This local law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Westchester. The Board of Legislators may determine via resolution whether or not identical or substantially similar statewide or federal legislation has been enacted, or pertinent state or federal regulations have been promulgated, for the purposes of triggering the provisions of this section.

Section 2. This local law shall take effect 30 days after enactment.



**OFFICE OF THE DISTRICT ATTORNEY
WESTCHESTER COUNTY**

**MIRIAM E. ROCAH
DISTRICT ATTORNEY**

**WESTCHESTER COUNTY COURTHOUSE
111 Dr. Martin Luther King, Jr. Blvd.
White Plains, New York 10601
(914) 995-4200**

August 22, 2022

Honorable Catherine Borgia
Chairwoman of the Board
Westchester County Board of Legislators
148 Martine Avenue - 8th floor
White Plains, NY 10601

Re: Pay Plan Amendment - Assistant District Attorneys

Dear Hon. Borgia:

Please let this letter serve as a formal request that a Pay Plan Amendment be enacted by the Board of Legislators reflecting an adjustment to our 2022 Pay Plan for all Assistant District Attorney positions with the exception of the First Deputy District Attorneys. This Amendment will not result in any additional cost to the county for 2022. The cost will be paid through already achieved savings due to unanticipated vacancies in 2022 at the District Attorney's Office. These vacancies resulted from departures of our experienced ADAs to other offices for greater salaries than they could be paid in Westchester, and our corresponding inability to effectively recruit new and lateral ADAs because our pay scale is not competitive with our surrounding peer offices. The Amendment also reflects proposed salary increases of 3% for 2023 (with a slightly higher percentage for our First Deputy District Attorneys in order to make up the amount that they are foregoing in 2022 in order to give all available funds to our ADAs), and 3% for 2024. This Amendment also eliminates salaries for the Jr. Assistant District Attorney title, which we have determined no longer meets the needs of the office, and attempts to keep us competitive with the surrounding district attorney's offices in Rockland, the Bronx, Manhattan, and Queens. I have attached a copy of the proposed District Attorney Pay scales for 2022, 2023, 2024 reflecting the Amendment for your convenience. I am also attaching an earlier memo written to the County Executive and his team explaining the rationale for our original request for salary increases for 2022. The Pay Plan Amendment we are submitting is a reduction from that original request.

Thank you for your anticipated cooperation in moving this matter forward.

Very truly yours,

**MIRIAM E. ROCAH
DISTRICT ATTORNEY**

cc: Melanie Montalto
Malika Vanderberg

District Attorney Salary Schedule

Effective January 1, 2022

	Minimum	Maximum
Assistant District Attorney	\$78,500	\$135,000
Senior Assistant District Attorney	\$137,500	\$143,500
Deputy Chief of Bureau- DA	\$144,000	\$157,000
Chief of Bureau	\$167,000	\$177,000
Deputy District Attorney	\$170,000	\$178,200
Second Deputy District Attorney	\$181,500	\$186,900
First Deputy District Attorney	\$184,764	\$193,287

Above salaries were developed to alleviate turnover and increase recruitment, the 2022 Assistant District Attorney salary line increased will have no 2022 cost to the county.

District Attorney Salary Schedule

Effective January 1, 2023

	Minimum	Maximum
Assistant District Attorney	\$80,855	\$139,050
Senior Assistant District Attorney	\$141,625	\$147,805
Deputy Chief of Bureau- DA	\$148,320	\$161,710
Chief of Bureau	\$172,010	\$182,310
Deputy District Attorney	\$175,100	\$183,546
Second Deputy District Attorney	\$186,945	\$192,507
First Deputy District Attorney	\$194,926	\$203,198

Above salaries are computed by taking the 2022 approved Assistant District Attorney salaries and increasing by 3%.

District Attorney Salary Schedule

Effective January 1, 2024

	Minimum	Maximum
Assistant District Attorney	\$83,281	\$143,222
Senior Assistant District Attorney	\$145,874	\$152,239
Deputy Chief of Bureau- DA	\$152,770	\$166,561
Chief of Bureau	\$177,170	\$187,779
Deputy District Attorney	\$180,353	\$189,052
Second Deputy District Attorney	\$192,553	\$198,282
First Deputy District Attorney	\$200,774	\$210,035

Above salaries are computed by taking the 2023 Assistant District Attorney salaries and increasing by 3%.

FISCAL IMPACT STATEMENT

SUBJECT: 2022-24 DA PAY PLAN AMENDMENT

☐ 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 \$ 1,383,829

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: DA Salary (101_37_1000_1010) & Advance to Grants (101_37_1000_4912)

Fringe (101_52_1000_Various)

Potential Related Operating Budget Expenses: Annual Amount \$1,383,829

Describe: 2022 DA Account Salaries: 101_37_1000_1010 - \$1,037,825

2022 DA Account Advance to Grants (For Trust Positions): 101_37_1000_4912 - \$ 57,410

2022 Fringes: 101_52_1000_Various - \$ 288,594

Potential Related Operating Budget Revenues: Annual Amount \$ -0-

Describe: _____

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

Current Year: 2022 increased expenses impacting salaries, advance to grants and fringe

\$1,383,829

Next Four Years: 2023 Additional expenses of \$2,100,516 impacting DA (\$1,662,458) and

Fringes (\$438,058)

2024 Additional Expenses of \$2,808,179 impacting DA (\$2,222,540) and Fringes (\$585,639)

Prepared by: Mark Medwid

Title: Associate Budget Director

Department: Budget

Date: August 19, 2022

Reviewed By: 

Budget Director

Date: 8/19/22

As requested, I am writing to follow-up on our meetings of May 16 and May 26, 2022, in which the District Attorney requested a salary increase for all Assistant District Attorneys in the Westchester County District Attorney's Office. As we reported in those meetings, we are currently facing a retention and recruitment crisis due to the fact that our salary scale is significantly lower than our peer offices of the Bronx, Manhattan, Queens, and Rockland.¹ These offices all have raised salaries in the last year, and are expected to make additional salary increased in the coming year.² Without a comparable increase in our salary scale, we will continue to face an inability to fill our vacancies which will have a negative effect of the prosecution of criminal offenses in our county, and on the corresponding safety of our community.

In the last six months, since the city offices began increasing their salaries, and Rockland began the process of removing its residency requirement, we have: (1) lost trained and experienced ADAs to other offices for the sole reason that they will be making more money in their new position; (2) lost new ADA candidates to other offices for the sole reason that they would make more money if they accepted the competing offer; (3) saw the number of resumes for lateral ADAs from other offices significantly decrease; and (4) had a lateral candidate withdraw his accepted offer because the salary increases in his current office made the financial component of our offer significantly less than he would be making if he stayed in his current office. And while there is some flexibility within our current scale within the Jr. ADA and ADA lines to change the offers that we give to potential lateral and 3L candidates, that is not a feasible solution to our current crisis because it would either prevent regular annual increases, which Rockland and the city offices all give, or it will cause internal moral issues because there is a lack of consistency in our salary scale for ADAs who have graduated from law school at the same time.

We are asking for a \$12,000 across the board salary increase for all of our ADAs to bring us closer to the salaries that our peer offices are netting on an annual basis, either via the salary they offer, or the combined salary and annual bonus. We believe this increase will allow us to retain our more junior ADAs who are within or have recently complete their three-year commitment to the office, and who we have invested significant financial and personnel resources to train. We also believe this increase will allow us to retain our senior and supervisory level ADAs, several of whom we have lost in the last year to other prosecutorial offices, or who we know to be interviewing currently. These senior and supervisory ADAs have the opportunity to make approximately \$10,000 to \$34,000 per year more in the city offices. Finally, the salary increases will allow us to recruit recent law school graduates based on all of the factors that we believe set our office apart from Rockland and the city offices, and without salary impacting the decision of the potential candidates.

We understand and appreciate that salary increase for our ADAs are not made in a vacuum, and that you are also currently working with the PBA and CSEA unions on salary increases in connection with current contract negotiations. We also understand that our ADAs have historically been viewed as comparable to attorneys in other departments in the county.³ We believe, however, that the changes in

¹ Our current starting salaries are just over \$4500 below the Rockland District Attorney's Office ("Rockland"), and approximately \$14,500 below the salaries that Rockland anticipates will be approved in the coming weeks in their county. We are similarly below the city offices starting salaries by approximately \$7-8000.

² These salary increases are separate from the bonus payments that are also given in the city offices on top of the normal yearly salary.

³ We look forward to continuing the discussion raised in the second call on adjustments to our lines to potentially eliminate the category of "Jr. ADA" and to also raise the possibility of potentially merging the pay lines for our

the discovery laws, and the fact that our ADAs are essentially always on call, sets what they do apart from other attorneys in the county, and accordingly, supports the need for a salary increase for them to reflect the realities of the positions they occupy and the demands they face in those positions. By adjusting the salary scale to better compete with Rockland and the city offices, we will be better able to retain and hire ADAs to handle the prosecution of criminal conduct in our county, and keep our communities safe.

Senior ADAs and Deputy Bureau Chiefs, in line with our efforts to allow our senior ADAs to have the opportunity to continue to earn meaningful salary increment increases without having a supervisory title. We have worked in the last 17-months to make sure our supervisory titles actually reflect supervisory work, but have used more senior pay lines parenthetically to allowed valued senior ADAs to have salary increases that would otherwise not have been possible, and could have caused us to lose them to other offices.

**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 \$2,710,000 to finance capital project B0108 – 85 Court Street Building Improvements, White Plains (2015-2019) (“B0108”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of the design, construction management and construction associated with the replacement of the existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains.

The Department of Public Works and Transportation (“Department”) has advised that B0108 is necessary to replace existing equipment which is over 40 years old and has exceeded its expected useful service life. The new equipment will reduce the amount of energy required for cooling this building.

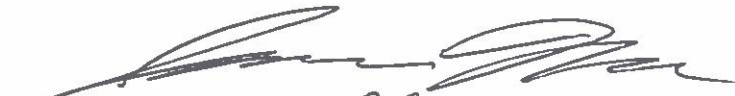
The Department has advised that design has been completed by a consultant. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior components of B0108 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, B0108 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: September 7, 2022
White Plains, New York


David M. Johnson
Nancy E. Baran
Vedat Fathi
Nancy E. Baran
Colin O. Smith

Budget & Appropriations

Nancy E. Baran
Colin O. Smith


Public Works & Transportation

COMMITTEES ON

Dated: September 7, 2022
White Plains, New York


The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations


Catherine F. Parker



Public Works & Transportation


Catherine F. Parker



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0108

☐ 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 \$ 2,710,000 PPU 15 Anticipated Interest Rate 3.11%

Anticipated Annual Cost (Principal and Interest): \$ 225,902

Total Debt Service (Annual Cost x Term): \$ 3,388,530

Finance Department: Interest rates from June 23, 2022 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: 29

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Planning)

Department: Department of Public Works and Transportation


Date: 7/5/22

Reviewed By: [Signature]

Budget Director

Date: 7/6/22

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

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

DATE: June 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0108 85 Court Street Building Improvements, White Plains (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-23-2022 (Unique ID: 1978)

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 Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner
Jonna Robins, Program Administrator (Capital Planning Program)
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20 _____

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,710,000 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 COOLING TOWERS AT 85 COURT STREET IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,710,000 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, \$2,710,000 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 cooling towers with new cooling towers and associated work at 85 Court Street, White Plains, 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 \$2,710,000. The plan of financing includes the issuance of \$2,710,000 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 \$2,710,000 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 \$2,710,000. 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 \$2,710,000 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 \$2,710,000 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 COOLING TOWERS AT 85 COURT STREET IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,710,000 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 cooling towers with new cooling towers and associated work at 85 Court Street, White Plains, 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: \$2,710,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*
B0108

☐ CBA

Fact Sheet Date:*
06-14-2022

Fact Sheet Year:*
2022

Project Title:*
85 COURT STREET BUILDING
IMPROVEMENTS, WHITE PLAINS
(2015-2019)

Legislative District ID:
8,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
1978

Overall Project Description

This projects provide for the rehabilitation and upgrades of exterior, interior or site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include but are not limited to façade repairs, replacement of doors, windows and storefronts, interior renovations, upgrades and replacement of mechanical systems and elevators, upgrades of security systems, rehabilitation of pavements and sidewalks.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	6,120	4,620	1,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,120	4,620	1,500	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 321

Current Bond Description: Funding is requested for design, construction management and construction associated with the ~~replacement of the~~ existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,710,000
Cash:	0
Total:	\$ 2,710,000

SEQR Classification:
TYPE II

Amount Requested:
2,710,000

Comments:

Energy Efficiencies:

THE NEW COOLING TOWERS AND ASSOCIATED EQUIPMENT WILL BE MORE ENERGY EFFICIENT THAN THE EXISTING COOLING TOWERS.

Appropriation History:

Year	Amount	Description
2015	800,000	REPLACEMENT OF BOILERS AND ELEVATOR MACHINE ROOM HVAC
2016	1,600,000	REPLACEMENT OF BUILDING OVERHANG ENCLOSURE; REPLACEMENT AND UPGRADE OF HEATING DISTRIBUTION SYSTEM; AND REPAIR OF OPERATING WINDOWS,
2017	1,250,000	REPLACEMENT OF COOLING TOWERS AND ASSOCIATED WORK.
2018	150,000	FUNDS A STRUCTURE OR MONUMENT AND IMPROVEMENTS TO CHRISTOPHER RIDLEY PLAZA.
2019	200,000	ADDITIONAL CONSTRUCTION FOR THE CHRISTOPHER RIDLEY PLAZA AND MONUMENT
2020	620,000	COST ESCALATION
2022	1,500,000	COST ESCALATION

Total Appropriation History:

6,120,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
18	105	0		0 IMPROVEMENTS TO CHRISTOPHER RIDLEY PLAZA AT 85 COURT STREET IN WHITE PLAINS
19	19	350,000	320,010	IMPROVEMENTS TO CHRISTOPHER RIDLEY PLAZA AT 85 COURT STREET IN WHITE PLAINS
21	196	2,090,000		0 85 COURT STREET REPLACE EXISTING GAS FIRED BOILERS.

Total Financing History:

2,440,000

Recommended By:

Department of Planning
WBB4

Date
06-23-2022

Department of Public Works
JZR7

Date
06-23-2022

Budget Department
GKGA

Date
06-23-2022

Requesting Department
JZR7

Date
06-23-2022

85 COURT STREET BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019) (B0108)

User Department : Public Works

Managing Department(s) : 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	2022	2023	2024	2025	2026	Under Review
Gross	6,120	4,620	320	1,500					
Non County Share									
Total	6,120	4,620	320	1,500					

Project Description

This projects provide for the rehabilitation and upgrades of exterior, interior or site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include but are not limited to façade repairs, replacement of doors, windows and storefronts, interior renovations, upgrades and replacement of mechanical systems and elevators, upgrades of security systems, rehabilitation of pavements and sidewalks.

Current Year Description

The current year request funds a cost escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,500,000			1,500,000

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
2015	800,000	Replacement of boilers and elevator machine room HVAC	AWAITING BOND AUTHORIZATION
2016	1,600,000	Replacement of building overhang enclosure; replacement and upgrade of heating distribution system; and repair of operating windows,	AWAITING BOND AUTHORIZATION
2017	1,250,000	Replacement of cooling towers and associated work.	AWAITING BOND AUTHORIZATION
2018	150,000	Funds a structure or monument and improvements to Christopher Ridley Plaza.	COMPLETE
2019	200,000	Additional construction for the Christopher Ridley Plaza and monument	COMPLETE
2020	620,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	4,620,000		

85 COURT STREET BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019) **(B0108)**

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,620,000	320,010	4,299,991
Total	4,620,000	320,010	4,299,991

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
105 18				
19 19	350,000			350,000
196 21	2,090,000			2,090,000
Total	2,440,000			2,440,000

Reference P0024 (1886), P0028 (1887),
P0029 (1908)

**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 for project P0029 (the "Capital Budget Amendment"), as well as adoption of a related amended Bond Act (the "Amended Bond Act") which would authorize the County to issue additional bonds in the amount of \$14,575,000 to finance the following three (3) capital projects and to consolidate all three projects into the Amended Bond Act:

Capital Project Number	Project Name	Unique ID	Amend	Old Amount	Requested amount	New Amount
P0024	Bronx River Parkway Rehabilitation Program	1886			\$5,710,000	\$5,710,000
P0028	Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670)	1887	162-2019	\$1,550,000	\$8,065,000	\$9,615,000
P0029	Bronx River Parkway over Bronx River (North & South of Leewood Drive), Eastchester (BIN 3348829/BIN 3348839)	1908			\$800,000	\$800,000
				\$1,550,000	\$14,575,000	\$16,125,000

The proposed Capital Budget Amendment will amend the County's current year capital budget to increase the County share for project P0029 by \$800,000 to cover additional construction management costs.

The Amended Bond Act, in the total amount of \$16,125,000, which includes \$1,550,000 in previously authorized bonds of the County, would finance the cost of design, construction management and construction associated with various improvements to the Bronx River Parkway.

Project P0024 (1886) will fund the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road, including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work. Following bonding authorization, design will be scheduled and is anticipated to take one (1) month to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Project P0028 (1887) will fund construction associated with the replacement of the existing bridge structure (northbound - north of the County Center) over the Bronx River, including construction of pile foundations, abutments, structural deck, approaches, railings and related work. The project will also fund the replacement of culverts CBP0040, CBP0050, and CBP0060. Design for this project is currently underway by consultants and is expected to be completed shortly. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Project P0029 (1908) will provide additional funding for construction management associated with the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, in the Town of Eastchester. Work will include the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, increase of channel width where possible, installation of bank protection where erosion is evident and associated work. Following bonding authorization, design will be scheduled and is anticipated to take nine (9) months to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with project P0028 as follows: Bond Act No. 162-2019 in the amount of \$1,550,000, which funded design and construction management associated with a new Bronx River Parkway bridge (northbound- north of the County Center) over the Bronx River and three new culverts. The bonds authorized by Bond Act No. 162-2019 have not been sold. Accordingly, authority of your Honorable Board is now requested to amend Bond Act No. 162-2019 to increase the initial amount authorized thereunder by \$14,575,000, to modify the scope of the project to include construction funding, and to consolidate all three capital projects referenced in the table into the Amended Bond Act, for a new total authorized amount, as amended, of \$16,125,000.

The Planning Department has advised your Committee that based on its review, project P0029 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 with respect to this project. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

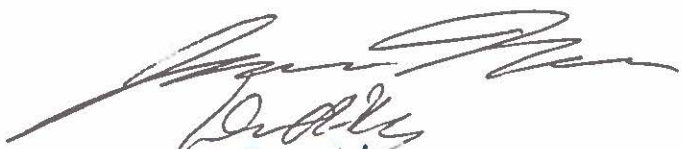
The Planning Department has further advised your Committee that based on its review, projects P0024 (1886) and P0028, which fund components of the same project, have collectively been classified as an "Unlisted" action under SEQR, requiring an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form ("EAF") and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQRA regulations, to identify the relevant areas of environmental concern for each project. 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 adopt the annexed resolutions by which this Board would issue a Negative Declaration.

With respect to project P0029, 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. The Planning Department has advised that the Planning Board has previously reviewed project P0029 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.

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 Capital Budget Amendment and the Amended Bond Act. Your Committee recommends the adoption of the proposed Acts.

Dated: September 7, 2022

White Plains, New York


Nanayt Pau
Handwritten signature of Robert L. Sisti
Robert L. Sisti
Colin O'Hara
COMMITTEE ON
Budget & Appropriations

Nanayt Pau
Colin O'Hara

Public Works & Transportation


Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations



Catherine F. Parker




Public Works & Transportation



Catherine F. Parker



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

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

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
P0029 BRONX RIVER PARKWAY OVER BRONX RIVER (NORTH &
SOUTH OF LEEWOOD DR), EASTCHESTER (BIN 3348829/BIN 3348839)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-06-2022 (Unique ID: 1908)

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 Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation
Jonna Robins, Program Administrator, Department of Public Works & Transportation
Kelly Sheehan, 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: Kelly Sheehan, Assistant Commissioner *KS*

Date: May 12, 2022

RE: **Capital Budget Amendment –
P0029 Bronx River Parkway over Bronx River
(North and South of Leewood Drive), Eastchester**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project P0029 Bronx River Parkway over Bronx River (North and South of Leewood Drive) provides funds for the reconstruction of the Parkway bridges over the Bronx River, north and south of Leewood Drive, located in the Town of Eastchester.

A Capital Budget Amendment is requested to authorize the County to provide an additional \$800,000 for this project due to cost increases.

The Planning Board adopted a report on this project (rated PL2HP) at its meeting on June 6, 2017.

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 S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

RESOLUTION

WHEREAS, there is pending before this Honorable Board an amended bond act which incorporates, *inter alia*, Capital Projects P0024 (Unique ID# 1886) – Bronx River Parkway Rehabilitation Program and P0028 (Unique ID#1887) – Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670) (the “Bond Act”), and

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

WHEREAS, pursuant to SEQR and its implementing regulations (6 NYCRR Part 617), the Bond Act, as it relates to the aforementioned capital projects, has been 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 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 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 Bond Act and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the “Determination of Significance” in the Short 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 SEQR 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.

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

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

DATE: June 30, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
P0024 BRONX RIVER PARKWAY REHABILITATION PROGRAM
P0028 BRONX RIVER PARKWAY (NB: NORTH OF COUNTY CENTER)
OVER BRONX RIVER, GREENBURGH (BIN 3348670)**

The Planning Department has reviewed the above referenced capital projects (Fact Sheets ID #1886 & #1887) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, this project has been classified as an Unlisted action. Uncoordinated review is being conducted as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations. 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
Gideon Grande, Deputy Budget Director
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Marzola, Associate Budget Director
Kevin Roseman, Traffic Engineer, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

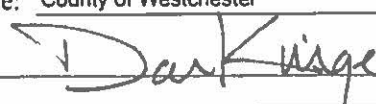
Instructions for Completing

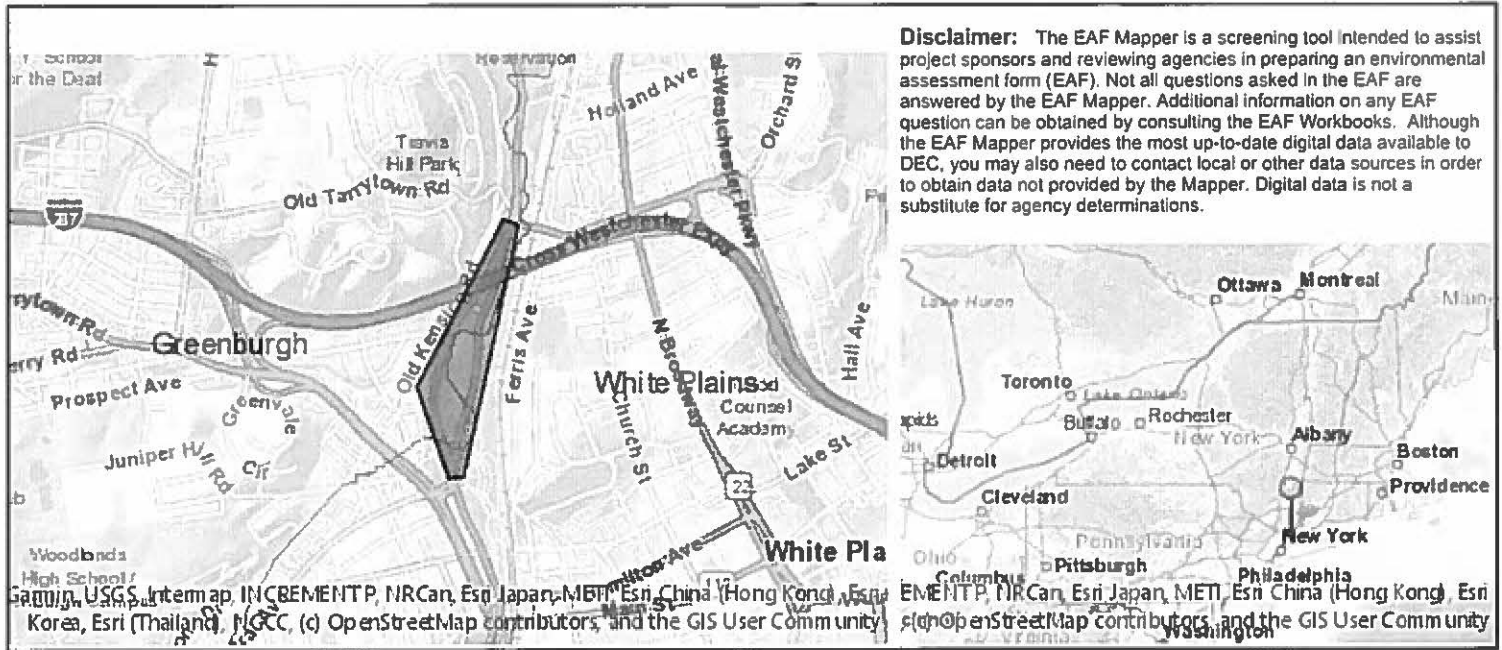
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Bronx River Parkway Rehabilitation - County Center to Cemetery Road			
Project Location (describe, and attach a location map): Bronx River Parkway between Central Ave and Old Tarrytown Road, City of White Plains and Town of Greenburgh, Westchester County, New York			
Brief Description of Proposed Action: Rehabilitation of an approximately 0.7 mile section of the Bronx River Parkway, including milling, resurfacing, curb replacement, new traffic signal loops and pavement markings associated with both the northbound and southbound lanes of the parkway which divide in this section. The project includes replacement of a bridge and 3 culverts and the installation of a temporary roadway to maintain traffic during construction. The project also includes minor relocation of a portion of the trunk sewer crossing underneath the bridge and restoration of wetlands and all areas disturbed by construction.			
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: NYSDEC Stream Disturbance, 401 Water Quality Certification, SHPO Army Corps of Engineers Section 404		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?		+/- 60.5 acres 5.81 acres 807 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 type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Institutional/Transportation <input checked="" 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 checked="" type="checkbox"/>	<input 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? Name:Floodplains, Name:County & State Park Lands, Reason:Protect water & natural area, Reason:Exceptional If Yes, identify: or unique character, Agency:Greenburgh, Town of, Agency:Westchester County, Date:1-30-79, Date:1-31-90	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" 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:	NO	YES	
Upon completion of the project, there will be no impact or increase to electrical, mechanical or plumbing at the site. This portion of the Bronx River Parkway is unlit. However, another capital project is proposed that will convert all Bronx River Parkway street lights to LEDs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A - This project does not require potable water.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A - This project will not generate wastewater.	NO	YES	
	<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? This section of the Bronx River Parkway is on the National Register of Historic Places/State Register of Historic Places.	NO	YES	
	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The project will disturb portions of the Bronx River, Manhattan Brook and Fulton Brook, along with their associated riverine wetlands. There will be approximately 1,300 square feet of permanent disturbance below the ordinary high water line for the bridge and culvert improvements and approximately 1,700 square feet of temporary disturbance below the ordinary high water line for the temporary road that will be restored following construction.			

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 type="checkbox"/> Urban <input checked="" 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? Peregrine Falcon (Automated answer. See Part 3 for discussion.)	NO	YES
	<input type="checkbox"/>	<input checked="" 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 temporary road will be crowned which will distribute stormwater runoff to the sides of the road inside within the county property. Overall drainage patterns will remain the same following project completion.		
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 type="checkbox"/>	<input checked="" type="checkbox"/>
A search of the Environmental Site Remediation Database yielded no results. The Spills Incidents Database identified 2 cases of petroleum spills that may have occurred in the project area in 2014 and 2016; both cases have been closed.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>June 30, 2022</u>		
Signature: <u></u> Title: <u>Assistant Commissioner</u>		



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Floodplains, Name:County & State Park Lands, Reason:Protect water & natural area, Reason:Exceptional or unique character, Agency:Greenburgh, Town of, Agency:Westchester County, Date:1-30-79, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Peregrine Falcon
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

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: 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 type="checkbox"/>	<input checked="" 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.

The project will have an adverse impact on historic resources as it will replace four original structures on the Bronx River Parkway, which is included on the National and State Register of Historic Places. An Alternatives Analysis was conducted, which documented the necessity for replacing these structures to address safety issues and scouring around the foundations. As requested by the New York State Historic Preservation Office (SHPO), a Historic American Engineering Record (HAER) and photographic documentation were made for the historic structures to be replaced. The design of the replacement structures and added safety guardrails will be sympathetic to the character of the reservation. Precast arches will be faced with natural stone utilizing as much of the existing stones as possible. The NYS Office of Parks, Recreation and Historic Preservation had no archaeological concerns.

Apart from the impact to historic resources, other impacts are temporary, negligible or will be mitigated. New disturbances will be less than 2.5 acres, much of which is for the temporary road, which will offset traffic impacts and will be restored following construction. As this project involves construction in and near water, best management practices will be implemented to prevent impacts during construction. Approximately 28 trees (and 2 existing stumps) will need to be removed to eliminate impacts to the parkway infrastructure or to accommodate the temporary road. Tree removals, some of which are sizable, will be mitigated by the planting of over 100 new trees with a total trunk area equivalent to the trunk area to be removed. The streambanks of Fulton Brook were previously in poor condition and were recently restored; they will be restored again, in kind, following completion of the roadwork. According to the US Fish and Wildlife Service, there are no critical habitats within the project area, but the Monarch Butterfly (*Danaus plexippus*), a candidate species, may potentially be present. The New York Natural Heritage Program also indicated there was no record of rare or state-listed animals or plants, or significant natural communities at the project site. However, the Peregrine falcon (*Falco peregrinus*), listed as endangered by the State, has been documented nesting within a half mile of the project site. Noise reducing best management practices will be implemented during construction as recommended by permitting agencies. As this does not involve new development or changes in land use, there will be no other impacts following construction.

- ☐ 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.

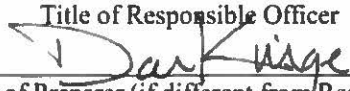
County of Westchester

 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 of the Board of Legislators

 Title of Responsible Officer


 Signature of Preparer (if different from Responsible Officer)

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project P0029 - Bronx
River Parkway Over Bronx
River (North & South of
Leewood Dr), Eastchester

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

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$4,610,000	\$800,000	\$5,410,000


Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes	\$4,610,000	\$800,000	\$5,410,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$4,610,000	\$800,000	\$5,410,000

Section 3. The ACT shall take effect immediately.

To: Honorable George Latimer, County Executive
Lawrence Soule, Budget Director

From: Norma Drummond, Commissioner 

Re: **Capital Budget Amendment:
P0029 Bronx River Parkway over Bronx River
(North and South of Leewood Drive), Eastchester**

Date: May 12, 2022

Attached is a memo from the Planning Department to the County Planning Board advising the Board of the proposed Capital Budget Amendments (CBA) to modify funding of the above project.

These are financing changes only and there are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, as stated in the memo, no further action by the Planning Board is required.

NVD/wcb
Attachment

cc: Ken Jenkins, Deputy County Executive
Joan McDonald, Director of Operations
Emily Saltzman, Deputy Director of Operations
Paula Friedman, County Executive's Office
Blanca Lopez, Deputy Commissioner of Planning
Tami Altschiller, Assistant Chief Deputy County Attorney
Jeffrey Goldman, Assistant County Attorney
Michelle Greenbaum, Assistant County Attorney
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
David S. Kvinge, 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: Kelly Sheehan, Assistant Commissioner *KS*

Date: May 12, 2022

RE: **Capital Budget Amendment –
P0029 Bronx River Parkway over Bronx River
(North and South of Leewood Drive), Eastchester**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project P0029 Bronx River Parkway over Bronx River (North and South of Leewood Drive) provides funds for the reconstruction of the Parkway bridges over the Bronx River, north and south of Leewood Drive, located in the Town of Eastchester.

A Capital Budget Amendment is requested to authorize the County to provide an additional \$800,000 for this project due to cost increases.

The Planning Board adopted a report on this project (rated PL2HP) at its meeting on June 6, 2017.

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 S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

REFERENCE: P0024
P0028
P0029

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 162-2019 ADOPTED SEPTEMBER 16, 2019, IN RELATION TO THE BRONX RIVER PARKWAY REHABILITATION, AT THE MAXIMUM ESTIMATED COST OF \$16,125,000. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$1,550,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of a new Bronx River Parkway Bridge (Northbound-North of County Center) over the Bronx River and the construction of new culverts on such site located in the Town of Greenburgh, pursuant to Act No. 162-2019 duly adopted on September 16, 2019; 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 by \$8,065,000; and

WHEREAS, it has been determined that additional work is necessary for the rehabilitation of Bronx River Parkway and that it is necessary to authorize bonds to be issued for such purpose and increase the appropriation for such rehabilitation,

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 September 16, 2019,

entitled:

“ACT NO. 162-2019

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING CONSTRUCTION OF A NEW BRONX RIVER PARKWAY BRIDGE (NORTHBOUND – NORTH OF COUNTY CENTER) OVER THE BRONX RIVER AND CONSTRUCTION OF CULVERTS ON SUCH SITE LOCATED IN THE TOWN OF GREENBURGH; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,550,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

are hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$16,125,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF BRONX RIVER PARKWAY AND THE CONSTRUCTION OF BRIDGE IMPROVEMENTS THEREON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,125,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,125,000 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; \$16,125,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance all or a portion of the costs of the partial rehabilitation of Bronx River Parkway and the construction of bridge improvements thereon, to wit: (a) the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work, (b) the planning and construction associated with the replacement of the existing bridge structure over the Bronx River (Northbound – north of County Center) including construction of pile foundations, abutments, structural deck, approaches, railings and related work, and also the replacement of culverts CBP0040, CBP0050, CBP0060 and related work, and (c) the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, located in the Town of Eastchester, 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 \$16,125,000. The plan of financing includes the issuance of \$16,125,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the object or purpose for which said \$16,125,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 101 of the Law, is thirty-five (35) 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 \$16,125,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$16,125,000 as the estimated maximum 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.

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 September 16, 2019 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 \$16,125,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF BRONX RIVER PARKWAY AND THE CONSTRUCTION OF BRIDGE IMPROVEMENTS THEREON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,125,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,125,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on September 16, 2019 and amended on _____, 20_____)

object or purpose: to finance all or a portion of the costs of the partial rehabilitation of Bronx River Parkway and the construction of bridge improvements thereon, to wit: (a) the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work, (b) the planning and construction associated with the replacement of the existing bridge structure over the Bronx River (Northbound – north of County Center) including construction of pile foundations, abutments, structural deck, approaches, railings and related work, and also the replacement of culverts CBP0040, CBP0050, CBP0060 and related work, and (c) the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, located in the Town of Eastchester, 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: \$16,125,000; thirty-five (35) 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

3696311.1 045751 LEG

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: P00XX

☐ 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

P0024, P0028, P0029

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 16,125,000 PPU 35 Anticipated Interest Rate 3.28%

Anticipated Annual Cost (Principal and Interest): \$ 735,100

Total Debt Service (Annual Cost x Term): \$ 25,728,500

Finance Department: Interest rates from July 5, 2022 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: 175

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Department of Public Works and Trans

Date: 7/5/22

Reviewed By: 

Budget Director

Date: 7/8/22

CAPITAL PROJECT FACT SHEET

Project ID:*
P0024

☐ CBA

Fact Sheet Date:*
01-21-2022

Fact Sheet Year:*
2022

Project Title:*
BRONX RIVER PARKWAY
REHABILITATION PROGRAM

Legislative District ID:
3, 15, 14, 12, 10, 8, 5,

Category*
PARKWAYS

Department:*
PUBLIC WORKS

CP Unique ID:
1886

Overall Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	8,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	40,600	32,600	8,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 19,886

Current Bond Description: This project will fund the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	5,710,000
Cash:	0
Total:	\$ 5,710,000

SEQR Classification:
UNLISTED

Amount Requested:
5,710,000

Comments:

PCI: 65 (2019); AADT: 31,099. This project is associated with Capital Project P0028, Fact Sheet #1887, which has been classified as an Unlisted action. There will be one EAF to cover both of these capital projects.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2011	8,000,000	PHASE I DESIGN & CONSTRUCTION
2012	8,000,000	CONTINUATION OF THIS PROJECT
2016	8,600,000	CONTINUATION OF THIS PROJECT
2021	8,000,000	CONSTRUCTION OF THIS PROJECT
2022	8,000,000	CONSTRUCTION

Total Appropriation History:

40,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	29	0	0	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS
19	12	9,900,000	9,900,000	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX RIVER PARKWAY TO SCARSDALE ROAD IN YONKERS
19	189	9,812,654	5,000,046	
19	11	187,346	187,346	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS

Total Financing History:

19,900,000

Recommended By:**Department of Planning**

WBB4

Date

06-15-2022

Department of Public Works

JZR7

Date

06-16-2022

Budget Department

LMY1

Date

06-16-2022

Requesting Department

JZR7

Date

06-16-2022

CAPITAL PROJECT FACT SHEET

Project ID:*
P0028

☐ CBA

Fact Sheet Date:*
01-21-2022

Fact Sheet Year:*
2022

Project Title:*
BRONX RIVER PARKWAY (NB:
NORTH OF COUNTY CENTER) OVER
BRONX RIVER, GREENBURGH (BIN
3348670)

Legislative District ID:
8,

Category*
PARKWAYS

Department:*
PUBLIC WORKS

CP Unique ID:
1887

Overall Project Description

This project shall fund the replacement of the existing structure including construction of pile foundations, abutments, structural deck, approaches, railings and associated work. The project shall also fund the replacement of culverts CBP0040, CBP0050, CBP0060 and associated work. The existing structure was built in 1923 and is 33' long by 31' wide.

- | | | |
|---------------------------------------------------------------|--------------------------------------------------|----------------------------------------------------|
| <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	2022	2023	2024	2025	2026	Under Review
Gross	9,615	9,615	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	9,615	9,615	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,388

Current Bond Description: Funding is requested for construction associated with the replacement of the existing structure including construction of pile foundations, abutments, structural deck, approaches, railings and related work. The project shall also fund the replacement of culverts CBP0040, CBP0050, CBP0060 and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	8,065,000
Cash:	0
Total:	\$ 8,065,000

SEQR Classification:
UNLISTED

Amount Requested:
8,065,000

Comments:
Bridge Condition Rating: 4.57 (2021); AADT: 15,200

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	9,100,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT.
2020	515,000	COST ESCALATION

Total Appropriation History:
9,615,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	162	1,550,000		0 PLANNING CONSTRUCTION OF BRONX RIVER PKWY BRIDGE

Total Financing History:

1,550,000

Recommended By:**Department of Planning**

WBB4

Date

06-15-2022

Department of Public Works

JZR7

Date

06-16-2022

Budget Department

LMY1

Date

06-16-2022

Requesting Department

JZR7

Date

06-16-2022

CAPITAL PROJECT FACT SHEET

Project ID:*
P0029

☒ CBA

Fact Sheet Date:*
03-07-2022

Fact Sheet Year:*
2022

Project Title:*
BRONX RIVER PARKWAY OVER
BRONX RIVER (NORTH & SOUTH OF
LEEWOOD DR), EASTCHESTER (BIN
3348829/BIN 3348839)

Legislative District ID:
10,

Category*
PARKWAYS

Department:*
PUBLIC WORKS

CP Unique ID:
1908

Overall Project Description

This project shall fund the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, channel width to be increased where possible, installation of bank protection where erosion is evident and associated work. The structure north of Leewood Drive was built in 1921 and is 47' long by 60' wide. The structure south of Leewood Drive was built in 1925 and is 39' long by 45' wide.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	5,410	4,610	0	0	0	0	0	800
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,410	4,610	0	0	0	0	0	800

Expended/Obligated Amount (in thousands) as of : 390

Current Bond Description: Additional funding is requested for the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, located in the Town of Eastchester.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	800,000
Cash:	0
Total:	\$ 800,000

SEQR Classification:
TYPE II

Amount Requested:
800,000

Comments:

The bids received were higher than the available construction funding. In order to proceed with the project this year, the available construction management funding was used to award the construction contract. In addition, based on the final design, the construction time frame is longer than originally estimated. Therefore, a capital budget amendment in the amount of \$800,000, shown under review, is requested to cover the costs of construction management.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2018	4,610,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT.

Total Appropriation History:
4,610,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	164	4,610,000	127,598	RECONSTRUCTION OF BRONX RIVER PKWY BRIDGE (NORTH AND SOUTH OF LEEWOOD DRIVE)

Total Financing History:

4,610,000

Recommended By:**Department of Planning**

WBB4

Date

05-06-2022

Department of Public Works

RJB4

Date

05-08-2022

Budget Department

LMY1

Date

05-09-2022

Requesting Department

JZR7

Date

05-11-2022

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	19,886	8,000					
Non County Share			169						
Total	40,600	32,600	20,055	8,000					

Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

Current Year Description

The current year request funds additional work for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	8,000,000			8,000,000

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
2011	8,000,000	Phase I design & construction	COMPLETE
2012	8,000,000	Continuation of this project	CONSTRUCTION
2016	8,600,000	Continuation of this project	\$3,900,000 - CONSTRUCTION; \$4,700,000 - AWAITING BOND AUTHORIZATION
2021	8,000,000	Construction of this project	AWAITING BOND AUTHORIZATION
Total	32,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	32,600,000	18,901,840	13,698,160
Others		(169,448)	169,448
Total	32,600,000	18,732,392	13,867,608

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
29	13				
11	19	187,346	12/10/19	156,451	
			12/10/19	30,895	
12	19	9,900,000	12/10/19	8,267,396	
			12/10/19	1,632,604	
189	19	9,812,654	10/28/20	4,385,571	4,812,608
			10/28/20	614,475	
			10/28/20	169,448	
			10/28/20	(169,448)	
Total		19,900,000		15,087,392	4,812,608

**BRONX RIVER PARKWAY (NB: NORTH OF COUNTY CENTER) OVER BRONX RIVER,
GREENBURGH (BIN 3348670)
(P0028)**

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	9,615	9,615	1,388						
Non County Share									
Total	9,615	9,615	1,388						

Project Description

This project shall fund the replacement of the existing structure including construction of pile foundations, abutments, structural deck, approaches, railings and associated work. The project shall also fund the replacement of culverts CBP0040, CBP0050, CBP0060 and associated work. The existing structure was built in 1923 and is 33' long by 31' wide.

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	9,100,000	Design, construction and construction management.	\$1,550,000 - DESIGN; \$7,550,000 - AWAITING BOND AUTHORIZATION AWAITING BOND AUTHORIZATION
2020	515,000	Cost escalation	
Total	9,615,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,615,000		9,615,000
Total	9,615,000		9,615,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
162 19	1,550,000			1,550,000
Total	1,550,000			1,550,000

**BRONX RIVER PARKWAY OVER BRONX RIVER (NORTH & SOUTH OF LEEWOOD DR),
EASTCHESTER (BIN 3348829/BIN 3348839)
(P0029)**

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	4,610	4,610	375						
Non County Share			2						
Total	4,610	4,610	377						

Project Description

This project shall fund the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, channel width to be increased where possible, installation of bank protection where erosion is evident and associated work. The structure north of Leewood Drive was built in 1921 and is 47' long by 60' wide. The structure south of Leewood Drive was built in 1925 and is 39' long by 45' wide.

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
2018	4,610,000	Design, construction and construction management.	DESIGN
Total	4,610,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,610,000	129,321	4,480,679
Others		(1,723)	1,723
Total	4,610,000	127,598	4,482,402

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
164 19	4,610,000	10/28/20	44,593	4,559,159
		10/28/20	6,248	
		10/28/20	1,723	
		10/28/20	(1,723)	
Total	4,610,000		50,841	4,559,159

**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 total amount of \$1,100,000, to finance a component of capital project P0024 – Bronx River Parkway Rehabilitation Program (“P0024”).

The Bond Act, 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 upgrade of the existing “cobra head” and “teardrop” lighting fixtures to LED lighting fixtures along the Bronx River Parkway. Also included in the project is the replacement of any missing or damaged light poles, arms, bases, and associated work.

The Department of Public Works & Transportation (“Department”) has advised that this capital project was created to provide various rehabilitation projects along the Bronx River Parkway. Previous components have included roadway resurfacing, guiderail replacement, concrete curb replacement, drainage improvements, new vehicle detection sensors, new pavement markings and related work. The current request will provide for the replacement of the existing roadway lighting fixtures with new energy efficient LED lighting fixtures.

Following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take nine (9) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, 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 has carefully considered the proposed Bond Act and most respectfully recommends approval of same.

Dated: September 7, 2022
White Plains, New York

COMMITTEE ON

s/jg/5-12-22

W. M. Mc
Nancy Barr
Henry J. Zellerbach
Debra Patti
Colin O'Hara
Budget & Appropriations


Sella

Nancy E. Barr
Colin O'Hara

Public Works & Transportation

Dated: September 7, 2022

White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations



Catherine F. Parker

David A. Jablonski

Catherine Byrnes

Public Works & Transportation



Catherine F. Parker

David A. Jablonski

Catherine Byrnes

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: P0024

☐ 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 \$ 1,100,000 PPU 5 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 234,595

Total Debt Service (Annual Cost x Term): \$ 1,172,975

Finance Department: Interest rates from July 5, 2022 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: 12

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Planning)

Department: Department of Public Works and Transportation


Date: 7/5/22

Reviewed By: [Signature]

Budget Director

Date: 7/5/22

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

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

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
P0024 BRONX RIVER PARKWAY REHABILITATION PROGRAM**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-06-2022 (Unique ID: 1937)

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 Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation
Jonna Robins, Program Administrator, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,100,000 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 UPGRADING OF LIGHTING FIXTURES ALONG THE BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,100,000 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, \$1,100,000 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 of the upgrading of the existing "cobra head" and "teardrop" lighting fixtures to LED lighting fixtures along the Bronx River Parkway; as well as the replacement of any missing or damaged light poles, arms, bases, 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,100,000. The plan of financing includes the issuance of \$1,100,000 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 \$1,100,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.89 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 \$1,100,000. 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 \$1,100,000 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 \$1,100,000 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 UPGRADING OF LIGHTING FIXTURES ALONG THE BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,100,000 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 of the upgrading of the existing "cobra head" and "teardrop" lighting fixtures to LED lighting fixtures along the Bronx River Parkway; as well as the replacement of any missing or damaged light poles, arms, bases, and associated work, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued
and period of probable usefulness: \$1,100,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*

P0024

☐ CBA

Fact Sheet Date:*

04-21-2022

Fact Sheet Year:*

2022

Project Title:*

BRONX RIVER PARKWAY
REHABILITATION PROGRAM

Legislative District ID:

3, 15, 14, 12, 10, 8, 5,

Category*

PARKWAYS

Department:*

PUBLIC WORKS

CP Unique ID:

1937

Overall Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	8,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	40,600	32,600	8,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 19,891

Current Bond Description: Funding is requested for design, construction management, and construction to upgrade the existing "cobra head" and "teardrop" lighting fixtures to LED lighting fixtures along the Bronx River Parkway. Also included in the project is the replacement of any missing or damaged light poles, arms, bases, and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,100,000
Cash:	0
Total:	\$ 1,100,000

SEQR Classification:

TYPE II

Amount Requested:

1,100,000

Comments:

Energy Efficiencies:

THIS PROJECT WILL REPLACE THE EXISTING ROADWAY LIGHTING FIXTURES WITH NEW ENERGY EFFICIENT LED LIGHTING FIXTURES.

Appropriation History:

Year	Amount	Description
2011	8,000,000	PHASE I DESIGN & CONSTRUCTION
2012	8,000,000	CONTINUATION OF THIS PROJECT
2016	8,600,000	CONTINUATION OF THIS PROJECT
2021	8,000,000	CONSTRUCTION OF THIS PROJECT
2022	8,000,000	CONSTRUCTION

Total Appropriation History:

40,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	29	0	0	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS
19	12	9,900,000	9,900,000	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX RIVER PARKWAY TO SCARSDALE ROAD IN YONKERS
19	189	9,812,654	8,645,046	
19	11	187,346	187,346	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS

Total Financing History:

19,900,000

Recommended By:**Department of Planning**

WBB4

Date

05-06-2022

Department of Public Works

RJB4

Date

05-08-2022

Budget Department

LMY1

Date

05-09-2022

Requesting Department

JZR7

Date

05-11-2022

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	19,886	8,000					
Non County Share			169						
Total	40,600	32,600	20,055	8,000					

Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

Current Year Description

The current year request funds additional work for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	8,000,000			8,000,000

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
2011	8,000,000	Phase I design & construction	COMPLETE
2012	8,000,000	Continuation of this project	CONSTRUCTION
2016	8,600,000	Continuation of this project	\$3,900,000 - CONSTRUCTION; \$4,700,000 - AWAITING BOND AUTHORIZATION
2021	8,000,000	Construction of this project	AWAITING BOND AUTHORIZATION
Total	32,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	32,600,000	18,901,840	13,698,160
Others		(169,448)	169,448
Total	32,600,000	18,732,392	13,867,608

**BRONX RIVER PARKWAY REHABILITATION PROGRAM
(P0024)**

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
29	13				
11	19	187,346	12/10/19	156,451	
			12/10/19	30,895	
12	19	9,900,000	12/10/19	8,267,396	
			12/10/19	1,632,604	
189	19	9,812,654	10/28/20	4,385,571	4,812,608
			10/28/20	614,475	
			10/28/20	169,448	
			10/28/20	(169,448)	
Total		19,900,000		15,087,392	4,812,608

**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 total amount of \$2,500,000, to finance a component of capital project P0024 – Bronx River Parkway Rehabilitation Program (“P0024”).

The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will finance the cost of design associated with the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road. The Department of Public Works & Transportation (“Department”) has advised that the work to be performed under this component of the project will include: milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work. The project will also address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace. In addition, wall rehabilitation on left side of the northbound parkway, north of Harney Road, will be performed and a new barrier on the left side of the southbound parkway will be installed to replace the existing temporary barrier. In addition, installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road will be performed.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Boards further approval of construction funding.

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 has carefully considered the proposed Bond Act and most respectfully recommends approval of same.

Dated: September 7, 2022
White Plains, New York


David M. Lee
Maurice Barr
Henry G. Green Johnson
Nedat Luchi
Colin J. Smith

s/jg/5-12-22

COMMITTEE ON

Budget & Appropriations


Maurice Barr
Colin J. Smith

Public Works & Transportation

Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations



Catherine F. Parker



Public Works & Transportation



Catherine F. Parker



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: P0024

☐ 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 \$ 2,500,000 PPU 5 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 533,170

Total Debt Service (Annual Cost x Term): \$ 2,665,850

Finance Department: Interest rates from July 5, 2022 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: 27

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Department of Public Works and Trans


Date: 7/5/22

Reviewed By: 

Budget Director

Date: 7/5/22

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

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

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
P0024 BRONX RIVER PARKWAY REHABILITATION PROGRAM**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-06-2022 (Unique ID: 1927)

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 is 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 Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation
Jonna Robins, Program Administrator, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,500,000 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 REHABILITATION OF BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 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, \$2,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of Bronx River Parkway, including the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement

markings; and related work; improvement to address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace, as well as, north of Harney Road, wall rehabilitation on left side of the northbound parkway and a new barrier on the left side of the southbound parkway to replace the existing temporary barrier; installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road; 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 \$2,500,000. The plan of financing includes the issuance of \$2,500,000 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. 62(2nd) of the Law, is five (5) years.

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

\$2,500,000. 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 \$2,500,000 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 \$2,500,000 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 REHABILITATION OF BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 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 preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of Bronx River Parkway, including the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work; improvement to address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace, as well as, north of Harney Road, wall rehabilitation on left side of the northbound parkway and a new barrier on the left side of the southbound parkway to replace the existing temporary barrier; installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road; 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: \$2,500,000; 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

Project ID:*
P0024

☐ CBA

Fact Sheet Date:*
04-14-2022

Fact Sheet Year:*
2022

Project Title:*
BRONX RIVER PARKWAY
REHABILITATION PROGRAM

Legislative District ID:
3, 15, 14, 12, 10, 8, 5,

Category*
PARKWAYS

Department:*
PUBLIC WORKS

CP Unique ID:
1927

Overall Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	8,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	40,600	32,600	8,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 19,891

Current Bond Description: Funding is requested for design associated with the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work. The project will also address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace. In addition, north of Harney Road, wall rehabilitation on left side of the northbound parkway and a new barrier on the left side of the southbound parkway to replace the existing temporary barrier; installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,500,000
Cash:	0
Total:	\$ 2,500,000

SEQR Classification:
TYPE II

Amount Requested:
2,500,000

Comments:
PCI: 60 (2019); AADT: 31,849

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2011	8,000,000	PHASE I DESIGN & CONSTRUCTION
2012	8,000,000	CONTINUATION OF THIS PROJECT
2016	8,600,000	CONTINUATION OF THIS PROJECT
2021	8,000,000	CONSTRUCTION OF THIS PROJECT
2022	8,000,000	CONSTRUCTION

Total Appropriation History:

40,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	29	0	0	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS
19	12	9,900,000	9,900,000	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX RIVER PARKWAY TO SCARSDALE ROAD IN YONKERS
19	189	9,812,654	8,645,046	
19	11	187,346	187,346	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS

Total Financing History:

19,900,000

Recommended By:**Department of Planning**

WBB4

Date

05-06-2022

Department of Public Works

RJB4

Date

05-08-2022

Budget Department

LMY1

Date

05-31-2022

Requesting Department

JZR7

Date

05-31-2022

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	19,886	8,000					
Non County Share			169						
Total	40,600	32,600	20,055	8,000					

Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

Current Year Description

The current year request funds additional work for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	8,000,000			8,000,000

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
2011	8,000,000	Phase I design & construction	COMPLETE
2012	8,000,000	Continuation of this project	CONSTRUCTION
2016	8,600,000	Continuation of this project	\$3,900,000 - CONSTRUCTION; \$4,700,000 - AWAITING BOND AUTHORIZATION
2021	8,000,000	Construction of this project	AWAITING BOND AUTHORIZATION
Total	32,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	32,600,000	18,901,840	13,698,160
Others		(169,448)	169,448
Total	32,600,000	18,732,392	13,867,608

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
29	13				
11	19	187,346	12/10/19	156,451	
			12/10/19	30,895	
12	19	9,900,000	12/10/19	8,267,396	
			12/10/19	1,632,604	
189	19	9,812,654	10/28/20	4,385,571	4,812,608
			10/28/20	614,475	
			10/28/20	169,448	
			10/28/20	(169,448)	
Total		19,900,000		15,087,392	4,812,608

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a report from the Westchester County Agriculture and Farmland Protection Board, dated May 10, 2022 and revised June 9, 2022, stating its recommendations concerning six requests for the inclusion of viable agricultural land within Westchester County Agricultural District No. 1.

Your Committee has carefully reviewed the above-referenced report and is aware that this Honorable Board is charged with the duty, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, of scheduling a Public Hearing concerning requests to add parcels to an existing Westchester County Agricultural District and the recommendations of the Westchester County Agriculture and Farmland Protection Board concerning those requests.

Your Committee recommends that this Honorable Board carry out the foregoing statutory duty by adopting a Resolution scheduling a Public Hearing upon the proposed additions to Westchester County Agricultural District No. 1 as soon as possible.

Your Committee would further advise, based upon its careful review of the report of the Westchester County Agriculture and Farmland Protection Board and barring the emergence of any adverse information during the course of the scheduled Public Hearing, that this Honorable Board, by Resolution, approve the inclusion in Westchester County Agricultural District No. 1 of so many of the pending requests as are consistent with the recommendation of the Westchester County Agriculture and Farmland Protection Board.

Additionally, and as you know, your Honorable Board must comply with the requirements of the State Environmental Quality Review Act ("SEQRA"). The Department of Planning has advised that this proposed Resolution is classified as an Unlisted Action under SEQRA regulations that requires the adoption of the attached Negative Declaration. Your Committee concurs in this conclusion.

As this project is an "Unlisted" action under SEQRA, your Committee is also in receipt of an Environmental Assessment Form prepared by the Department of Planning to assist this Honorable Board in making a determination as required by SEQRA, which is necessary if this Honorable Board is to approve the attached Resolution.

Your Committee has carefully considered the proposed legislation. It has reviewed the attached Environmental Assessment Form and the criteria contained in Section 617.7 of 6 NYCRR Part 617, the SEQRA regulations, to identify the relevant areas of environmental concern.

Your Committee has thoroughly analyzed the identified relevant areas of concern to determine if the proposed action may have a significant impact on the environment. For reasons set forth in the attached proposed Negative Declaration, your Committee believes that the proposed action will not have any significant impact on the environment and accordingly recommends passage of the annexed Resolution.

Your Committee has carefully considered the proposed legislation and recommends that your Honorable Board adopt a Resolution scheduling a public hearing concerning pending requests to add additional parcels to Westchester County Agricultural District No. 1 as well as a further Resolution, barring the emergence of any adverse information during the course of the scheduled Public Hearing, approving the inclusion in Westchester County Agricultural District

No. 1 of so many of the pending requests as are consistent with the recommendation of the Westchester County Agriculture and Farmland Protection Board.

Your Committee requests that the Clerk of the Board notify each community in which the additional parcels are located of the date and time of the Public Hearing.

Dated: July 19, 2022
White Plains, New York

Manay & San
Kyle

James Zellerbach

COMMITTEE ON Environment, Energy & Climate

FISCAL IMPACT STATEMENT

SUBJECT: Agricultural District Adds ☒ 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 0

Describe: No impact.

Potential Related Operating Budget Revenues: Annual Amount 0

Describe: No impact.

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

Current Year: Processing of applications is performed by Planning Department staff.

Next Four Years: Annual application period is required by New York State Agricultural Districts Law.

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Department of Planning

Date: June 16, 2022

Reviewed By: 

Budget Director

Date: 6/16/22

NOTICE

NOTICE IS HEREBY GIVEN that, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, the Westchester County Board of Legislators has received requests for the inclusion of additional parcels of predominantly viable agricultural land within Westchester County Agricultural District No. 1.

Those additional parcels are described as follows:

Request No.	Street Address	Municipality	Acreage (approx.)
2022-03	131 Route 100	Somers	3.2
	129 Route 100	Somers	5.9
	198 Route 100	Somers	2.0
	194 Route 100	Somers	1.9
	190 Route 100	Somers	5.0
	190 Route 100	Somers	4.3
2022-04	9 Orchard Hill Rd	Somers	5.4
2022-06	1225 Whitehill Rd	Yorktown	7.0

The Westchester County Board of Legislators, pursuant to Section 303-b of the New York State Agriculture and Markets Law and Westchester County Act No. 95-2017, shall hold a public hearing to consider the proposed inclusion of these additional parcels of land in Westchester County Agricultural District No. 1 and the recommendations of the Westchester County Agriculture and Farmland Protection Board. The public hearing will be held at 7:30 p.m. on the _____ day of _____, 2022 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York.



Report of the
Westchester County Agriculture and Farmland Protection Board
for the Addition of New Parcels to
Westchester County Agricultural District No. 1
Calendar Year 2022
Adopted May 10, 2022
Revised June 9, 2022

Background:

Westchester County encourages the preservation of agricultural land and the promotion of the agricultural industry within the county in recognition of the important role it plays in protecting open space and the environment; preserving community, cultural, and scenic character; providing locally grown agricultural products; offering unique agricultural services and educational opportunities; and supporting the economy. The County has implemented a number of programs and initiatives to protect its remaining farmland and encourage a strong agricultural industry, including the creation of the County Agriculture and Farmland Protection Board and the Westchester County Agricultural District. Agricultural districts provide benefits that help make and keep farming as a viable economic activity, thereby maintaining land in active agricultural use. Agricultural districts encourage development pressure to focus on other areas of a community and provide farm owners protection under the state's Right to Farm laws.

Agricultural Districts must be recertified periodically (the review period for Westchester's Agricultural District is every eight years). The Westchester County Agricultural District was certified by the New York State Commissioner of Agriculture in 2001. The County began the evaluation and recertification process in 2008, culminating with the submission in 2010 of proposed modifications to the District. The District was recertified by the Commissioner of Agriculture in September 2011, incorporating those proposed modifications, which include limiting the District to the Towns of Cortlandt, Yorktown, Somers, North Salem, Bedford and Lewisboro; the Village of Sleepy Hollow and the portion of Mount Pleasant west of the Taconic State Parkway. The following criteria were also developed to be used in the evaluation of proposals to include additional land within the district. The District was recertified in 2017 with the same geographic limitations and evaluation criteria.

1. **Farm operations must be of a minimum size or scale.** For each farm operation (not each individual parcel), the total area of the farm parcels must be a minimum of seven acres and the farm must have a minimum of \$10,000 annual gross sales value, as defined in Ag and Markets Law. A farm operation that does not meet the seven-acre minimum may be eligible for inclusion if it has a minimum of \$50,000 annual gross sales value, as defined in Ag and Markets Law.
2. **Individual parcels must function as a single farm.** If parcels of land are not contiguous, the applicant must adequately demonstrate that the individual parcels function as a single farm operation.
3. **The parcel(s) must be able to support the agricultural activity.** The applicant must demonstrate that the land is capable of supporting the agricultural activity.
4. **The agricultural operation must be the predominant commercial land use of the site.** The agricultural activity on each parcel of land must constitute a minimum of 51% of the land area of the parcel, excluding fallow land, wooded portions of the property or portions of the property used as a

residence. The agricultural activity on each parcel of land must also constitute a minimum of 51% of the annual gross sales value generated on the parcel.

5. **Sound agricultural practices must be employed to protect environmental resources.** Applicants must demonstrate that the agricultural operation is operating under a Whole Farm Plan, nutrient management plan, integrated pest management plan or similar plan to ensure that excess nutrients, pesticides, herbicides and pathogen transfer off-site is avoided to the maximum extent practical through the implementation of agricultural best management practices.
6. **Other information may be required.** The Agriculture and Farmland Protection Board reserves the right to request additional information it determines necessary to fully evaluate the operation or land.

In 2003 New York State Agriculture and Markets Law (AML) was amended to allow property owners to petition to include their lands within an existing agricultural district. Prior to the 2003 amendment, property owners would have to wait until the district was renewed at the end of the recertification period. Lands to be included in the district must be determined to be predominantly viable agricultural land per AML §301.7 and also serve the public interest by assisting in maintaining a viable agricultural industry within the district. Applications are made to the Westchester County Board of Legislators, which refers the requests to the Westchester County Agriculture and Farmland Protection Board (AFPB) for review and recommendation back to the Board of Legislators. Final recommendations are sent to the State Commissioner of Agriculture for review and certification. The application period ends March 31 of each year. This report represents the results of the review of the AFPB for applications received for 2022.

2022 Recommendations:

For calendar year 2022, the Westchester County Agriculture and Farmland Protection Board received six (6) applications for the inclusion of additional land within Westchester County Agricultural District Number 1. The AFPB recommends inclusion of Application 2022-03, 2022-04 (only the parcel at 9 Orchard Hill Road) and 2022-06. More detailed information follows.

Application	Farm Name	SBL	Acres	Street Address	Municipality
2022-01	Three Feathers Haberny's Farm	77.11-2-5	±16.0	371 Smith Ridge Rd	Lewisboro
2022-02	Birdstone Farm	53.1-3-20	±43.8	20 Boutonville Rd So.	Lewisboro
2022-03	Katonah Nursery	38.13-1-6	±3.2	131 Route 100	Somers
		38.13-1-7	±5.9	129 Route 100	Somers
		28.17-2-1	±2.0	198 Route 100	Somers
		38.05-2-1	±1.9	194 Route 100	Somers
		38.05-2-2	±5.0	190 Route 100	Somers
		38.05-2-3.1	±4.3	190 Route 100	Somers
2022-04	Orchard Hill Organics	37.14-1-10	±5.4	9 Orchard Hill Rd	Somers
		37.14-1-2	±3.6	12 Orchard Hill Rd	Somers
2022-05	Cipriano Farm	77.11-2-11	±0.5	387 Smith Ridge Rd	Lewisboro
		77.04-3-61	±3.0	469 Smith Ridge Rd	Lewisboro
		77.04-3-59	±1.3	475 Smith Ridge Rd	Lewisboro
		77.04-3-58	±0.7	5 East St	Lewisboro
2022-06	Anther Farm	36.15-1-19	±7.0	1225 Whitehill Rd	Yorktown

Date of Report:

The Westchester County Agriculture and Farmland Protection Board (AFPB) adopted this report by a unanimous vote at its May 10, 2022 meeting and revised it by email vote on June 9, 2022.

Detailed Information:

Following is a more detailed review of each of the applications, along with the recommendations of the AFPB.

DETAILED REVIEW

Application Number: 2022-01

Applicant: Joseph Haberny

Farm Name: Haberny's Three Feathers Farm

Farm Operation: Farm (produce and livestock products) and Farm Stand

Property Address: 371 Smith Ridge Road, Lewisboro

Tax Parcel Identification (Section-Block-Lot): 77.11-2-5 **Acres:** ±16.0

AFPB Site Visit Date: April 25, 2022

Description of Property and Operation:

The farm was previously included in the Agricultural District (2006), but the application wasn't renewed during the last recertification. The farm consists of one parcel approximately 16 acres in size, mostly flat but with some wetlands. The applicant proposes to continue to farm approximately 9 acres of the property for a variety of produce, as well as eggs and beef grown/raised at the farm, all sold at the farm stand. Additionally, Christmas trees and berries are also grown and sold at the farm. The applicant has plans to expand the operation to include additional livestock and Christmas trees.

Agriculture and Farmland Protection Board Assessment and Recommendation:

The AFPB recommends against inclusion of the parcel at this time. A majority of the parcel is adjacent to or within existing wetlands (NYSDEC wetland D-45). The AFPB recommends that the applicant work with the Watershed Agricultural Council or other qualified consultant to develop and implement a nutrient management plan to minimize impacts to the wetlands, particularly from the livestock operation, and resubmit an application once a plan is in place.

DETAILED REVIEW

Application Number: 2022-02

Applicant: Lee Vogelstein

Farm Name: Birdstone Farm

Farm Operation: Equine

Property Address: 20 Boutonville Road South, Lewisboro

Tax Parcel Identification (Section-Block-Lot): 53.1-3-20

Acres: ±43.8

AFPB Site Visit Date: April 25, 2022

Description of Property and Assessment of Operation:

The farm was previously included in the original Agricultural District (2001), but the application wasn't renewed during the last recertification. The property is an existing equine operation, located near the County-owned Ward Pound Ridge Reservation. The applicant proposes to continue the equine operation, expanding the current small horse boarding operation to meet the definition of a commercial boarding operation or commercial equine operation. Properties located in the Town of Pound Ridge are not eligible for inclusion in the Westchester County Agricultural District and consequently the application is only concerning the parcel located in Lewisboro.

Agriculture and Farmland Protection Board Recommendation:

The AFBP recommends against inclusion of the parcel at this time. The property and existing infrastructure are well suited for the agricultural operation. However, the operation is currently not commercial in nature. The AFBP recommends that the applicant resubmit with supporting information demonstrating that the operation meets the definition of a commercial operation pursuant to Ag and Markets Law (Section 301 of 25-AA), which requires the stabling or boarding of at least ten horses and receipt of ten thousand dollars or more in gross revenue.

DETAILED REVIEW

Application Number: 2022-03

Applicant: Joseph and Elisa Lopane

Farm Name: Katonah Nursery

Farm Operation: Nursery (ornamental horticulture)

Property Address: 131 and 194 Route 100, Somers

Tax Parcel Identification	(Section-Block-Lot):	Acres:
131 Route 100	38.13-1-6	±3.2
	38.13-1-7	±5.9
194 Route 100	28.17-2-1	±2.0
	38.05-2-1	±1.9
	38.05-2-2	±5.0
	38.05-2-3.1	±4.3

AFPB Site Visit Date: April 25, 2022

Description of Property and Assessment of Operation:

The farm was previously included in the original Agricultural District (2001), but the application wasn't renewed during the last recertification. The operation is a nursery and commercial horticulture operation, for plants grown on-site as well as plants grown on approximately 140 acres of other property in Dutchess County. The applicant proposes to continue the commercial nursery operation on the property. The operation is also a participant in the Watershed Agricultural Council's program.

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends inclusion of all parcels.

DETAILED REVIEW

Application Number: 2022-04

Applicant: David J. Rowe

Farm Name: Orchard Hill Organics

Farm Operation: Produce

Property Address: 9 and 12 Orchard Hill Road, Somers

Tax Parcel Identification (Section-Block-Lot):	37.14-1-10	Acres:	±5.4
	37.14-1-2		±3.6

AFPB Site Visit Date: April 25, 2022

Description of Property and Assessment of Operation:

The applicant is currently operating a commercial farm producing a variety of fruits and vegetables, grown in greenhouses and outdoors, for sale at farm markets and directly to consumers through a Community Supported Agriculture operation and online. The parcel on the west side of Orchard Hill Road has relatively steep, wooded slopes but has been improved to provide level growing beds and greenhouses. A parcel on the east side of Orchard Hill Road has been purchased. It is currently wooded and includes an existing residence, ancillary buildings and lawn area. The additional parcel is proposed to be improved to include fruit trees and shrubs. The farm is being considered for inclusion in the Watershed Agricultural Council's programs for agricultural best management practices to better manage composting and other operations at the farm.

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends inclusion of the parcel on the west side of Orchard Hill Road only and recommends that the applicant resubmit an application for the parcel on the east side of Orchard Hill Road once an operation has commenced or more detailed plans have been prepared. The AFPB notes that both parcels are located in a relatively dense residential neighborhood with minimal setback or buffers from adjacent residences and recommends that the applicant pursue the installation and maintenance of vegetated buffers where appropriate to minimize any impacts to neighboring residences.

DETAILED REVIEW

Application Number: 2022-05

Applicant: Avraam Apazidis c/o Cipriano Farm

Farm Name: Cipriano Farm

Farm Operation: Nursery (commercial horticulture)

Property Address: 387, 469, 475 Smith Ridge Road and 5 East Street, Lewisboro

Tax Parcel Identification	(Section-Block-Lot):	Acres:
387 Smith Ridge Road	77.11-2-11	±0.5
469 Smith Ridge Road	77.04-3-61	±3.0
475 Smith Ridge Road	77.04-3-59	±1.3
5 East Street	77.04-3-58	±0.7

AFPB Site Visit Date: The applicant was not available for a site visit. The Board will continue to attempt to arrange a site visit with the applicant and may update its recommendation based on the site visit and any additional supporting information provided.

Description of Property and Assessment of Operation:

The applicant was not able to schedule a site visit and on-site meeting with the Agriculture and Farmland Protection Board. An approximately 4.8-acre parcel owned by the applicant, located at 24 East Street, was included in the agricultural district in 2017 and is currently being used to grow ornamental horticultural products. However, the parcels proposed to be added at this time appear to be primarily for the storage and/or resale of ornamental horticulture products. While a portion of the products sold are grown at the 24 East Street property, the Agriculture and Farmland Protection Board criteria requires that a minimum of 51% of the gross sales must be from products grown on the farm operation (the AFPB notes that a farm operation can include parcels that are not contiguous or even located in the same municipality).

Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends against inclusion of the parcels at this time. The AFPB recommends that the applicant resubmit next year with adequate information demonstrating that the operation meets the definition of a commercial nursery and is not predominantly reselling products grown elsewhere, which would be considered a retail operation. The Board will continue to attempt to arrange a site visit with the applicant and may update its recommendation based on the site visit and any additional supporting information provided.

DETAILED REVIEW

Application Number: 2022-06

Applicant: Ken and Myra Marsocci

Farm Name: Anther Farm

Farm Operation: Nursery (cut flowers)

Property Address: 1225 Whitehill Road, Yorktown

Tax Parcel Identification (Section-Block-Lot): 36.15-1-19

Acres: ±7.0

AFPB Site Visit Date: June 8, 2022

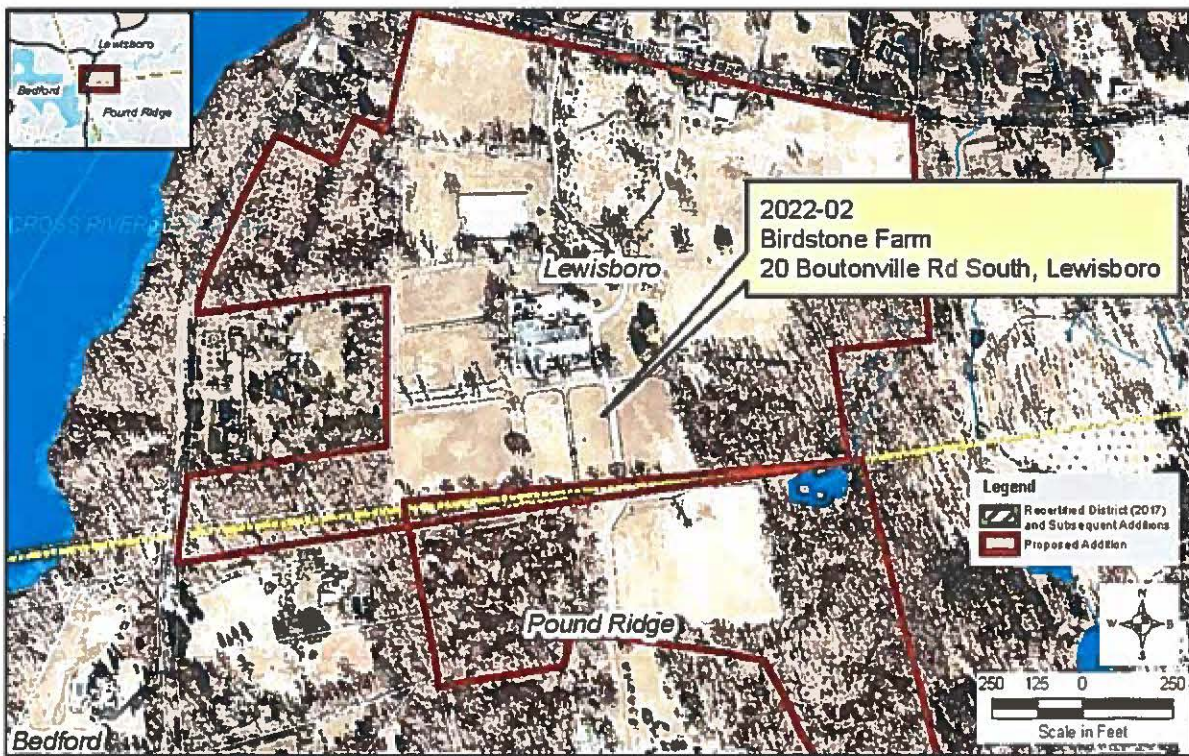
Description of Property and Assessment of Operation:

The site is approximately seven acres in size, relatively flat along Whitehill Road and sloping back to the south towards a NYSDEC wetland (A-33) in the rear of the property. Much of the parcel is appropriate for the proposed use, and the applicant has already developed approximately one acre of the front portion with greenhouses, in-ground growing areas, a farm stand and a small unpaved parking area. The operation is an organic cut flower and horticultural operation, including native plants. Part of the organic operation is the use of compost tea, and the applicants intend to be included as a pollinator friendly site in the pollinator pathway network. As the applicant continues to develop the operation and property, plans for walking trails through the woodland and wetlands will be implemented. They are consulting with the USDA Farm Services Agency to develop a plan for the use of the site that minimizes impacts to existing wetlands and buffer areas. The wetlands and an associated buffer area are regulated by the New York State Department of Environmental Conservation and will require their review.

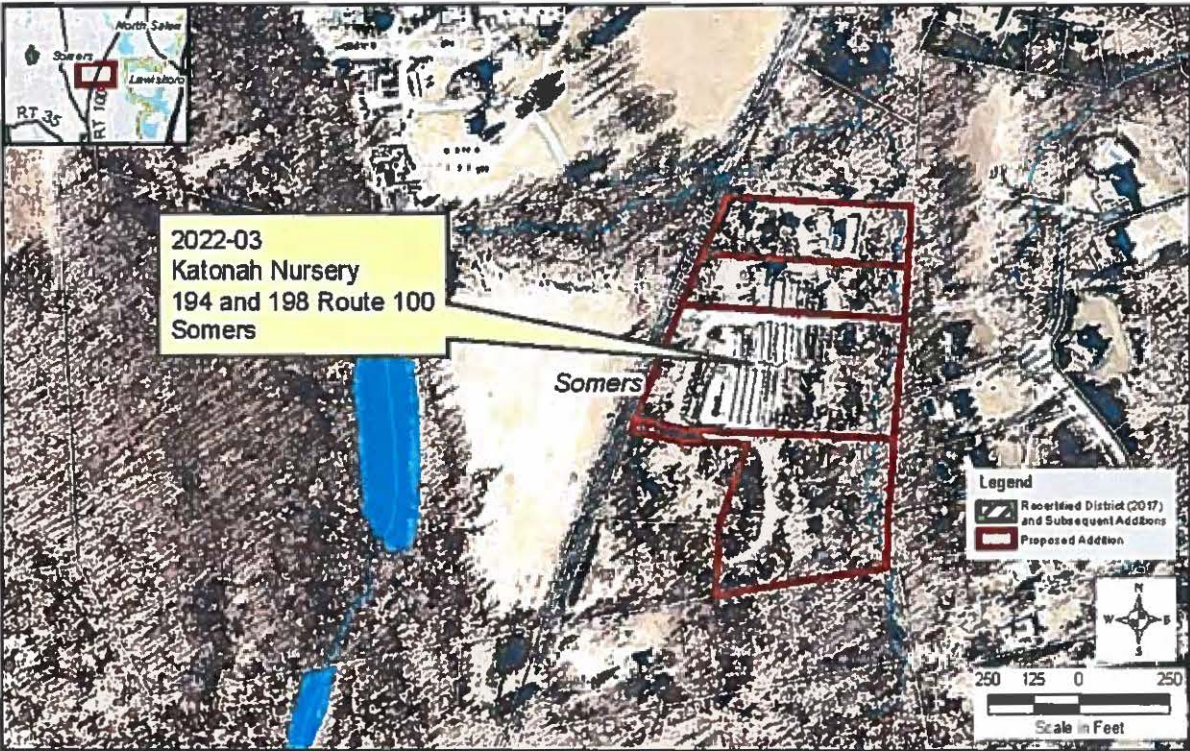
Agriculture and Farmland Protection Board Recommendation:

The AFPB recommends inclusion of this parcel. The Board agreed that an organic operation specializing in cut flowers and native plants, incorporating best management practices such as compost tea, and promoting environmental initiatives such as the pollinator pathway would be a good addition to Westchester's agricultural community and the agricultural district.

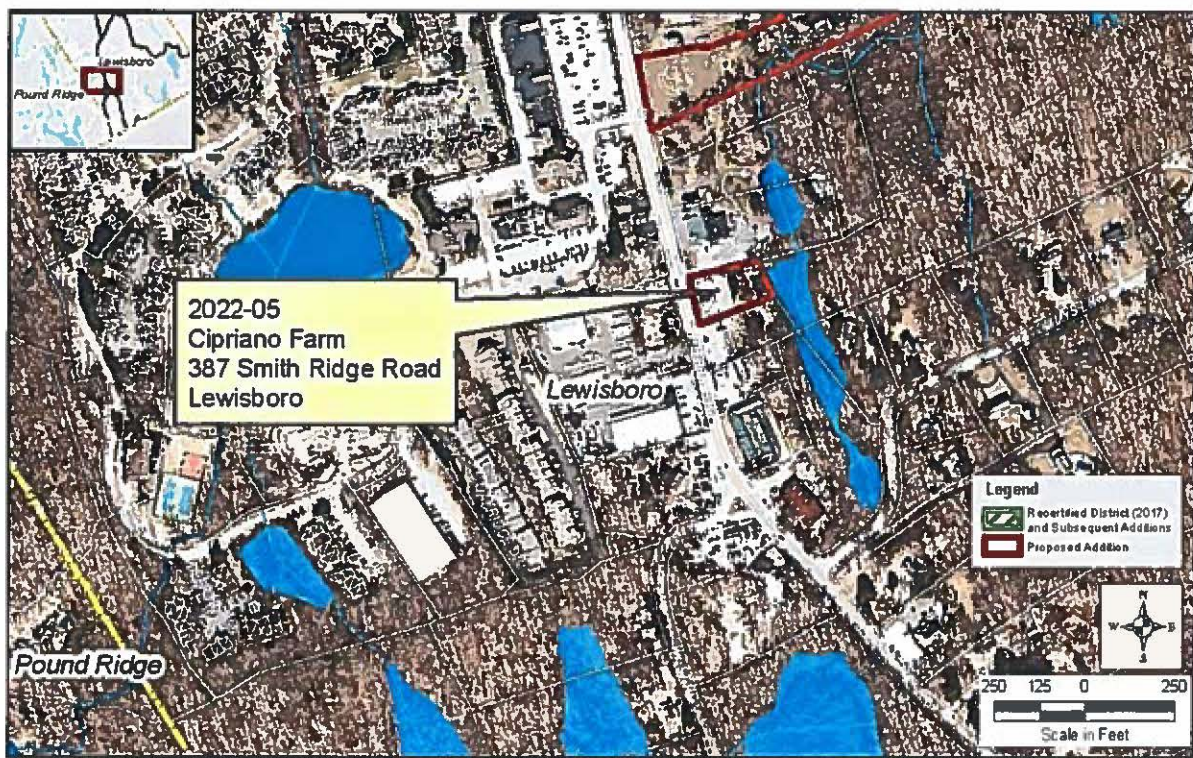
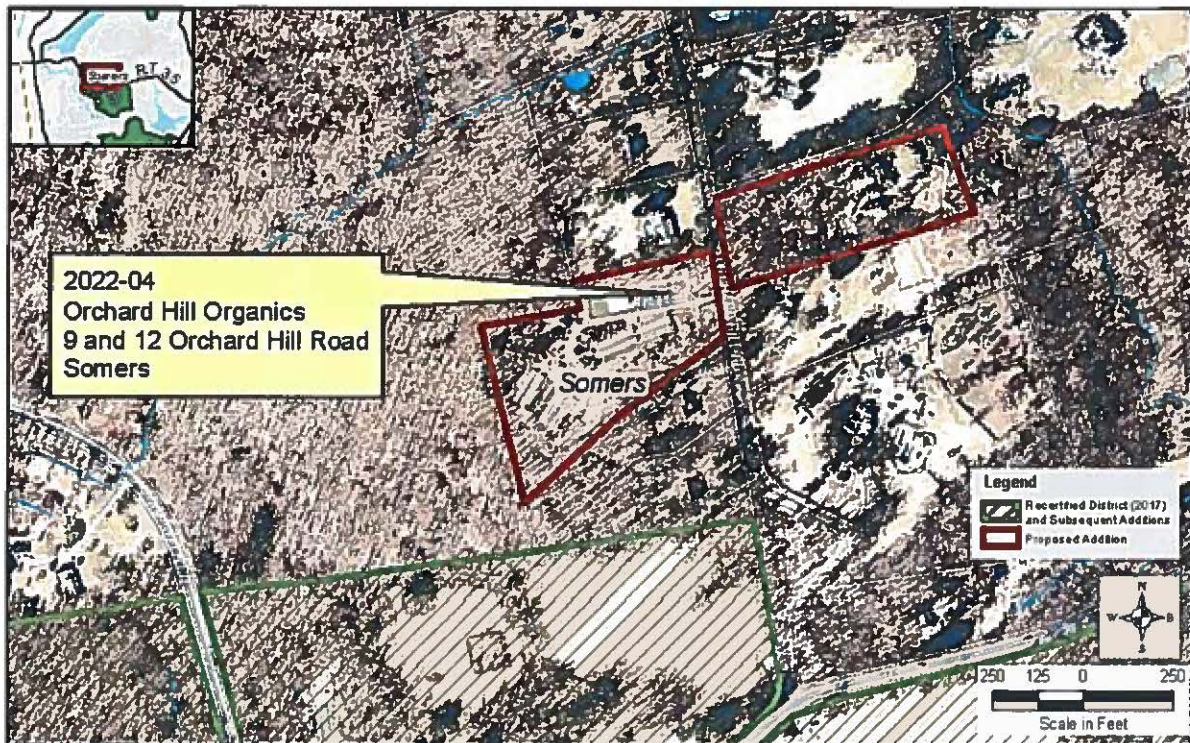
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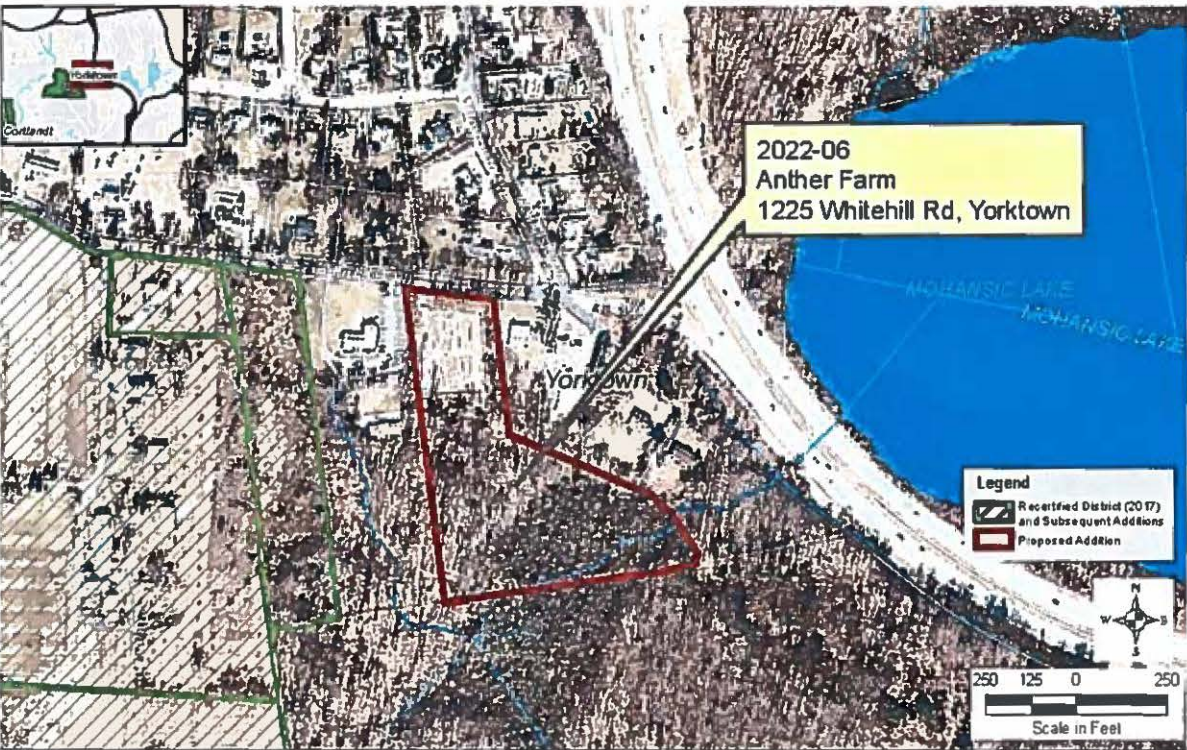
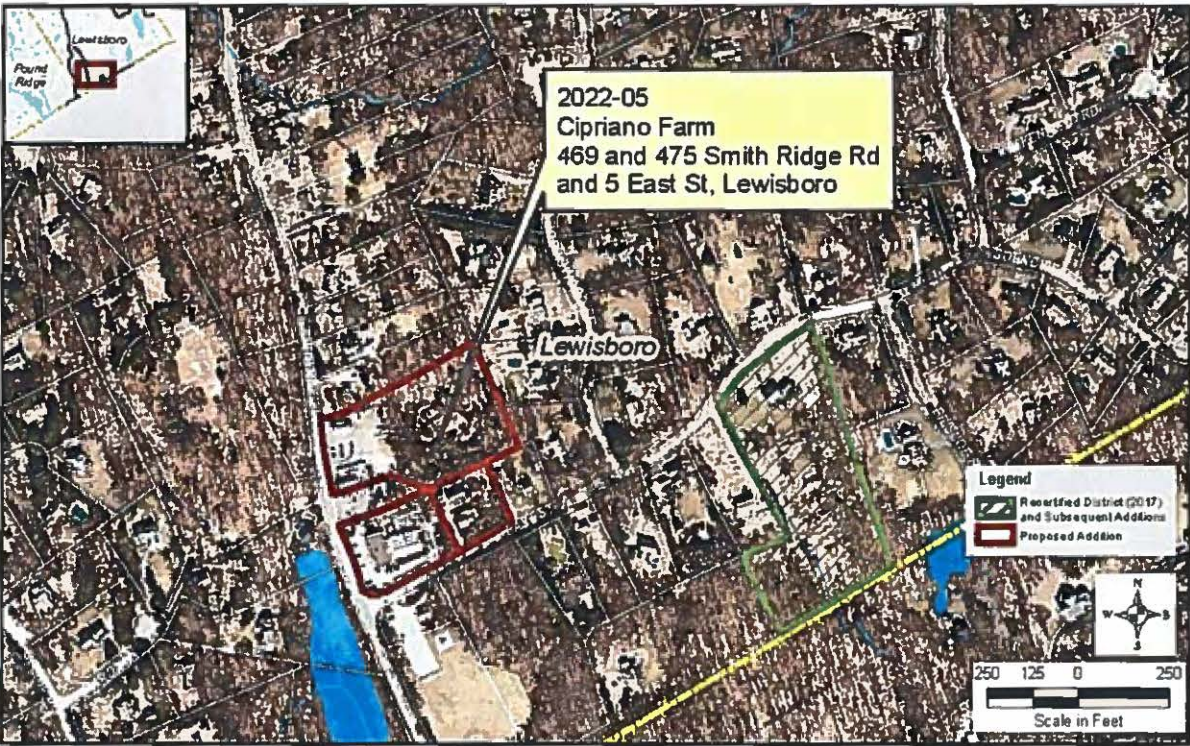
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MAPS



MAPS



RESOLUTION NO. – 2022

WHEREAS, there is pending before this Honorable Board a Resolution to approve the inclusion of additional parcels of land within the Westchester County Agricultural District; and

WHEREAS, as this project is an “Unlisted” action under the State Environmental Quality Review Act (“SEQRA”), an Environmental Assessment Form has been prepared by the Department of Planning to assist this Honorable Board in complying with its responsibilities under SEQRA; and

WHEREAS, this Honorable Board has carefully considered this proposed action and has reviewed the Environmental Assessment Form and the criteria set forth in Section 617.7 of 6 NYCRR Part 617 of the SEQRA regulations and has identified the relevant areas of environmental concern, as are fully set forth in the attached “Negative Declaration”, 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, that based on this Honorable Board’s review of the Environmental Assessment Form and for the reasons set forth in the annexed “Negative Declaration,” it is determined that there will be no adverse impact on the environment from the inclusion of additional parcels of land within the Westchester County Agricultural District; and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign and date the Determination of Significance in the attached Environmental Assessment Form as Responsible Officer in Lead Agency; thereby executing and issuing a Negative Declaration on behalf of this Board pursuant to Article 8 of the Environmental Conservation Law; and to immediately file, publish and make available the Environmental Assessment Form pursuant to the requirements of Part 617 of Title 6 of the Official Compilation of the Codes, Rule and Regulations of the State of New York; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Dated: 2022
White Plains, New York

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.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Addition of land to Westchester County Agricultural District No. 1							
Project Location (describe, and attach a location map): Various parcels in the towns of Bedford, North Salem and Yorktown (see attached list and map).							
Brief Description of Proposed Action: The Westchester County Agricultural District was created in 2001, recertified in 2011 and recertified again in 2017. Owners of farmland may apply to have their land included within the district annually, pursuant to Agricultural Districts Law. The annual 30-day window to receive applications in Westchester County is the month of March. Six applications to include additional land were received for calendar year 2022.							
Name of Applicant or Sponsor: Westchester County Board of Legislators, c/o Sunday Vanderberg, Clerk and CAO		Telephone: 914-995-4604 E-Mail: mav5@westchestergov.com					
Address: 800 Michaelian Office Building, 148 Martine Avenue, 8th Floor							
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%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><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"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">NO</td> <td style="padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<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: _____	NO <input 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: _____	NO <input type="checkbox"/>	YES <input 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 type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<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?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
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: _____	<input 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 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <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 <input type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>David Kvinge, Assistant Commissioner (preparer)</u> Date: <u>June 15, 2022</u> Signature: <u></u>		

Agency Use Only [If applicable]

Project: Westchester Ag District Additions

Date: June 15, 2022

***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.

See attachment

<input type="checkbox"/> <input checked="" type="checkbox"/>	<p>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.</p> <p>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.</p>
<p>Westchester County Board of Legislators</p> <p style="text-align: center;">Name of Lead Agency</p> <p>Sunday Vanderberg</p> <p>Print or Type Name of Responsible Officer in Lead Agency</p>	<p style="text-align: right;">Date</p> <p>Clerk and Chief Administrative Officer</p> <p style="text-align: center;">Title of Responsible Officer</p> <p style="text-align: center;"></p> <p>Signature of Preparer (if different from Responsible Officer)</p>
<p style="text-align: center;">Signature of Responsible Officer in Lead Agency</p>	<p>David Kvinge, Director of Environmental Planning</p>

STATE ENVIRONMENTAL QUALITY REVIEW

ADDENDUM TO EAF

The Proposed Action is the recommendation by the Westchester County Board of Legislators to the New York State Commissioner of Agriculture concerning the inclusion of additional parcels of land within the Westchester County Agricultural District, as provided for under Section 303-b of Article 25-AA of New York State Agriculture and Markets Law. Inclusion of parcels of land within an agricultural district does not, in and of itself, supersede or modify existing land use ordinances or regulations. Consequently, additions of land to an existing agricultural district will not result in the physical alteration of the environment or otherwise have a negative impact on the environment. Rather, the addition of land to an existing agricultural district promotes the preservation of viable agricultural land and has other environmental benefits as described below. The New York State Department of Agriculture and Markets has determined that modifications to an agricultural district are an Unlisted action with respect to SEQR. The County Board of Legislators is conducting uncoordinated review as permitted for Unlisted actions.

The applications received for 2022 are described in more detail in the 2022 report of the Westchester County Agriculture and Farmland Protection Board, including recommendations on whether to include each parcel. A map and list of the applications and individual parcels follows this narrative.

Agricultural land and the agricultural industry in Westchester County continue to be under considerable pressure to convert to other land uses, typically residential subdivision. Agricultural land contributes significantly to the quality of life in Westchester County by providing open space, links to cultural history, vegetative and wildlife habitat, and a local source of fresh food. The protection and enhancement of agricultural land is in furtherance of the County's goals, as described in the County Planning Board's long-range planning document, *Patterns for Westchester: the Land and the People*, and the County Agriculture and Farmland Protection Plan, to protect natural and cultural resources, preserve open space and community character, and reduce environmental impacts associated with development. The Westchester County Board of Legislators created the Agriculture and Farmland Protection Board and the Westchester County Agricultural District to protect agricultural land and enhance the agricultural industry in furtherance of these goals. New York State Agriculture and Markets Law requires that counties that have a certified agricultural district conduct an annual review of applications received for the inclusion of additional parcels of land within the agricultural district and submit recommendations, if warranted, to the New York State Commissioner of Agriculture.

Inclusion of additional agricultural parcels within the Agricultural District does not have a physical impact on the environment. Inclusion of land within the agricultural district furthers the goals and objectives of the County to:

- Preserve and protect the county's natural resources, including the drinking water supply;
- Assure a diverse and interconnected system of open space, supporting a variety of flora and fauna and providing contrast in the texture of the landscape;
- Enhance a broad economic base and economic opportunity within the county; and
- Protect the county's educational, cultural, historic and aesthetic resources for future generations.

Inclusion of Additional Parcels within the Westchester County Agricultural District
 Addendum to Short EAF
 Page 2

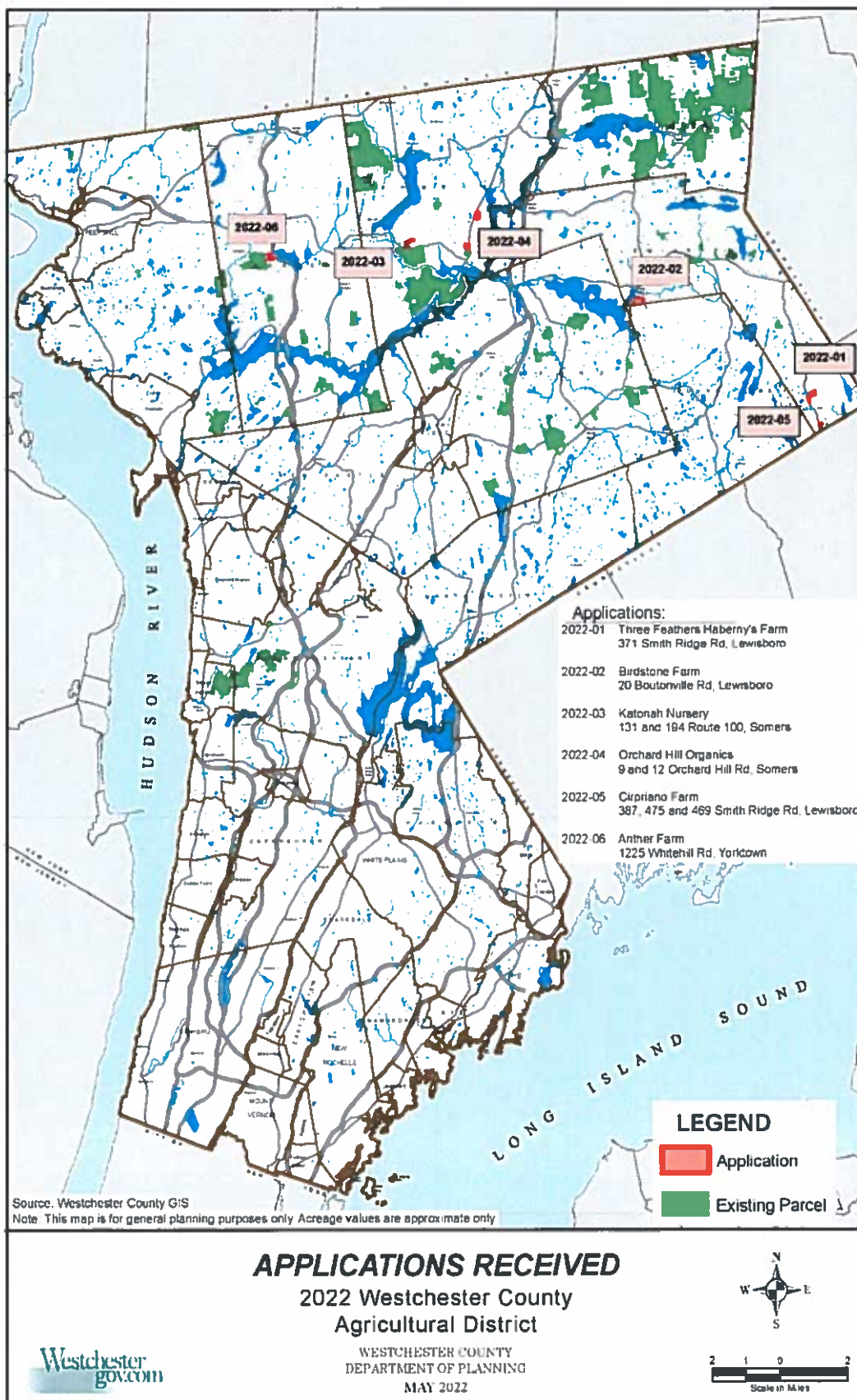
2022 APPLICATIONS TO INCLUDE ADDITIONAL PARCELS
 WITHIN THE WESTCHESTER COUNTY AGRICULTURAL DISTRICT

Application	Farm Name	SBL	Acres ¹	Street Address	Municipality
2022-01	Three Feathers Haberny's Farm	77.11-2-5	±16.0	371 Smith Ridge Rd	Lewisboro
2022-02	Birdstone Farm	53.1-3-20	±43.8	20 Boutonville Rd So.	Lewisboro
2022-03	Katonah Nursery	38.13-1-6	±3.2	131 Route 100	Somers
		38.13-1-7	±5.9	129 Route 100	Somers
		28.17-2-1	±2.0	198 Route 100	Somers
		38.05-2-1	±1.9	194 Route 100	Somers
		38.05-2-2	±5.0	190 Route 100	Somers
		38.05-2-3.1	±4.3	190 Route 100	Somers
2022-04	Orchard Hill Organics	37.14-1-10	±5.4	9 Orchard Hill Rd	Somers
		37.14-1-2	±3.6	12 Orchard Hill Rd	Somers
2022-05	Cipriano Farm	77.11-2-11	±0.5	387 Smith Ridge Rd	Lewisboro
		77.04-3-61	±3.0	469 Smith Ridge Rd	Lewisboro
		77.04-3-59	±1.3	475 Smith Ridge Rd	Lewisboro
		77.04-3-58	±0.7	5 East St	Lewisboro
2022-06	Anther Farm	36.15-1-19	±7.0	1225 Whitehill Rd	Yorktown

¹ Acres calculated from County GIS data.

Of the applications received, listed above, parcels recommended for inclusion are described in the report of the Agriculture and Farmland Protection Board.

Inclusion of Additional Parcels within the Westchester County Agricultural District
Addendum to Short EAF
Page 3



RESOLUTION NO. – 2022

WHEREAS, the County, by Resolution No. 223-2000, submitted a proposal to the New York State Commissioner of Agriculture and Markets to establish Westchester County Agricultural District No. 1, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on July 19, 2001 with an eight-year review period; and

WHEREAS, the County, by Resolution No. 161-2010, after conducting a review of the district in accordance with Agricultural Districts Law, submitted a proposal to the New York State Commissioner of Agriculture and Markets to continue the Westchester County Agricultural District No. 1 with modifications including limiting the district to certain municipalities within the county and creating criteria for parcels to be located within the district, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on September 19, 2011; and

WHEREAS, the County, by Resolution No. 70-2017, after conducting a review of the district in accordance with Agricultural Districts Law, submitted a proposal to the New York State Commissioner of Agriculture and Markets to continue the Westchester County Agricultural District No. 1 with the previous modifications including limiting the district to certain municipalities within the county and creating criteria for parcels to be located within the district, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on August 17, 2017; and

WHEREAS, the County, by Act No. 55-2004 in accordance with Section 303-b of New York State Agriculture and Markets Law, established an annual 30-day period in which to receive applications for the inclusion of additional parcels of land within Westchester County Agricultural District No. 1, which was repealed and replaced by Act. No. 95-2017 establishing the 30-day period as the month of March; and

WHEREAS, Westchester County Agricultural District No. 1 is the only certified agricultural district within Westchester County; and

WHEREAS, the Westchester County Board of Legislators has received six applications for inclusion of parcels of land into Westchester County Agricultural District No. 1; and

WHEREAS, the applications were forwarded to the Westchester County Agriculture and Farmland Protection Board (AFPB) for review and report, and the AFPB, after due deliberation and consideration of the conditions of each parcel and the agricultural operations on them or planned for them, determined: (1) whether the parcels consisted primarily of viable agricultural land as defined by New York State Agriculture and Markets Law; (2) whether the existing or proposed agricultural operation serves the public interest by assisting in maintaining a viable agricultural industry; and (3) whether the application met the eligibility requirements and satisfied the evaluation criteria associated with the district as modified during the recertification process; and recommended approval of both of the applications as described in the AFPB report; and

WHEREAS, agricultural land contributes significantly to the quality of life in Westchester County by providing open space, links to our cultural history, vegetative and wildlife habitat, and a local source of fresh food; and

WHEREAS, the protection and enhancement of agricultural land is in furtherance of the County's goals to protect natural and cultural resources, preserve open space and community character, and reduce the environmental impacts associated with development; and

WHEREAS, a duly noticed public hearing was held on _____, at which time local municipalities, the public, and other interested parties were given the opportunity to comment on the proposed addition of parcels to the Agricultural District.

NOW, THEREFORE, BE IT RESOLVED, that the Westchester County Board of Legislators approves the inclusion, subject to the limitations (if any) expressed in the report of the Westchester County Agriculture and Farmland Protection Board, of the following applications for additional parcels of land within the Westchester County Agricultural District No. 1: Application #2022-03, #2022-04 (in part—9 Orchard Hill Road only), #2022-06, which applications are more fully described in the report of the Agriculture and Farmland Protection Board; and

BE IT FURTHER RESOLVED, that the Clerk of the Board is directed to forward a copy of this Resolution, along with the report of the Agriculture and Farmland Protection Board and

other required information in support of the applications to the Commissioner of the New York State Department of Agriculture and Markets for review and certification.

Dated: 2022
White Plains, New York

RESOLUTION NO. – 2022

WHEREAS, the County, by Resolution No. 223-2000, submitted a proposal to the New York State Commissioner of Agriculture and Markets to establish Westchester County Agricultural District No. 1, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on July 19, 2001 with an eight-year review period; and

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WHEREAS, the County, by Resolution No. 70-2017, after conducting a review of the district in accordance with Agricultural Districts Law, submitted a proposal to the New York State Commissioner of Agriculture and Markets to continue the Westchester County Agricultural District No. 1 with the previous modifications including limiting the district to certain municipalities within the county and creating criteria for parcels to be located within the district, which was certified by the New York State Commissioner of Agriculture and Markets and became effective on August 17, 2017; and

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WHEREAS, a duly noticed public hearing was held on _____, at which time local municipalities, the public, and other interested parties were given the opportunity to comment on the proposed addition of parcels to the Agricultural District.

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other required information in support of the applications to the Commissioner of the New York State Department of Agriculture and Markets for review and certification.

Dated: 2022
White Plains, New York

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester ("County") of an act amending the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related amended bond act ("Amended Bond Act") which, if adopted, will authorize the County to issue up to \$125,000 in bonds additional of the County to finance the following six capital projects:

BCR5E -- Infrastructure Improvements (2021–2025)
BCR57 – HQ Rooftop Air Handling Unit Replacement
BCR60 -- HVAC Improvements and Upgrades
B0114 - Infrastructure Rehab, Valhalla Campus (2021–2025)
B0117 - Infrastructure Rehab, 450 Saw Mill River Road (2021–2025)
T0068 - Central Maintenance Facility Infrastructure

The proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for B0117 by \$125,000. The Department of Public Works and Transportation ("Department") has advised that the increase is required as the value of the low bid received for construction of this project is higher than the budgeted amount.

The Amended Bond Act, in the total amount of \$18,005,000, which includes \$17,880,000 in previously authorized bonds of the County, would finance the cost of the planning, construction and/or construction management of various building system improvements, including:

- (i) HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex;
- (ii) replacement of eight rooftop air handlers and all associated mechanical and structural components for the Department of Correction;
- (iii) the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit;

- (iv) replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility;
- (v) replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility;
- (vi) improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work; and
- (vii) the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus.

Cap ID	Project	Department	Additional Amount Requested	Request	Design Assignment	Time Frame (Months)	
						Design	Const
BCR5E	Infrastructure Improvements (2021–2025)	DOC	\$0	Design/CM/C	Staff	3	3
BCR57	HQ Rooftop Air Handling Unit Replacement	DOC	\$0	Design/CM/C	NYPA	6	9
BCR60	HVAC Improvements and Upgrades	DOC	\$0	Design/CM/C	NYPA	6	9
B0114	Infrastructure Rehab, Valhalla Campus (2021–2025)	DPW	\$0	Design/CM/C	NYPA	2	6
B0117	Infrastructure Rehab, 450 Saw Mill River Road (2021–2025)	DPW	\$125,000	Design/CM/C	Staff	2	6
T0068	Central Maintenance Facility Infrastructure	DOT	\$0	Design/CM/C	Staff	6	9

Total New Request:

\$125,000

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with the above-referenced projects as indicated in the annexed fact sheet and as follows: Bond Act No. 218-2021 was authorized in the amount of \$17,880,000. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 218-2021 be amended to



increase the amount authorized by \$125,000, for a total authorized amount, as amended, of \$18,005,000 and to revise the scope of Bond Act No. 218-2021 to include work associated with ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road.

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 B0117 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 Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: 9/7/2022,
White Plains, New York

 David M. Weiss Chairman Vedat J. J. J. J. H. J. J. C. J. J. R. J. J.	 Nancy Barr C. J. J.
Budget & Appropriation 9/7/22	Public Works & Transportation 9/7/22

COMMITTEE ON

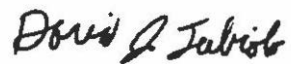
Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

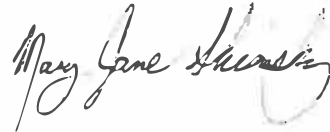
Budget & Appropriations



Catherine F. Parker



Public Works & Transportation



Catherine F. Parker



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0117

☐ 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

BCR60, BCR57, BCR5E, T0068, B0114

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 18,005,000 PPU 10 Anticipated Interest Rate 2.58%

Anticipated Annual Cost (Principal and Interest): \$ 2,056,873

Total Debt Service (Annual Cost x Term): \$ 20,568,730

Finance Department: Interest rates from July 5, 2022 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: 196

SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☐ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Planning)

Department: Public Works and Transportation


Date: 7/18/22

Reviewed By: [Signature]

Budget Director

Date: 7/19/22

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

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

DATE: June 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0117 Infrastructure Rehabilitation, 450 Saw Mill River Road, Ardsley (2021-
2025)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-21-2022 (Unique ID: 1979)

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;
- **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.

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 Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner
Jonna Robins, Program Administrator (Capital Planning Program)
Kelly Sheehan, 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: Kelly Sheehan, Assistant Commissioner *KS*

Date: June 28, 2022

RE: **Capital Budget Amendment –
B0117 Infrastructure Rehabilitation, 450 Saw Mill River Road, Ardsley**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project B0117 Infrastructure Rehabilitation, 450 Saw Mill River Road, will fund the design, construction management and construction to address ventilation and humidity control at the Board of Elections warehouse.

A Capital Budget Amendment in the amount of \$125,000 is being requested to provide additional construction funding based upon the bids received for the project. The project includes the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work.

The Planning Board adopted a report on this project (rated PL2) at its meeting on July 8, 2021.

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 S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

ACT No. 2022

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project B0117 - Infrastructure
Rehab, 450 Saw Mill River Rd., Ardsley

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

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$2,200,000	\$125,000	\$2,325,000

Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$2,200,000	\$125,000	\$2,325,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$2,200,000</u>	<u>\$125,000</u>	<u>\$2,325,000</u>

Section 3. The ACT shall take effect immediately.

REFERENCE BCR60
BCR57
BCR5E
T0068
B0117
B0114

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 218-2021 ADOPTED DECEMBER 7, 2021, IN RELATION TO THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY, AT THE MAXIMUM ESTIMATED COST OF \$18,005,000. (Adopted _____, 20____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$17,880,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of various building system improvements in and for the County, pursuant to Act No. 218-2021 duly adopted on December 7, 2021; and

WHEREAS, it is has been determined that and additional \$125,000 is required to provide additional construction funding for the design, construction and construction management of ventilation improvements at the County-owned building located at 450 Saw Mill River Road in Ardsley (Project ID: B0117), and it is necessary to increase the amount of bonds to be issued and the appropriation for such project by \$125,000; and

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

SECTION (A) The bond act duly adopted by this Board on December 7, 2021, entitled:

“ACT NO. 218-2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$17,880,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE

THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$17,880,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$17,880,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

are hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$18,005,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$18,005,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$18,005,000 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, \$18,005,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex, the replacement of eight rooftop air handlers and all associated

mechanical and structural components for the Department of Corrections, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$18,005,000. The plan of financing includes the issuance of \$18,005,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$18,005,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.13 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 total amount of \$18,005,000. 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 \$18,005,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

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

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

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

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

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

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

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

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

Section 8. This Act shall take effect not earlier than January 1, 2022 and in accordance with Section 107.71 of the Westchester County Charter.

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

SECTION (C) This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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

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

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

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on December 7, 2021 and amended on _____, 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 \$18,005,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$18,005,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$18,005,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on December 7, 2021 and amended on _____, 20____)

object or purpose: to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex, the replacement of eight rooftop air handlers and all associated mechanical and structural components for the Department of Corrections, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks 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: \$18,005,000; thirty-five (35) 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



3705951.1 045751 LEG

CAPITAL PROJECT FACT SHEET

Project ID:*
B0117

☒ CBA

Fact Sheet Date:*
06-16-2022

Fact Sheet Year:*
2022

Project Title:*
INFRASTRUCTURE
REHABILITATION, 450 SAW MILL
RIVER ROAD, ARDSLEY (2021-2025)

Legislative District ID:
12,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
1979

Overall Project Description

This project funds rehabilitation and upgrades of the exterior, interior and site infrastructure.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	2,525	1,400	800	0	200	0	0	125
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,525	1,400	800	0	200	0	0	125

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

Current Bond Description: Funding is requested for design, construction management and construction to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley. The project includes the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	125,000
Cash:	0
Total:	\$ 125,000

SEQR Classification:

TYPE II

Amount Requested:

125,000

Comments:

A Capital Budget Amendment in the amount of \$125,000 (shown under review) is being requested to provide additional construction funding based upon the bids received for the project. (Amend BA #218-2021).

Energy Efficiencies:

THE INSTALLATION OF VARIABLE FREQUENCY DRIVES (VFDS) ON THE EXISTING SUPPLY AND EXHAUST FANS WILL PROVIDE MORE EFFICIENT ENERGY USAGE.

Appropriation History:

Year	Amount	Description
2021	1,400,000	REPLACEMENT OF THE FIRE SERVICE UTILITY LINE AND REHABILITATION OF THE CURTAIN WALL, STOREFRONT AND WINDOWS
2022	800,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR WORK AT THE BOARD OF ELECTIONS WAREHOUSE

Total Appropriation History:

2,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	22	1,400,000		0 INFRASTRUCTURE REHABILITATION, 450 SAW MILL RIVER ROAD, ARDSLEY (2021-2025)
21	218	800,000		0 HVAC IMPROVEMENTS, 450 SAW MILL RIVER RD

Total Financing History:

2,200,000

Recommended By:

Department of Planning
WBB4

Date
06-21-2022

Department of Public Works
JZR7

Date
06-22-2022

Budget Department
GKGA

Date
06-23-2022

Requesting Department
JZR7

Date
06-23-2022

INFRASTRUCTURE REHABILITATION, 450 SAW MILL RIVER ROAD, ARDSLEY (2021-2025) (B0117)

User Department : Public Works

Managing Department(s) : 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	2022	2023	2024	2025	2026	Under Review
Gross	2,400	1,400		800		200			
Non County Share									
Total	2,400	1,400		800		200			

Project Description

This project funds rehabilitation and upgrades of the exterior, interior and site infrastructure.

Current Year Description

The current year request funds design, construction and construction management for work at the Board of Elections warehouse.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	800,000			800,000

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
2021	1,400,000	Replacement of the fire service utility line and rehabilitation of the curtain wall, storefront and windows	DESIGN
Total	1,400,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,400,000		1,400,000
Total	1,400,000		1,400,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
22 21	1,400,000			1,400,000
Total	1,400,000			1,400,000

**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 \$1,000,000, to finance capital project BLR13 – Labs & Research Infrastructure Improvements 2022-2026 (“BLR13”).

The Department of Labs & Research (the “Department”) has advised that this project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities. The current bonding request, in the amount of \$1,000,000, would fund the acquisition and replacement of new fume hoods in the labs. The Department has advised that fume hoods are ventilated enclosures that remove hazardous chemical fumes and volatile vapors from the laboratory. The existing fume hoods have exceeded their useful life and are in need of replacement. The Department expects this project to be completed by December, 2023.

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.

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. Accordingly, your Committee recommends approval of the proposed Bond Act.

Dated: September 7, 2022
White Plains, New York


Nancy E. Pan
Nancy E. Pan
Samuel Z. Johnson
Nedat J. Abdi
L. E. S.
Colin P. O'Hara

Nancy E. Pan
Colin P. O'Hara

Nancy E. Pan
Samuel Z. Johnson
Nedat J. Abdi
L. E. S.
Colin P. O'Hara

COMMITTEES ON

Budget & Appropriations



Public Works & Transportation

Health



Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.



Budget & Appropriations


Catherine F. Parker


Public Works & Transportation


Catherine F. Parker


Health

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLR13

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,000,000 PPU 5 Anticipated Interest Rate 2.10%

Anticipated Annual Cost (Principal and Interest): \$ 213,268

Total Debt Service (Annual Cost x Term): \$ 1,066,340

Finance Department: Interest rates from July 5, 2022 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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Diane Anton

Title: Chief Administrator

Department: Laboratories and Research


Date: 7/20/22

Reviewed By: [Signature]

Budget Director

Date: 7/20/22

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

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

DATE: June 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BLR13 Labs And Research Infrastructure Improvements (2022-2026)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-20-2022 (Unique ID: 1959)

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.

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 Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner
Jonna Robins, Program Administrator (Capital Planning Program)
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of equipment for the Department of Labs and Research Facilities located at the County's Valhalla

Campus at Grasslands; including the acquisition and replacement of new fume hoods in the labs; 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 \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

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

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes

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

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property 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 \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of the acquisition of equipment for the Department of Labs and Research Facilities located at the County's Valhalla Campus at Grasslands; including the acquisition and replacement of new fume hoods in the labs; all as set forth in the County's current year Capital Budget, as amended

amount of obligations to be issued:

and period of probable usefulness: \$1,000,000; five (5) years

Dated: _____, 20__
White Plains, New York

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



CAPITAL PROJECT FACT SHEET

**Project ID:*
BLR13**

☐ CBA

Fact Sheet Date:*
05-13-2022

Fact Sheet Year:*
2022

Project Title:*
LABS AND RESEARCH
INFRASTRUCTURE IMPROVEMENTS
(2022-2026)

Legislative District ID:
3,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
LABS AND RESEARCH

CP Unique ID:
1959

Overall Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000	0	1,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,000	0	1,000	0	0	0	0	0

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

Current Bond Description: This request will fund the acquisition and replacement of new fume hoods in the labs.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,000,000	MODIFICATION OF EXISTING OFFICE AND LABORATORY SPACE TO ACCOMMODATE CHANGES IN WORKFLOWS, INSTRUMENTATION, EQUIPMENT, AND/OR PERSONNEL

Total Appropriation History:

1,000,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
05-20-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMYI

Date
05-23-2022

Requesting Department
DAAI

Date
06-22-2022

LABS AND RESEARCH INFRASTRUCTURE IMPROVEMENTS (2022-2026) (BLR13)

User Department : Labs and Research

Managing Department(s) : Labs and Research ; 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000			1,000					
Non County Share									
Total	1,000			1,000					

Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

Current Year Description

The current year request funds modification of existing office and laboratory space to accommodate changes in workflows, instrumentation, equipment, and/or personnel.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

**Project ID:*
BLR13**

☐ CBA

Fact Sheet Date:*
05-13-2022

Fact Sheet Year:*
2022

Project Title:*
LABS AND RESEARCH
INFRASTRUCTURE IMPROVEMENTS
(2022-2026)

Legislative District ID:
3,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
LABS AND RESEARCH

CP Unique ID:
1959

Overall Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000	0	1,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,000	0	1,000	0	0	0	0	0

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

Current Bond Description: This request will fund the acquisition and replacement of new fume hoods in the labs.

Financing Plan for Current Request:

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

SEQR Classification:
TYPE II

Amount Requested:
1,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,000,000	MODIFICATION OF EXISTING OFFICE AND LABORATORY SPACE TO ACCOMMODATE CHANGES IN WORKFLOWS, INSTRUMENTATION, EQUIPMENT, AND/OR PERSONNEL

Total Appropriation History:
1,000,000

Total Financing History:
0

Recommended By:

Department of Planning
WBB4

Date
05-20-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMYI

Date
05-23-2022

Requesting Department
DAAI

Date
06-22-2022

LABS AND RESEARCH INFRASTRUCTURE IMPROVEMENTS (2022-2026) (BLR13)

User Department : Labs and Research

Managing Department(s) : Labs and Research ; 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000			1,000					
Non County Share									
Total	1,000			1,000					

Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

Current Year Description

The current year request funds modification of existing office and laboratory space to accommodate changes in workflows, instrumentation, equipment, and/or personnel.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

Impact on Operating Budget

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

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$8,500,000 to finance a component of capital project BIT32 - Radio System Replacement (“BIT32”), as well as expand the scope of services under BIT32.

Your Committee is advised that the Amended Bond Act, in the total amount of \$32,018,183, which includes \$23,518,183 in previously authorized bonds of the County, would provide \$8,500,000 in additional funding for BIT32, including funding for the acquisition of equipment, assets, and services needed to complete the replacement and expansion of County emergency communications systems, which enable fire, EMS, police, and other emergency personnel dispatch and communication. The Amended Bond Act will also expand the scope of services under BIT32 to include the design of structures at the Montrose Station Road site (the “Site”) located in Blue Mountain Reservation (the “Park”) as part of the County’s Voice Radio Communications Systems Replacement Project (the “Project”).

The Department of Information Technology (the “Department”) has advised that it oversees the Project for the Department of Emergency Services (“DES”), the Department of Public Safety (“DPS”), and the Department of Public Works and Transportation (“DPWT”). The Department has advised that the purpose of the Project is the replacement, expansion and evolution of the County’s vital public safety voice radio communication systems which are relied upon by DES, DPS, and DPWT Bee Line transit operations, and by municipal fire, emergency medical services (“EMS”), hospitals, and emergency management agencies. These communication systems operate 24 hours a day, seven days a week. Through the Project, the County is providing mission critical radio systems for first responders and transit personnel.

Your Committee is advised that the Amended Bond Act, if approved by your Honorable Board, would, *inter alia*, finance the design of structures to be constructed, operated and maintained at the Site in the Park. These structures include a 180’ radio tower, a 12’ by 24’

equipment shelter, a generator and a load bank, which will be constructed within a fenced enclosed compound off Montrose Station Road in the Town of Cortlandt (the “Radio Site Equipment”). The Radio Site Equipment, and in particular the antennas located on the tower, will operate as part of the County trunked and paging radio systems. The Radio Site Equipment will provide public safety radio communication services within the Park and the surrounding communities. Moreover, the Radio Site Equipment will provide reliable on-street portable (hand held) radio coverage for first responders when performing their duties in the Park and surrounding communities.

DES has advised that its emergency communications center, commonly referred to as “60 Control”, will use the Radio Site Equipment to provide dispatch and public safety communication services for fire departments and EMS agencies who respond to emergencies in the Park, as well as in the surrounding communities. In addition, DES has advised that it will use the Radio Site Equipment to manage mutual aid responses for fire departments and EMS agencies in the Park, as well as in the surrounding communities. Moreover, DES has advised that it has dispatched municipal fire and EMS agencies to the Park in response to calls for advanced life support, basic life support, assistance with finding lost persons, and rescue services. In addition, DES has dispatched municipal fire and EMS agencies to the Park in response to mutual aid fire and EMS events, alarms, hazards involving wires, and brush/wood fires.

DPS has advised that it intends to utilize the trunked radio system operating through the Radio Site Equipment, in combination with the County F1/F3 radio system, for public safety communications for its officers and seasonal park rangers stationed in the Park, as well as to assist its officers who provide supplemental police patrol in the Town of Cortlandt (the “Town”). DPS currently has an inter-municipal agreement with the Town to provide supplemental policing services to the Town for a term commencing on February 1, 2020 and terminating on January 31, 2025, which was approved by your Honorable Board by Act No. 2019-240 at a meeting duly held on December 3, 2019. The trunked radio system has the advantage of providing DPS with on-street portable radio coverage for public safety communications. DPS, which is responsible for protecting County properties, including the County’s vast parks system, has advised that it provides year-round public safety services within the Park, including routine inspections and patrols. Moreover, DPS has historically responded to calls for service in the Park that include alarms, suspicious activity, packages, or vehicles, people remaining in the Park after dark, animal

complaints, lost or missing persons, illegal dumping, harassing or disorderly conduct, and larceny, and aiding persons in need of medical attention. Additionally, DPS has advised that its seasonal park rangers provide invaluable services for the Park and Park patrons, including being the first set of eyes and ears for the County police, assisting Park users, providing information on Park rules and procedures, helping with lost children, performing basic first aid, and making regular security checks. DPS intends to utilize the trunked radio system operating through the County Equipment, in combination with the County F1/F3 system, for the seasonal park rangers stationed in the Park who are only equipped with a portable radio.

Your Committee is advised that having the Radio Site Equipment in the Park will benefit the Park and Park patrons because the closer the first responders are to the Radio Site Equipment, the better signal quality and reliability they will have on their radios and pagers, and the better the response they will be able to provide to calls and emergencies within the Park. Therefore, the Radio Site Equipment will benefit the Park because it will keep the Park, its buildings, facilities and patrons safe and secure, and this will assure Park patron a safe and enjoyable experience while at the Park.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior components of BIT32, as follows: Bond Act No. 203-2020 in the amount of \$22,338,183, which increased the total aggregate amount of funding under BIT32 by \$1,180,000 and consolidated the unsold debt under Bond Act Nos. 109-2018, 111-2018, 112-2018, 115-2018, 146-2019, 147-2019 and 148-20 into one amended bond act for a total authorized amount, as amended, of \$22,338,183; and Bond Act No. 208-2021, which amended Bond Act No. 203-2020 to increase the total amount authorized by \$1,180,000, for a total authorized amount, as amended, of \$23,518,183. It should be noted that \$2,341,577 in obligations authorized by Bond Act No. 208-2021 have already been sold. It is now requested that Bond Act No. 208-2021 be amended to increase the total amount authorized by \$8,500,000, for a new total authorized amount, as amended, of \$32,018,183, and to expand the scope of services to include design services associated with the Project.

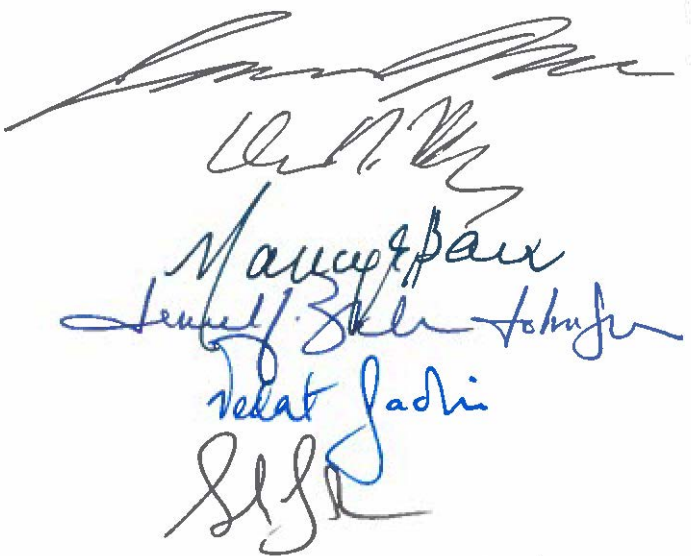
Upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take four (4) months and will be completed by outside consultants. Construction

is estimated to take eight (8) months and shall begin after all necessary legal approvals are obtained, including the future approval of construction funding by your Honorable Board and the 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 ("SEQRA") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQRA Status Sheet and concurs with this conclusion.

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

Dated: September 7, 2022
White Plains, New York


A vertical line separates a group of five handwritten signatures on the left from a group of two on the right. The signatures on the left are written in blue ink and include the names of the committee members.


Two handwritten signatures in blue ink, located to the right of the vertical line.

Budget & Appropriations
COMMITTEE ON

Public Works & Transportation

C:\jpg\07-26-22


A large handwritten signature in blue ink, located at the bottom left of the page.

Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations

Catherine F. Parker

Catherine Byrnes

Public Works & Transportation

Catherine F. Parker

Catherine Byrnes

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT32

☒ 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 \$ 32,018,183 PPU 10 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 359,245

Total Debt Service (Annual Cost x Term): \$ 3,592,450

Finance Department: Interest rates from July 28, 2022 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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Donna Montera

Title: Director of Admin Services

Department: Information Technology


Date: 7/28/22

Reviewed By: 

Budget Director

Date: 7/28/22

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

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

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT32 RADIO SYSTEM REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07-25-2022 (Unique ID: 1961)

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;
 - **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
 - **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;
 - **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.
-

COMMENTS: The physical components covered under the Type II classification only applies to installation or replacement of equipment on or within existing structures, which may include shelter equipment, utilities, small dish antennas, repeater boxes and in-kind replacement antennas. It does not include expansion by adding new sites to the County wireless system or additional antennas or towers at existing sites. The current request will also provide funding for engineering and design of a new radio tower. Further environmental review will be required following design and prior to authorization of any new construction.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lawrence Soule, Budget Director
Marguerite Beime, Chief Information Officer
Lorraine Marzola, Associate Budget Director
Adam Epstein, Program Coordinator, Radio Systems
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING BOND ACT NO. 208-2021, ADOPTED NOVEMBER 22, 2021, AUTHORIZING THE ISSUANCE OF \$23,518,183 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RADIO SYSTEM REPLACEMENT PROJECT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$23,518,183; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$23,518,183 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__).

Recitals

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance various elements of Capital Project BIT32 pursuant to Act Nos. 109-2018, 110-2018, 111-2018, 112-2018, 113-2018, 114-208 and 115-2018 duly adopted on July 16, 2018, including amendments to 110-2018, 113-2018 and 114-2018 by amending bond acts 146-2019, 147-2019 and 148-2019 duly adopted on July 15, 2019 (collectively, the “Previous Bond Acts”),

WHEREAS, on November 9, 2020, the Board adopted Bond Act No. 203-20 which (i) amended Bond Act 109-2018 to expand the scope of project to be financed pursuant to

such bond act to encompass all project elements as collectively authorized in the Previous Bond Acts, and (ii) revoked the Previous Bond Acts, except for 109-2018 which was amended hereby, to the extent of authorized but unissued amounts of bonds pursuant to each respective bond act;

WHEREAS, on November 22, 2021, the Board adopted Bond Act No. 208-2021, to increase the appropriation for the project by \$2,360,000 for increased costs of such project; and

WHEREAS, it is now necessary to (i) expand and revise the scope of the project and (ii) increase the appropriation for the project by \$8,500,000, including increasing the total maximum cost and the amount of bonds authorized in connection therewith; and

WHEREAS, in order to accomplish such purposes it is necessary to amend and restate Bond Act 208-2021 to (i) expand and revise the scope of the project and (ii) increase the appropriation for such project by \$8,500,000 for increased costs in connection therewith;

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), TO AMEND AND RESTATE BOND ACT NO. 208-2021 IN ITS ENTIRETY AS FOLLOWS:

BOND ACT AUTHORIZING THE ISSUANCE OF \$32,018,183 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RADIO SYSTEM REPLACEMENT PROJECT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED

MAXIMUM COST THEREOF IS \$32,018,183; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$32,018,183 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, \$32,018,183 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the radio system replacement project for the Department of Information Technology; all as collectively set forth in section 1 of each of the Previous Bond Acts, the County’s 2021 Capital Budget, the County’s current year Capital Budget, and includes any new or additional costs in connection with the project. To the extent that the County has previously issued bonds pursuant to each of the Previous Bond Acts as detailed in column E of the attached Schedule I, the proceeds of such previously issued bonds shall only be expended for the scope of the project as set forth in the respective bond act, from which such proceeds are derived, when originally adopted and/or amended as set forth in column A of Schedule I. The total estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing

thereof is \$32,018,183. The plan of financing includes the issuance of \$32,018,183 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of said class of objects or purposes, within the limitations of Section 11.00 a. 25 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 \$32,018,183. 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 not earlier than January 1, 2022 and in accordance with Section 107.71 of the Westchester County Charter.

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

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

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

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

LEGAL NOTICE

A Bond Act which is published herewith, has been adopted by the Board of Legislators on November 21, 2021 and amended and restated on _____, 2022 and approved, as amended and restated, by the County Executive on _____, 2022 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 and restated Bond Act 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.

Dated: _____, 20____
White Plains, New York

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

SCHEDULE I - BIT32 CAPITAL PROJECTS

[illegible]

Project ID:* **BIT32** ☐ **CBA** **Fact Sheet Date:*** 05-17-2022
Fact Sheet Year:* 2022 **Project Title:*** RADIO SYSTEM REPLACEMENT **Legislative District ID:**
Category* BUILDINGS, LAND & MISCELLANEOUS **Department:*** INFORMATION TECHNOLOGY **CP Unique ID:** 1961

Overall Project Description

The Department of Information Technology oversees the design, implementation, and management of large mission critical radio systems used by the Departments of Emergency Services, Public Safety, Public Works, and Transportation. These systems are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County. This capital project will begin the process of specifying, designing, procuring, and implementing replacements for the Trunked Systems, the F1 and F3 systems and at least the radio component of the CAD/AVL 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	2022	2023	2024	2025	2026	Under Review
Gross	61.700	56.980	1,180	1,180	1,180	1,180	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	61.700	56.980	1,180	1,180	1,180	1,180	0	0

Expended/Obligated Amount (in thousands) as of : 46,531

Current Bond Description: Bonding is requested to fund the cost of equipment, assets, and services needed to complete the replacement and initial expansion of County emergency communications systems, and fund the cost of equipment, assets, and services needed to continue expansion of these systems which enable fire, EMS, police, and other emergency personnel dispatch and communication. Installation of the equipment shall be limited to locations that are within or on existing structures. Services needed for the project shall now also include engineering and design of a radio site with a tower, equipment shelter, and related infrastructure and equipment located on Montrose Station Rd in the Town of Cortlandt.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	8,500,000
Cash:	0
Total:	\$ 8,500,000

SEQR Classification:

TYPE II

Amount Requested:

8,500,000

Comments:

We are requesting an upward amendment to 21-208 from 23,518,183 to a new total of 32,018,183. To the extent the project requires the construction of new and / or expanded structures, such actions require further environmental review in accordance with the SEQR Act and amendment of this bond authorization by the Board of Legislators.

Energy Efficiencies:

Year	Amount	Description
2014	6,000,000	PHASE I AND II
2015	2,000,000	REPLACEMENT OF VOICE RADIO SYSTEMS USED BY FIRE AND EMS RESPONDERS
2016	6,000,000	REPLACEMENT OF VOICE RADIO SYSTEMS USED BY FIRE AND EMS RESPONDERS
2017	8,000,000	CONTINUATION OF THIS PROJECT
2018	25,300,000	IMPLEMENTATION OF STUDY RECOMMENDATIONS
2020	8,500,000	CONTINUATION OF THIS PROJECT
2021	1,180,000	CONTINUATION OF THIS PROJECT
2022	1,180,000	IMPLEMENTATION SERVICES

Total Appropriation History:

58,160,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
14	74	300,000	290,027	RADIO SYSTEM REPLACEMENT - PHASE I & II OF COUNTY WIRELESS SYSTEM
18	110	0	0	TRUNKED RADIO SYSTEM SIMULCAST CONTROL & REMOTE SITE EQUIPMENT
18	111	4,912,714	4,912,714	REPLACEMENT OF MOBILE (VEHICLE-MOUNTED) RADIOS USED BY EMERGENCY PERSONNEL
18	112	4,574,033	4,574,033	REPLACEMENT OF PORTABLE AND BASE STATION RADIOS USED BY EMERGENCY PERSONNEL
18	113	0	0	REPLACEMENT OF RADIO DISPATCH AND COMMUNICATION SYSTEMS USED BY COUNTY POLICE
18	109	3,659,830	3,659,830	REPLACEMENT OF COUNTY'S WIRELESS RADIO SYSTEM FOR FIRE, EMS, POLICE, AND OTHER EMERGENCY PERSONNEL
18	114	3,325,914	3,325,914	REPLACEMENT OF WIRELESS RADIO SYSTEM INCLUDING VOICE RADIO PAGING SYSTEM
18	115	3,392,332	3,392,332	INTEGRATE TRUNKED RADIO SYSTEM WITH TRANSPORTATION COMMUNICATION SYSTEM
19	146	4,247,540	4,247,540	REPLACEMENT OF TRUNKED RADIO SYSTEM FOR EMERGENCY SERVICE COMMUNICATION
19	147	1,729,454	1,729,454	REPLACEMENT OF RADIO DISPATCH & COMMUNICATION SYSTEMS USED BY COUNTY POLICE
19	148	0	0	REPLACEMENT OF VOICE RADIO PAGING SYSTEM USED TO DISPATCH FIRE DEPARTMENTS & EMS AGENCIES
20	203	0	0	
21	208	23,518,183	2,341,577	REPLACEMENT OF VOICE RADIO PAGING SYSTEM USED TO DISPATCH FIRE DEPARTMENTS & EMS AGENCIES

Total Financing History:

49,660,000

Department of Planning

WBB4

Date

07-25-2022

Department of Public Works

RJB4

Date

07-26-2022

Budget Department

LMYI

Date

07-26-2022

Requesting Department

DDMK

Date

07-26-2022

RADIO SYSTEM REPLACEMENT (BIT32)

User Department : Information Technology
Managing Department(s) : Information Technology ;
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	2022	2023	2024	2025	2026	Under Review
Gross	61,700	56,980	46,526	1,180	1,180	1,180	1,180		
Non County Share									
Total	61,700	56,980	46,526	1,180	1,180	1,180	1,180		

Project Description

The Department of Information Technology oversees the design, implementation, and management of large mission critical radio systems used by the Departments of Emergency Services, Public Safety, Public Works, and Transportation. These systems are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County. This capital project will begin the process of specifying, designing, procuring, and implementing replacements for the Trunked Systems, the F1 and F3 systems and at least the radio component of the CAD/AVL systems.

Current Year Description

The current year request funds implementation services.

Current Year Financing Plan				
Year	Bonds	Cash	Non County Shares	Total
2022	1,180,000			1,180,000

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	6,000,000	Phase I and II	IN PROGRESS
2015	2,000,000	Replacement of voice radio systems used by Fire and EMS responders	IN PROGRESS
2016	6,000,000	Replacement of voice radio systems used by Fire and EMS responders	IN PROGRESS
2017	8,000,000	Continuation of this project	IN PROGRESS
2018	25,300,000	Implementation of study recommendations	IN PROGRESS
2020	8,500,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	1,180,000	Continuation of this project	IN PROGRESS
Total	56,980,000		

RADIO SYSTEM REPLACEMENT (BIT32)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	56,980,000	28,473,422	28,506,578
Total	56,980,000	28,473,422	28,506,578

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
74 14	300,000	12/15/17	165,292	9,973
		12/15/17	30,349	
		12/15/17	256	
		12/10/18	94,129	
109 18	3,659,830	12/10/19	3,056,289	
		12/10/19	603,541	
110 18				
111 18	4,912,714	12/10/19	4,102,561	
		12/10/19	810,153	
112 18	4,574,033	12/10/19	3,819,731	
		12/10/19	754,302	
113 18				
114 18	3,325,914	12/10/19	2,777,439	
		12/10/19	548,475	
115 18	3,392,332	12/10/19	2,832,904	
		12/10/19	559,428	
146 19	4,247,540	12/10/19	3,547,080	
		12/10/19	700,460	
147 19	1,729,454	12/10/19	1,444,251	
		12/10/19	285,203	
148 19				
203 20				
208 21	23,518,183			23,518,183
Total	49,660,000		26,131,844	23,528,156

RESOLUTION NO. ____ - 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2022, entitled "A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income." The public hearing will be held at ____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.

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.”

Your Committee is aware that Chapters 470 and 472 of the Laws of Westchester County provide for real property tax exemptions for seniors and persons with disabilities, respectively, and were adopted pursuant to authority granted by the New York State Real Property Tax Law. Under each of these Chapters, the amount of the exemption is calculated based upon the annual income of the applicant; applicants who make more than the threshold limit contained in those Chapters are not entitled to an exemption.

Your Committee is informed that the County is entitled to exclude certain monies from the income calculation. Pursuant to State law, the County can exclude unreimbursed medical and prescription drug expenses incurred by applicants from their calculated income.

Allowing the exclusion of these expenses will provide property tax relief for our low-income seniors and persons with disabilities, recognizing the increased medical expenses that often come with being in these categories. As recognized by the Georgetown University Health Policy Institute, prescription drug spending increases as people age, with persons over age 65 paying significantly more annually than younger adults, and those with chronic conditions pay more than the average adult.¹ Permitting the exemption of these expenses from

¹ <https://www.commonwealthfund.org/blog/2021/medicare-patients-pay-more-drugs-older-adults-other-countries-congress-has-opportunity>

income will allow a greater number of individuals to qualify for exemptions, and to qualify for higher exemptions, which will provide them with much needed tax relief.

Additionally, the State of New York has increased the maximum eligible income for these tax exemptions. This legislation adopts those new, increased limits, raising the maximum eligible income to \$50,000.00, to accommodate the effects of inflation on the value of income over the years since the last time the maximum eligible income was increased by the State. Your Committee notes that the “maximum eligible income” is the maximum amount for the full exemption, and that a reduced exemption is permitted on a sliding income scale up to a maximum income of \$58,399.99.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

In light of all of the foregoing, your Committee recommends the adoption of this Local Law.

Respectfully,
Anthony J. Ventresca

Dated: September 7, 2022
White Plains, New York

COMMITTEES ON

[Signature]
W. M. A.
Nancy Barr
Henry Williams Johnson
Robert F. Smith
L. H. A.
Col. A. H.
Henry Williams Johnson

Budget & Appropriations

[Signature]
Nancy Barr
Henry Williams Johnson

Seniors & Youth

Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations

Mary Jane Thomas WOP

Catherine F. Parker

Catherine By

Seniors & Youth

Doris A. Javits

FISCAL IMPACT STATEMENT

SUBJECT: Unreimbursed Medical & Prescription ☒ 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 N/A

Total Current Year Revenue N/A

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: A Local Law amending Chapters 470 and 472 of the Laws of Westchester County to allow Senior Citizens & People with Disabilities to reduce their income by unreimbursed medical and prescription drug expenses to qualify for tax exemptions and increase maximum eligible income.

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

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

Current Year: _____

Next Four Years: _____

Prepared by: Debra S. Ogden

Title: Sr. Budget Analyst

Department: Budget

Date: August 16, 2022

Reviewed By: 

Budget Director

Date: 8/16/22

LOCAL LAW INTRO. NO. -2022

A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.

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

Section 1: Section 470.11(2) of the Laws of Westchester County is hereby amended to read as follows:

2. The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption from all sources, as set forth in § 467 of the Real Property Tax Law, must not exceed[
\$34,399.99 for the period expiring June 30, 2007; \$35,399.99 for the period commencing July 1, 2007 and expiring on June 30, 2008; \$36,399.99 for the period commencing July 1, 2008 and expiring on June 30, 2009; and \$37,399.99 for the period commencing July 1, 2009]
\$50,000.00 for the period commencing July 1, 2022. Provided that for the purposes of this chapter, income shall not include veterans' disability compensation, as defined in Title 38 of the United States Code. It is further provided that for the purposes of this chapter, income shall not include medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, as set forth in Section 467(3)(a) of the Real Property Tax Law. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year.

Section 2: Section 472.11(1) of the Laws of Westchester County is hereby amended to reads as follows:

1. The income of the owner or the combined income of the owners of the property, from all sources, as set forth in New York State Real Property Tax Law Section 459-c, for the income tax year immediately preceding the date of making application for exemption must not exceed[: \$34,399.99 for the period expiring June 30, 2007 and expiring on June 30, 2008; July 1, 2007 and expiring on June 30, 2009; \$36,399.99 for the period commencing July 1, 2008 and expiring on June 30, 2009; and \$37,399.99 for the period commencing July 1, 2009] \$50,000.00 commencing July 1, 2022. Provided that for the purposes of this chapter, income shall not include medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, as set forth in Section 459-c(5)(a) of the Real Property Tax Law. “Income tax year” shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year.

Section 3: Subparts (i) through (iv) of Section 470.11 of Laws of Westchester County are hereby deleted and the beginning of Section 470.11 is hereby amended to read as follows:

Real property owned by persons 65 years of age or over shall be exempt from certain county taxes, as defined in Section 470.21 hereof, up to a maximum of 50 percent of the assessed valuation pursuant to the following schedule and subject to the following conditions:

For the period commencing July 1, 2022:

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt From Taxation</u>
<u>\$0 to \$50,000.00</u>	<u>50%</u>
<u>\$50,000.01 to \$50,999.99</u>	<u>45%</u>

<u>\$51,000.00 to \$51,999.99</u>	<u>40%</u>
<u>\$52,000.00 to \$52,999.99</u>	<u>35%</u>
<u>\$53,000.00 to \$53,899.99</u>	<u>30%</u>
<u>\$53,900.00 to \$54,799.99</u>	<u>25%</u>
<u>\$54,800.00 to \$55,699.99</u>	<u>20%</u>
<u>\$55,700.00 to \$56,599.99</u>	<u>15%</u>
<u>\$56,600.00 to \$57,499.99</u>	<u>10%</u>
<u>\$57,500.00 to \$58,399.99</u>	<u>5%</u>

Section 4: Subparts (i) through (iv) of Section 472.11 of Laws of Westchester County are hereby deleted and the beginning of Section 472.11 is hereby amended to read as follows:

Real property owned by one or more persons with disabilities, as defined in New York State Real Property Tax Law Section 459-c, or owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income or combined incomes is limited by reason of such disability, shall be exempt from taxes up to a maximum of 50% of the assessed valuation, pursuant to the following schedule and subject to the following conditions:

For the period commencing July 1, 2022:

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt From Taxation</u>
<u>\$0 to \$50,000.00</u>	<u>50%</u>
<u>\$50,000.01 to \$50,999.99</u>	<u>45%</u>
<u>\$51,000.00 to \$51,999.99</u>	<u>40%</u>
<u>\$52,000.00 to \$52,999.99</u>	<u>35%</u>

<u>\$53,000.00 to \$53,899.99</u>	<u>30%</u>
<u>\$53,900.00 to \$54,799.99</u>	<u>25%</u>
<u>\$54,800.00 to \$55,699.99</u>	<u>20%</u>
<u>\$55,700.00 to \$56,599.99</u>	<u>15%</u>
<u>\$56,600.00 to \$57,499.99</u>	<u>10%</u>
<u>\$57,500.00 to \$58,399.99</u>	<u>5%</u>

Section 5: This Local Law shall take effect immediately.

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

Your Committee is in receipt of a communication from the County Executive requesting that this Honorable Board authorize the County of Westchester, acting by and through its Office for Women (the “County”), to enter into an agreement with the Westchester County Health Care Corporation (“WCHCC”) pursuant to which WCHCC would provide free culturally-competent bilingual services for victims of sexual assault residing in Westchester County through its Sexual Assault, Abuse and Victim’s Empowerment (“SAAVE”) Program for the term commencing on January 1, 2022 and continuing through December 31, 2024 (the “Agreement”).

Your Committee is advised that the foreign born population of Westchester county accounts for almost 24% of the population, evenly split between naturalized US citizens and non-citizens with Hispanics accounting for more than 20%. It is generally accepted that the number of Spanish-speaking mono and bi-lingual residents has been growing and is actually much greater than the numbers stated. The needs of this community for services for victims of sexual assault have increased with the increase in population. It is estimated that only 16% of sex crimes are actually reported statewide, making it difficult to accurately estimate the number in Westchester. The trauma associated with sexual violence creates a significant health burden for survivors of sexual assault. These health problems can lead to hospitalization, interruptions in ability to work, disability and death.

Your Committee is advised that the services to be provided by the WCHCC through its SAAVE Program pursuant to the proposed Agreement will include access to a bilingual 24/7 hotline; crisis counseling and advocacy; accompaniment to appropriate resources including sexual assault exams, police, hospitals and other providers; comprehensive outreach; education; follow-up; and other related culturally-competent services. In consideration for services rendered, the County shall pay the Corporation a total amount not-to-exceed Three Hundred Thousand (\$300,000.00) Dollars, payable in accordance with an approved budget.

The Planning Department has advised that based on its review, the proposed agreement described above does not meet the definition of an “action” under the State Environmental




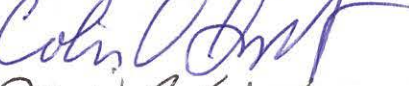


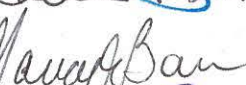

Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that Section 3307(4) of the New York Public Authorities Law requires the approval of your Honorable Board and the Board of Acquisition and Contract for this Agreement. Pursuant to that section, said approval of the Board of Legislators must be by an affirmative vote of not less than a majority of the voting strength of the Board.

Your Committee has carefully considered and recommends approval of the proposed Act.

Dated: September 12, 2022

White Plains, New York












Doris Julius
C.JPG 5.13.22




Budget & Appropriations







Health

Human Services,
Human Rights
& Equity

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

Mary Jane Skimich
Catherine By

**HEALTH
COMMITTEE**

Mary Jane Skimich
Catherine By

**HUMAN SERVICES, HUMAN
RIGHTS & EQUITY COMMITTEE**

Catherine By

FISCAL IMPACT STATEMENT

SUBJECT: SAAVE Program

☒ 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 \$ 100,000

Total Current Year Revenue \$ -

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

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 263 11 111X 4380 (trust funded through interdepartmental plan with DSS)

Potential Related Operating Budget Expenses: Annual Amount \$0.00

Describe: 2022 not-to-exceed amount to provide bilingual services to victims

of sexual assault through the SAAVE Program

Potential Related Operating Budget Revenues: Annual Amount \$0.00

Describe: _____

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

Current Year: \$0.00

Next Four Years: \$200,000.00

2023-2024 not-to-exceed amount to operate the Sexual Assault, Abuse and Victim's

Empowerment (SAAVE) Program (\$100,000 per year)

Prepared by: Stephanie Basilan

Title: Program Admin, CT Mangement

Department: Office for Women

Date: June 16, 2022

DJO
Reviewed By: *[Signature]*

Budget Director

Date: 6/23/22

ACT NO. 2022 - _____

An Act authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for the term commencing January 1, 2022 through December 31, 2024 pursuant to which the WCHCC shall provide free culturally-competent bilingual services for victims of sexual assault residing in Westchester County.

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 agreement with the Westchester County Health Care Corporation (“WCHCC”) to provide free culturally-competent bilingual services for victims of sexual assault residing in Westchester County through its Sexual Assault, Abuse and Victim’s Empowerment (“SAAVE”) Program, including but not limited to: access to a bilingual 24/7 hotline; crisis counseling and advocacy; accompaniment to appropriate resources including sexual assault exams, police, hospitals and other providers; comprehensive outreach; education; follow-up; and other related services for the term commencing on January 1, 2022 and terminating on December 31, 2024, in an amount not to exceed Three Hundred Thousand (\$300,000.00) Dollars, payable to WCHCC pursuant to an approved budget.

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

§3. This Act shall take effect immediately.

THIS AGREEMENT, made the ____ day of _____, 2022 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

WESTCHESTER COUNTY HEALTH CARE CORPORATION, a public benefit corporation of the State of New York, having an office and principal place of business at Executive Offices, Taylor Pavilion, C-2, 100 Woods Road, Valhalla, NY 10595

(hereinafter referred to as the “Corporation”)

WITNESSETH:

WHEREAS, the County, through its Office for Women (“OFW”), desires to provide free culturally-competent bilingual services for victims of sexual assault residing in Westchester County; and

WHEREAS, on November 16, 2021, OFW issued a Request for Proposals (the “RFP”) to solicit qualified agencies to perform such services for the County; and

WHEREAS, the Corporation submitted a proposal in response to the RFP (the “Proposal”) and, after evaluation thereof, was selected by OFW to provide said services for the County; and

WHEREAS, the Corporation desires to provide such services to the County through its Sexual Assault, Abuse and Victims Empowerment (“SAAVE”) Program for the compensation and on the terms herein provided; and

WHEREAS, on _____, 2022 the Westchester County Board of Legislators adopted Act No. _____-2022 authorizing the County to enter into an agreement with the Corporation for the above mentioned services; and

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

FIRST: The Corporation shall provide free culturally-competent bilingual services for victims of sexual assault residing in Westchester County, as more particularly described in 1) the County's RFP, portions of which are attached hereto and made a part hereof as Schedule "A", and all of which is incorporated herein by reference; and 2) the Corporation's Proposal under cover of letter dated December 14, 2021, portions of which are attached hereto and made a part hereof as Schedule "A-1" and all of which is incorporated herein by reference (hereinafter collectively the "Services").

In the event of any conflict between the terms of this Agreement and the terms contained in the RFP or the Proposal, the following order of precedence shall apply with regard to determining the intent and meaning of the parties:

- 1) This Agreement
- 2) The County's RFP
- 3) The Corporation's Proposal

SECOND: For the Services rendered pursuant to Paragraph "FIRST," the Corporation shall be paid a total amount not-to-exceed Three Hundred Thousand (\$300,000.00) Dollars, payable in accordance with the budget set forth in Schedule "B", which is attached hereto and made a part hereof. The funding amount per year will not exceed One Hundred Thousand (\$100,000.00) Dollars. Notwithstanding anything contained in this Agreement to the contrary, the County will only pay the Corporation for Services actually rendered, in accordance with the budget set forth in Schedule "B".

Any and all requests for payment made by the Corporation, including any request for partial payment made in proportion to the Work completed, shall be submitted by the Corporation on properly executed payment vouchers of the County and shall be submitted on a quarterly basis not later than the 15th day of the month following the quarter in which the Services were performed by the Corporation and paid only after approval by the Director of the Office for Women (the "Director") or her designee, which approval shall not be unreasonably

withheld. In no event shall final payment be made to the Corporation prior to completion of all professional services, the submission of reports, if any, and the approval of same by the Director.

All payment vouchers must be accompanied by a numbered invoice and must contain the invoice number where indicated. All invoices submitted during the calendar year shall utilize sequential numbering and be non-repeating.

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

Prior to the making of any payments hereunder, the County may, at its option, audit such books and records of the Corporation as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County will not withhold payment pursuant to this paragraph for more than thirty (30) days after payment would otherwise be due pursuant to the provisions of this paragraph "SECOND," but the County shall not be restricted from withholding payment for cause found in the course of such audit or because of failure of the Corporation to cooperate with such audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one year following termination of this Agreement.

The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to annual appropriations by its Board of Legislators pursuant to the Laws of Westchester County. Therefore, this Agreement shall be deemed executory only to the extent of the monies appropriated and available. The County shall have no liability under this Agreement beyond funds appropriated and available for payment pursuant to 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. The County shall retain the right, upon the occurrence of the adoption of any County Budget by its Board of Legislators during the term of this Agreement or any amendments thereto, and for a reasonable period of time after such adoption(s), to conduct an analysis of the impacts of any such County Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates set forth herein. If the County subsequently offers to pay a reduced amount to the Corporation, then the Corporation shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Corporation, then the Corporation shall have the right to terminate this Agreement upon reasonable prior written notice.

THIRD: This Agreement shall commence on January 1, 2022 (the “Commencement Date”) and shall expire on December 31, 2024, unless terminated sooner as provided for herein.

FOURTH: The Corporation shall immediately inform the Director in writing of any cause for delay in the performance of its obligations under this Agreement.

FIFTH: (a) The County, upon ten (10) days’ notice to the Corporation, may terminate this Agreement in whole or in part when the County deems it to be in its best interest. In such event, the Corporation shall be compensated and the County shall be liable only for payment for services already rendered under this Agreement prior to the effective date in accordance with the budget set forth in Schedule “B”, which budget shall be *prorated* to the actual date of termination. Upon receipt of notice that the County is terminating this Agreement in its best interests, the Corporation shall stop Services immediately and incur no further costs in furtherance of this Agreement without

the express approval of the Director, and the Corporation shall direct any approved subcontractors to do the same.

In the event of a dispute as to the value of the Services rendered by the Corporation prior to the date of termination, it is understood and agreed that the Director shall determine the value of such Services rendered by the Corporation. The Corporation shall accept such reasonable and good faith determination as final.

(b) In the event the County determines that there has been a material breach by the Corporation of any of the terms of the Agreement and such breach remains uncured for ten (10) days after service on the Corporation of written notice thereof, the County, in addition to any other right or remedy it might have, may terminate this Agreement and the County shall have the right, power and authority to complete the Services provided for in this Agreement, or contract for its completion, and any additional expense or cost of such completion shall be charged to and paid by the Corporation. Without limiting the foregoing, upon written notice to the Corporation, repeated breaches by the Corporation of duties or obligations under this Agreement shall be deemed a material breach of this Agreement justifying termination for cause hereunder without requirement for further opportunity to cure.

SIXTH: To the extent allowed by law and consistent with Westchester Medical Center's policy, the County shall be entitled to copies of all records compiled by the Corporation in completing the Services described in this Agreement, including but not limited to written reports, forms, test results, lab reports, studies, computer printouts, graphs, charts, and all other similar recorded data.

SEVENTH: Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void. All subcontracts shall provide that subcontractors are subject to all terms and conditions set forth in the contract documents. All Services performed by a sub-contractor shall be deemed Services performed by the Corporation.

EIGHTH: The Corporation shall comply with all rules, regulations and licensing requirements pertaining to the services that it will provide under this Agreement.

NINTH: The Corporation expressly agrees that neither it nor any contractor, 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 term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County.

TENTH: The Corporation agrees to procure and maintain insurance naming the County as additional insured, as provided and described in Schedule "C," entitled "Standard Insurance Provisions," which is attached hereto and made a part hereof. In addition to, and not in limitation of the insurance provisions contained in Schedule "C," the Corporation shall defend, indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the Corporation or third parties under the direction or control of the Corporation.

The County shall defend, indemnify and hold harmless the Corporation, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the County or third parties under the direction or control of the County.

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

To the County:

Office for Women
112 East Post Road, Room 110B
White Plains, New York 10601

with a copy to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

To the Corporation:

Kara Bennorth
Executive Vice President & Chief Administrative Officer
WMCHHealth
100 Woods Road
Valhalla, New York, 10595

with a copy to:

Office of Legal Affairs
Westchester County Health Care Corporation
Taylor Pavilion, C-2
100 Woods Road
Valhalla, New York 10595

TWELFTH: 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 “D” is a Questionnaire entitled Business Enterprises Owned and Controlled by Women or Persons of Color. The Corporation agrees to complete the questionnaire attached hereto as Schedule “D,” as part of this Agreement.

Also, attached hereto and forming a part hereof as Schedule “E” is a questionnaire entitled “Required Disclosure of Relationships to County.” The Corporation agrees to complete said questionnaire as part of this Agreement. In the event that any information provided in the completed questionnaire changes during the term of this Agreement, the Corporation agrees to notify County in writing within ten (10) business days of such event.

THIRTEENTH: This Agreement and its attachments constitute the entire Agreement between the parties 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.

FOURTEENTH: In the event of a conflict between the terms of this Agreement and the provisions of any Schedule attached hereto, the terms of this Agreement shall control.

FIFTEENTH: This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney and the Office of General Counsel to the Corporation.

SIXTEENTH: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

SEVENTEENTH: The County believes it is a laudable goal to provide business opportunities to veterans who were disabled while serving our country, and wants to encourage the participation in County contracts of certified business enterprises owned and controlled by service-disabled veterans. As part of the County's program to encourage the participation of such business enterprises in County contracts, and in furtherance of Article 17-B of the New York State Executive Law, the Contractor agrees to complete the questionnaire entitled "Questionnaire Regarding Business Enterprises Owned and Controlled by Service-Disabled Veterans", attached hereto as Schedule "F", as part of this Agreement.

EIGHTEENTH VENDOR DIRECT PAYMENT: All payments made by the County to the Contractor will be made by electronic funds transfer pursuant to the County's Vendor Direct program. The Contractor acknowledges that it is already enrolled in the County's Vendor Direct Program and agrees that if there are changes to the information contained in the authorization forms it will notify the Westchester County Finance Department directly.

[NO FURTHER TEXT/SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, The County of Westchester and the Corporation have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____
Kenneth W. Jenkins
Acting County Executive

**WESTCHESTER COUNTY HEALTH
CARE CORPORATION**

By: _____
Name: _____
Title: _____

Approved by the Westchester County Board of Legislators by Act No. _____-2022 on the _____
day of _____, 2022.

Approved by the Westchester County Board of Acquisition and Contract on the _____ day of
_____, 2022.

Approved: _____

Assistant County Attorney
The County of Westchester
S:\PG\CXX\OFWAWCHCC 2022-2024 SAAVE Program Agmt

ACKNOWLEDGMENT

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 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, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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)

COUNTY OF)

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 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.

Notary Public
Date

SCHEDULE “A”

The Corporation will provide free culturally-competent bilingual (English/Spanish) services for victims of sexual assault residing or receiving treatment in Westchester County including, but not limited to: a bilingual (English/Spanish), multicultural 24/7 hotline; use of Language Line or other translation service where required; short-term counseling provided by crisis counselor advocates; accompaniment to appropriate resources including police stations, hospitals and other providers; comprehensive outreach; education; follow-up; and other related services, as needed.

The individuals to whom the successful proposer will provide services will come through referral from medical facilities, social service agencies, community organizations, court assistance programs, law enforcement, recommendations, and self-referral. If, in the course of providing these services, the successful proposer finds that a client or prospective client should be referred for ancillary services to support that individual's autonomy, the successful proposer shall refer clients accordingly and keep up-to-date information on available resources. In addition, the successful proposer must be, or will be by the start of the anticipated term specified in Section II(C) of the RFP, credentialed to accompany sexual assault victims to Westchester Medical Center and/or other facilities that require pre-credentialing.

DRAFT

SCHEDULE “A-1”

(Corporation's Proposal here)

DRAFT

SCHEDULE “B”

Westchester County Health Care Corporation				
Sexual Assault, Abuse and Victims Empowerment (SAAVE) Program				
1/1/2022 - 12/31/2022				
Personnel				
Name	Position	Annual Salary	FTE	2022 Budget
Alvarez, Yocasta	Advocate	66,244	25.00%	16,561.00
Couzens, Karen	Advocate	58,091	25.00%	14,522.75
Sandberg, Alicia	Director	179,284	15.00%	26,892.60
Schatzle, Suzanne	Advocate	72,100	25.00%	18,025.00
Subtotal Salaries				76,001.35
Subtotal Fringe (@ 26.75%)				20,330.36
Total Personnel				96,331.71
OTPS (Other than Personnel Services)				
Equipment				
Supplies				2,023.33
Rent				
Utilities				
Telecommunications (\$137.08/month x 12 months)				1,644.96
Maintenance				
Travel				
Miscellaneous				
Total OTPS				3,668.29
Total Budget				100,000.00

Westchester County Health Care Corporation				
Sexual Assault, Abuse and Victims Empowerment (SAAVE) Program				
1/1/2023 - 12/31/2023				
Personnel				
				2023
Name	Position	Annual Salary	FTE	Budget
Alvarez, Yocasta	Advocate	68,231	25.00%	17,057.75
Couzens, Karen	Advocate	59,834	23.00%	13,761.82
Sandberg, Alicia	Director	184,663	15.00%	27,699.45
Schatzle, Suzanne	Advocate	74,263	25.00%	18,565.75
Subtotal Salaries				77,084.77
Subtotal Fringe (@ 26.79%)				20,651.01
Total Personnel				97,735.78
OTPS (Other than Personnel Services)				
Equipment				
Supplies				619.26
Rent				
Utilities				
Telecommunications (\$137.08/month x 12 months)				1,644.96
Maintenance				
Travel				
Miscellaneous				
Total OTPS				2,264.22
Total Budget				100,000.00

Westchester County Health Care Corporation				
Sexual Assault, Abuse and Victims Empowerment (SAAVE) Program				
1/1/2024 - 12/31/2024				
Personnel				
				2024
Name	Position	Annual Salary	FTE	Budget
Alvarez, Yocasta	Advocate	70,278	25.00%	17,569.50
Couzens, Karen	Advocate	61,629	20.00%	12,325.80
Sandberg, Alicia	Director	190,203	15.00%	28,530.45
Schatzle, Suzanne	Advocate	76,491	25.00%	19,122.75
Subtotal Salaries				77,548.50
Subtotal Fringe (@ 26.71%)				20,713.20
Total Personnel				98,261.70
OTPS (Other than Personnel Services)				
Equipment				
Supplies				93.34
Rent				
Utilities				
Telecommunications (\$137.08/month x 12 months)				1,644.96
Maintenance				
Travel				
Miscellaneous				
Total OTPS				1,738.30
Total Budget				100,000.00

SCHEDULE "C"

STANDARD INSURANCE PROVISIONS (Municipality)

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

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

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

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

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

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

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

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

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

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

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.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.

DRAFT

SCHEDULE "D"

QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES OWNED AND CONTROLLED BY PERSONS OF COLOR OR WOMEN

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 "E"

Contract #: _____

Name of Contractor: _____

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**¹ 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.

Signature: _____

Name: _____

Title: _____

Date: _____

¹ "Interest" means a direct or indirect pecuniary or material benefit accruing to a County officer or employee, his/her spouse, child or dependent, whether as the result of a contract with the County or otherwise. For the purpose of this form, a County officer or employee shall be deemed to have an "interest" in the contract of:

- 1.) His/her spouse, children and dependents, except a contract of employment with the County;
- 2.) A firm, partnership or association of which such officer or employee is a member or employee;
- 3.) A corporation of which such officer or employee is an officer, director or employee; and
- 4.) A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.

SCHEDULE "F"
For Informational Purposes Only
QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES
OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS

The County believes it is a laudable goal to provide business opportunities to veterans who were disabled while serving our country, and wants to encourage the participation in County contracts of certified business enterprises owned and controlled by service-disabled veterans. As part of the County's program to encourage the participation of such business enterprises in County contracts, and in furtherance of Article 17-B of the New York State Executive Law, we request that you answer the questions listed below.

The term "Certified Service-Disabled Veteran-Owned Business" shall mean a business that is a certified service-disabled veteran-owned business enterprise under the New York State Service-Disabled Veteran-Owned Business Act (Article 17-B of the Executive Law).

1. Are you a business enterprise that is owned and controlled by a service-disabled veteran in accordance with the standards listed above?

_____ No
_____ Yes

2. Are you certified with the State of New York as a Certified Service-Disabled Veteran-Owned Business?

_____ No
_____ Yes

If you are certified with the State of New York as a Certified Service-Disabled Veteran-Owned Business, please attach a copy of the certification.

Name of Firm/Business Enterprise: _____

Address: _____

Name/Title of Person completing Questionnaire: _____

Signature: _____

STATE OF NEW YORK)

COUNTY OF)

) ss.:
)

Notary Public
Date:

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

Your Committee is in receipt of a communication from the County Executive requesting that your Honorable Board authorize the County of Westchester (the “County”), acting by and through its Office for Women, to enter into an agreement with the Westchester County Health Care Corporation (“WCHCC”) pursuant to which WCHCC would operate its Forensic Acute Care Team (“FACT”) Program and provide forensic medical care for children/adolescents and adults for the term commencing on January 1, 2022 and continuing through December 31, 2024 for a total amount not-to-exceed Three Hundred Twenty-Two Thousand Five Hundred Seventy-Five Dollars (\$322,575.00). The funding amount per year will not exceed One Hundred Seven Thousand Five Hundred Twenty-Five Dollars (\$107,525.00).

Your Committee has been advised that in 2013, WCHCC established the FACT Program in response to the growing need for improved quality care for acute services for adolescents ages 12 to 18, offering forensic medical services to all children/adolescents presenting with concerns for acute sexual abuse or assault. Your Committee has further been advised that the FACT Program experienced an increase in adult patients since its inception and that by the end of September 2014 patients over the age of 18 had increased by 44%. Therefore, in 2015, WCHCC expanded its FACT Program to include adult patients. Between 2016 and 2018, nearly 750 patients were served by the FACT Program, the majority of which were adults. During that time, WCHCC has also provided ongoing education and training to over 150 medical staff, advocates and other service providers.

The Planning Department has advised that based on its review, the proposed agreement described above does not meet the definition of an “action” under the State Environmental Quality Review Act, 6 NYCRR part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

Your Committee has been advised that Section 3307(4) of the New York Public Authorities Law requires the approval of your Honorable Board and the Board of Acquisition and Contract for this agreement. Pursuant to that section, said approval of the Board of Legislators must be by an affirmative vote of not less than a majority of the voting strength of the Board.

Your Committee has carefully considered and recommends approval of the proposed Act.

Dated: September 12th, 2022

White Plains, New York

[Handwritten signatures in black and blue ink]
 Coln *[Signature]*
 David J. Tubish
 David Parkin
 Coln Parker
 Mawyer *[Signature]*
 L. N. M.
 Henry Zille *[Signature]*

COMMITTEE ON

S/Con/JPG/CXX/OFW/WCHCC 2022-2024 FACT

[Handwritten signatures in black and blue ink]
 Coln *[Signature]*
 David Parkin
 Mawyer *[Signature]*
 Henry Zille *[Signature]*

[Handwritten signatures in black and blue ink]
 Margaret A. Cyo
 Sgt *[Signature]*
 Lt. Col. *[Signature]*
 Coln Parker
 Mawyer *[Signature]*
 Henry Zille *[Signature]*

[Handwritten signature in blue ink]

Budget &
Appropriations

Health

Human Services,
Human Rights
&
Equity

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

Mary Jane Shimsky
Catherine By

**HEALTH
COMMITTEE**

Mary Jane Shimsky
Catherine By

**HUMAN SERVICES, HUMAN
RIGHTS & EQUITY COMMITTEE**

Catherine By

FISCAL IMPACT STATEMENT

SUBJECT: FACT Program

☒ 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 \$ 107,525

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: 101 11 0900 4380

Potential Related Operating Budget Expenses: Annual Amount \$107,525.00

Describe: 2022 not-to-exceed amount to operate the Forensic Acute Care Team (FACT)
Program

Potential Related Operating Budget Revenues: Annual Amount \$0.00

Describe: _____

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

Current Year: \$0.00

Next Four Years: \$215,050.00

2023-2024 not-to-exceed amount to operate the FACT Program (\$107,525 per year)

Prepared by: Stephanie Basilan

Title: Program Admin, CT Mangement

Department: Office for Women

Date: June 16, 2022

8/10
Reviewed By: 

Budget Director

Date: 6/23/22

ACT NO. 2022 - _____

An Act authorizing the County of Westchester to enter into an agreement with the Westchester County Health Care Corporation for a term commencing January 1, 2022 through December 31, 2024 pursuant to which the WCHCC shall operate its Forensic Acute Care Team (FACT) Program and provide forensic medical care for children/adolescents and adults.

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 enter into an agreement with the Westchester County Health Care Corporation (“WCHCC”) for a term commencing January 1, 2022 through December 31, 2024 pursuant to which the WCHCC shall operate its Forensic Acute Care Team (“FACT”) Program and provide forensic medical care for children/adolescents and adults for a total amount not-to-exceed Three Hundred Twenty-Two Thousand Five Hundred Seventy-Five Dollars (\$322,575.00). The funding amount per year will not exceed One Hundred Seven Thousand Five Hundred Twenty-Five Dollars (\$107,525.00).

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

§3. This Act shall take effect immediately.

THIS AGREEMENT, made the ____ day of _____, 2022 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

WESTCHESTER COUNTY HEALTH CARE CORPORATION, a public benefit corporation of the State of New York, having an office and principal place of business at Executive Offices, Taylor Pavilion, C-2, 100 Woods Road, Valhalla, NY 10595

(hereinafter referred to as the “Corporation”)

WITNESSETH:

WHEREAS, in 2013, the Corporation established the Forensic Acute Care Team (“FACT”) Program in response to the growing need for improved quality care for acute services for adolescents ages 12 to 18, offering forensic medical care for all children/adolescents presenting with concerns for acute sexual abuse or assault; and

WHEREAS, in 2015, the Corporation expanded its FACT Program to cover an increased volume of patients in the adult Department of Health Sexual Assault protocol at the Valhalla Campus of Westchester Medical Center; and

WHEREAS, the County has engaged the Corporation to provide certain forensic medical services as more fully described in Schedule “A” which is attached hereto and made a part hereof; and

WHEREAS, the County desires to enter into an Agreement with the Corporation to provide forensic medical care to children/adolescents and adults through its FACT Program; and

WHEREAS, the Corporation desires to provide such services to the County for the compensation and on the terms herein provided; and

WHEREAS, on [] the Westchester County Board of Legislators adopted Act No. []-2022 authorizing the County to enter into an agreement with the Corporation for the above mentioned services; and

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

FIRST: The Corporation shall provide the services (“Work”) described in Schedule “A” which is attached hereto and made a part hereof.

SECOND: For the services rendered pursuant to Paragraph “FIRST,” the Corporation shall be paid a total amount not-to-exceed Three Hundred Twenty-Two Thousand Five Hundred Seventy-Five Dollars (\$322,575.00), payable quarterly, in the manner and at the rates set forth in Schedule “B.” The funding amount per year will not exceed One Hundred Seven Thousand Five Hundred Twenty-Five Dollars (\$107,525.00).

Any and all requests for payment made by the Corporation, including any request for partial payment made in proportion to the Work completed, shall be submitted by the Corporation on properly executed payment vouchers of the County and shall be submitted on a quarterly basis not later than the 15th day of the month following the quarter in which the Work was performed by the Corporation and paid only after approval by the Director of the Office for Women (the “Director”) or her designee, which approval shall not be unreasonably withheld. In no event shall final payment be made to the Corporation prior to completion of all professional services, the submission of reports, if any, and the approval of same by the Director.

All payment vouchers must be accompanied by a numbered invoice and must contain the invoice number where indicated. All invoices submitted during the calendar year shall utilize sequential numbering and be non-repeating.

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

Prior to the making of any payments hereunder, the County may, at its option, audit such books and records of the Corporation as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County will not withhold payment pursuant to this paragraph for more than thirty (30) days after payment would otherwise be due pursuant to the provisions of this paragraph "SECOND," but the County shall not be restricted from withholding payment for cause found in the course of such audit or because of failure of the Corporation to cooperate with such audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one year following termination of this Agreement.

The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to annual appropriations by its Board of Legislators pursuant to the Laws of Westchester County. Therefore, this Agreement shall be deemed executory only to the extent of the monies appropriated and available. The County shall have no liability under this Agreement beyond funds appropriated and available for payment pursuant to 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. The County shall retain the right, upon the occurrence of the adoption of any County Budget by its Board of Legislators during the term of this Agreement or any amendments thereto, and for a reasonable period of time after such adoption(s), to conduct an analysis of the impacts of any such County Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates set forth herein. If the County subsequently offers to pay a reduced amount to the

Corporation, then the Corporation shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Corporation, then the Corporation shall have the right to terminate this Agreement upon reasonable prior written notice.

THIRD: This Agreement shall commence on January 1, 2022 (the “Commencement Date”) and shall expire on December 31, 2024, unless terminated sooner as provided for herein.

FOURTH: The Corporation shall immediately inform the Director in writing of any cause for delay in the performance of its obligations under this Agreement.

FIFTH: (a) The County, upon ten (10) days’ notice to the Corporation, may terminate this Agreement in whole or in part when the County deems it to be in its best interest. In such event, the Corporation shall be compensated and the County shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination, which shall be prorated in accordance with the budget set forth in Schedule “B.” Upon receipt of notice that the County is terminating this Agreement in its best interests, the Corporation shall stop Work immediately and incur no further costs in furtherance of this Agreement without the express approval of the Director, and the Corporation shall direct any approved subcontractors to do the same.

In the event of a dispute as to the value of the Work rendered by the Corporation prior to the date of termination, it is understood and agreed that the Director shall determine the

value of such Work rendered by the Corporation. The Corporation shall accept such reasonable and good faith determination as final.

(b) In the event the County determines that there has been a material breach by the Corporation of any of the terms of the Agreement and such breach remains uncured for ten (10) days after service on the Corporation of written notice thereof, the County, in addition to any other right or remedy it might have, may terminate this Agreement and the County shall have the right, power and authority to complete the Work provided for in this Agreement, or contract for its completion, and any additional expense or cost of such completion shall be charged to and paid by the Corporation. Without limiting the foregoing, upon written notice to the Corporation, repeated breaches by the Corporation of duties or obligations under this Agreement shall be deemed a material breach of this Agreement justifying termination for cause hereunder without requirement for further opportunity to cure.

SIXTH: To the extent allowed by law and consistent with Westchester Medical Center's policy, the County shall be entitled to copies of all records compiled by the Corporation in completing the Work described in this Agreement, including but not limited to written reports, forms, test results, lab reports, studies, computer printouts, graphs, charts, and all other similar recorded data.

SEVENTH: Any purported delegation of duties or assignment of rights under this Agreement without the prior express written consent of the County is void. All subcontracts shall provide that subcontractors are subject to all terms and conditions set forth in the contract documents. All work performed by a sub-contractor shall be deemed work performed by the Corporation.

EIGHTH: The Corporation shall comply with all rules, regulations and licensing requirements pertaining to the services that it will provide under this Agreement.

NINTH: The Corporation expressly agrees that neither it nor any contractor, 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 term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County.

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

the Corporation shall defend, indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the Corporation or third parties under the direction or control of the Corporation.

The County shall defend, indemnify and hold harmless the Corporation, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly out of the acts or omissions hereunder by the County or third parties under the direction or control of the County.

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

To the County:

Office for Women
112 East Post Road, Room 110B
White Plains, New York 10601

with a copy to:

County Attorney
Michaelian Office Building, Room 600
148 Martine Avenue
White Plains, New York 10601

OFWWMCA322 WEST. COUNTY HEALTH CARE CORPORATION – FACT PROGRAM

To the Corporation:

Kara Bennorth
Executive Vice President & Chief Administrative Officer
WMCHHealth
100 Woods Road
Valhalla, New York, 10595

with a copy to:

Office of Legal Affairs
Westchester County Health Care Corporation
Taylor Pavilion, C-2
100 Woods Road
Valhalla, New York 10595

TWELFTH: 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 “D” is a Questionnaire entitled Business Enterprises Owned and Controlled by Women or Persons of Color. The Corporation agrees to complete the questionnaire attached hereto as Schedule “D,” as part of this Agreement.

Also, attached hereto and forming a part hereof as Schedule “E” is a questionnaire entitled “Required Disclosure of Relationships to County.” The Corporation agrees to complete said questionnaire as part of this Agreement. In the event that any information provided in the completed questionnaire changes during the term of this Agreement, the Corporation agrees to notify County in writing within ten (10) business days of such event.

THIRTEENTH: This Agreement and its attachments constitute the entire Agreement between the parties 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.

FOURTEENTH: In the event of a conflict between the terms of this Agreement and the provisions of any Schedule attached hereto, the terms of this Agreement shall control.

FIFTEENTH: This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney and the Office of General Counsel to the Corporation.

SIXTEENTH: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

SEVENTEENTH: The County believes it is a laudable goal to provide business opportunities to veterans who were disabled while serving our country, and wants to encourage the participation in County contracts of certified business enterprises owned and controlled by service-disabled veterans. As part of the County's program to encourage the participation of such business enterprises in County contracts, and in furtherance of Article 17-B of the New York State Executive Law, the Contractor agrees to complete the questionnaire entitled "Questionnaire Regarding Business Enterprises Owned and Controlled by Service-Disabled Veterans", attached hereto as Schedule "F", as part of this Agreement.

EIGHTEENTH: **VENDOR DIRECT PAYMENT:** All payments made by the County to the Contractor will be made by electronic funds transfer pursuant to the County's Vendor Direct program. The Contractor acknowledges that it is already enrolled in the County's Vendor Direct Program and agrees that if there are changes to the information contained in the authorization forms it will notify the Westchester County Finance Department directly.

[NO FURTHER TEXT/SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, The County of Westchester and the Corporation have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____
Kenneth W. Jenkins
Acting County Executive

**WESTCHESTER COUNTY HEALTH
CARE CORPORATION**

By: _____
Name:
Title:

Approved by the Westchester County Board of Legislators by Act No. ____-2022 on the ____ day of _____, 2022.

Approved by the Westchester County Board of Acquisition and Contract on the ____ day of _____, 2022.

Approved:

Sr. Assistant County Attorney
The County of Westchester
S:\Con\JPG\CXX\OFW\WCHCC FACT 2022-24

ACKNOWLEDGMENT

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

On this _____ day of _____, 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, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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)

COUNTY OF)

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 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.

Notary Public
Date

SCHEDULE “A”
PROGRAM DESCRIPTION

The Corporation shall operate its Forensic Acute Care Team (“FACT”) Program and provide services to children/adolescents and adults at the Valhalla Campus of Westchester Medical Center (“WMC”).

The Corporation shall provide state-of-the-art, patient-centered forensic medical care to patients presenting with concerns for sexual abuse/assault who reside in Westchester County, or report assault/abuse that occurred within Westchester County.

Such services include:

- Responding within one hour to Westchester Medical Center
- Conducting those elements of the forensic medical assessment that the patient opts to have, including:
 - obtaining medical history and brief history of the assault and type(s) of contact (for the purposes of diagnosis and treatment)
 - evidence collection
 - colposcopic and/or photo documentation of external genitalia when applicable
 - photo documentation of non-genital skin findings
 - completion of required documentation
 - completion of the Forensic Rape Examination (FRE) form
 - discussion of prophylactic medications with Attending Physician Facilitating age and situation appropriate follow up plans

The Corporation will also provide consultation and testimony when applicable for the Westchester County District Attorney’s Office for cases involving criminal activities reported to have occurred in Westchester County whereby there was either no forensic assessment, or the patient/victim had services elsewhere.

[NO FURTHER TEXT ON THIS PAGE]

SCHEDULE “B”
SCOPE OF SERVICES AND APPROVED BUDGET

The Corporation shall respond to 100% of patients presenting to WMC with concerns for sexual abuse and/or sexual assault in accordance with the standards described in SCHEDULE “A.” It is anticipated that 250 patients will be served on an annual basis during the contract term.

The Corporation shall provide trainings to four hospitals on methods for patient transfer to WMC, when appropriate, on an annual basis during the contract term.

The Corporation shall provide the aforementioned services through a physician coordinator, a nurse coordinator and on-call providers (identified in the budget below).

[NO FURTHER TEXT ON THIS PAGE]

DRAFT

OFWWMCA322 WEST. COUNTY HEALTH CARE CORPORATION – FACT PROGRAM

Westchester County Health Care Corporation			
Forensic Acute Care Team (FACT) Program			
1/1/2022 - 12/31/2022			
Personnel			2022
Name	Position		Budget
Variable On-Call Staff	On-Call 0-Adult 24/7 (Single Coverage)		
	Monday thru Friday	Up to 3,120 hours @ \$8.00/hour	\$24,960.00
	Nights	Up to 3,120 hours @ \$12.00/hour	\$37,440.00
	Weekends (Sat & Sun)	Up to 2,496 hours @ \$15.00/hour	\$37,440.00
	Holidays	Up to 288 hours @ \$20.00/hour	\$5,760.00
	Meeting/Educational Time	Up to 32.5 hours @ \$60.00/hour	\$1,925.00
Subtotal Salaries			\$107,525.00
Subtotal Fringe			\$0.00
Total Personnel			\$107,525.00
OTPS (Other than Personnel Services)			
Equipment			-
Supplies			
Rent			
Utilities			
Telecommunications			
Maintenance			
Travel			
Miscellaneous			
Total OTPS			-
Total Consulting Services			-
Total Budget			\$107,525.00

OFWWMCA322 WEST. COUNTY HEALTH CARE CORPORATION – FACT PROGRAM

Westchester County Health Care Corporation			
Forensic Acute Care Team (FACT) Program			
1/1/2023 - 12/31/2023			
Personnel			2023
Name	Position		Budget
Variable On-Call Staff	On-Call 0-Adult 24/7 (Single Coverage)		
	Monday thru Friday	Up to 3,120 hours @ \$8.00/hour	\$24,960.00
	Nights	Up to 3,120 hours @ \$12.00/hour	\$37,440.00
	Weekends (Sat & Sun)	Up to 2,496 hours @ \$15.00/hour	\$37,440.00
	Holidays	Up to 288 hours @ \$20.00/hour	\$5,760.00
	Meeting/Educational Time	Up to 32.5 hours @ \$60.00/hour	\$1,925.00
Subtotal Salaries			\$107,525.00
Subtotal Fringe			\$0.00
Total Personnel			\$107,525.00
OTPS (Other than Personnel Services)			
Equipment			-
Supplies			
Rent			
Utilities			
Telecommunications			
Maintenance			
Travel			
Miscellaneous			
Total OTPS			-
Total Consulting Services			-
Total Budget			\$107,525.00

OFWWMCA322 WEST. COUNTY HEALTH CARE CORPORATION – FACT PROGRAM

Westchester County Health Care Corporation			
Forensic Acute Care Team (FACT) Program			
1/1/2024 - 12/31/2024			
Personnel			2024
Name	Position		Budget
Variable On-Call Staff	On-Call 0-Adult 24/7 (Single Coverage)		
	Monday thru Friday	Up to 3,120 hours @ \$8.00/hour	\$24,960.00
	Nights	Up to 3,120 hours @ \$12.00/hour	\$37,440.00
	Weekends (Sat & Sun)	Up to 2,496 hours @ \$15.00/hour	\$37,440.00
	Holidays	Up to 288 hours @ \$20.00/hour	\$5,760.00
	Meeting/Educational Time	Up to 32.5 hours @ \$60.00/hour	\$1,925.00
Subtotal Salaries			\$107,525.00
Subtotal Fringe			\$0.00
Total Personnel			\$107,525.00
OTPS (Other than Personnel Services)			
Equipment			-
Supplies			
Rent			
Utilities			
Telecommunications			
Maintenance			
Travel			
Miscellaneous			
Total OTPS			-
Total Consulting Services			-
Total Budget			\$107,525.00

SCHEDULE "C"
STANDARD INSURANCE PROVISIONS
(Consultant)

1. Prior to commencing work, and throughout the term of the Agreement, the Consultant 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. Consultant 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 Consultant 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 Consultant 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 Consultant 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 Consultant to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Consultant from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Consultant 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 Consultant'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 Consultant until such time as the Consultant shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Consultant 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 Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

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

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

- 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 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.

- e) Consultant's Professional Liability. The Consultant shall provide proof of such insurance. (Limits of \$1,000,000 per occurrence/\$3,000,000 aggregate).

3. All policies of the Consultant 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 Consultant.

DRAFT

SCHEDULE "D"

QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES OWNED AND CONTROLLED BY PERSONS OF COLOR OR WOMEN

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 "E"

Contract #: _____

Name of Contractor: _____

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**¹ 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.

Signature: _____

Name: _____

Title: _____

Date: _____

¹ "Interest" means a direct or indirect pecuniary or material benefit accruing to a County officer or employee, his/her spouse, child or dependent, whether as the result of a contract with the County or otherwise. For the purpose of this form, a County officer or employee shall be deemed to have an "interest" in the contract of:

- 1.) His/her spouse, children and dependents, except a contract of employment with the County;
- 2.) A firm, partnership or association of which such officer or employee is a member or employee;
- 3.) A corporation of which such officer or employee is an officer, director or employee; and
- 4.) A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.

SCHEDULE "F"
For Informational Purposes Only
QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES
OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS

The County believes it is a laudable goal to provide business opportunities to veterans who were disabled while serving our country, and wants to encourage the participation in County contracts of certified business enterprises owned and controlled by service-disabled veterans. As part of the County's program to encourage the participation of such business enterprises in County contracts, and in furtherance of Article 17-B of the New York State Executive Law, we request that you answer the questions listed below.

The term "Certified Service-Disabled Veteran-Owned Business" shall mean a business that is a certified service-disabled veteran-owned business enterprise under the New York State Service-Disabled Veteran-Owned Business Act (Article 17-B of the Executive Law).

1. Are you a business enterprise that is owned and controlled by a service-disabled veteran in accordance with the standards listed above?

_____ No
_____ Yes

2. Are you certified with the State of New York as a Certified Service-Disabled Veteran-Owned Business?

_____ No
_____ Yes

If you are certified with the State of New York as a Certified Service-Disabled Veteran-Owned Business, please attach a copy of the certification.

Name of Firm/Business Enterprise: _____

Address: _____

Name/Title of Person completing Questionnaire: _____

Signature: _____

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

Notary Public
Date:

HONORABLE BOARD OF LEGISLATORS

THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of a communication from the County Executive which, if adopted, would authorize the County of Westchester (the “County”) to enter into an intermunicipal agreement (“IMA”) with the Town of Mount Pleasant (the “Town”) whereby the Town will operate and maintain the facilities of the park known as the Virginia Road Ballfield for municipal recreation purposes. The Virginia Road Ballfield is approximately 1.5 acres and is a portion of Parcel 25 as described on Sheet 29 of the Bronx River Parkway Commission Acquisition Maps (the “Property”).

Since 2007 the Town has used the Property solely for municipal recreation purposes and has kept the Property open to all County residents. The Town’s most recent IMA with the County to operate and maintain the Property expired on March 31, 2022. The term of the new IMA will be for a period of five (5) years commencing retroactively on April 1, 2022 and terminating on March 31, 2027. The Town will continue to utilize the Property as a municipal recreation facility for the benefit of all County residents and pursuant to the terms of the IMA, the Town shall agree to defend and indemnify the County against any claims arising out of the IMA. The Town shall pay the County an annual license fee of \$200, with maintenance and supervision of the Property to be the sole responsibility of the Town.

The Planning Department has advised that, based on its review, this is a “Type II” action under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee has reviewed the annexed SEQRA documentation prepared by the Planning Department and concurs with this conclusion.

It should be noted that approval of the Act authorizing the County to enter into the IMA requires the affirmative vote of a majority of the voting strength of your Honorable Board.

The proposed agreement with the Town will enable the use of an important recreational asset of the County and will benefit both the residents of the Town and the County as a whole. Therefore, your Committee recommends adoption of the annexed Act.

Dated: September 12, 2022
White Plains, New York

W. N. M.
James Z. Green
Murray E. Baur
Catharine Parker
Vedat Farhi
David J. Lubin
Colin J. M.
Z. H.
L. J.
Budget & Appropriations

W. N. M.
Murray E. Baur
Catharine Parker
David J. Lubin

Parks & Recreation

COMMITTEE ON

c/jpi:6.16.22

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

PARKS & RECREATION COMMITTEE

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

FISCAL IMPACT STATEMENT

SUBJECT:	<u>Virginia Road Ballfield</u>	<input type="checkbox"/>	NO FISCAL IMPACT PROJECTED
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OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND
--------------------------------------------------	---------------------------------------	-------------------------------------------------

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense	\$ _____	-
Total Current Year Revenue	\$ _____	200

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

Identify Accounts: Revenue - 165-42-1100-1000-9542-PKDS

Potential Related Operating Budget Expenses: Annual Amount _____

Describe: _____

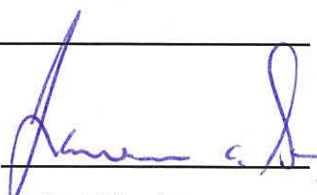
Potential Related Operating Budget Revenues: Annual Amount \$200

Describe: IMA with the Town of Mt. Pleasant for the operation and maintenance of the Virginia Road Ballfield from 4/1/2022 - 3/31/2027.

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

Current Year: Revenue 2022 - \$200

Next Four Years: Revenue 2023 - \$200
Revenue - 2024 - \$200
Revenue - 2025 - \$200
Revenue 2026 - \$200

Prepared by: <u>Neil Squillante</u>	 Reviewed By: _____ Budget Director
Title: <u>Deputy Commissioner</u>	
Department: <u>Parks Department</u>	
Date: <u>June 22, 2022</u>	Date: <u>6/23/22</u>

TO: John Paul Iannace, Senior County Attorney
Department of Law

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



DATE: June 16, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR LICENSE
AGREEMENT WITH TOWN OF MOUNT PLEASANT FOR
VIRGINIA ROAD BALLFIELD**

PROJECT/ACTION: A 5-year license agreement that would permit the Town of Mount Pleasant to continue to operate and maintain an approximately 1.5-acre site located on the County's Bronx River Parkway Reservation, known as Virginia Road Ballfield, for municipal recreational purposes from April 1, 2022 to March 31, 2027. The Town has been managing this ballfield since 2007, pursuant to a 15-year license agreement that expired on March 31, 2022.

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)(32):**
license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities.

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
John Condon, Department of Parks, Recreation & Conservation
Norma Drummond, Commissioner
Claudia Maxwell, Associate Environmental Planner

ACT NO. ____ - 2022

An Act authorizing the County of Westchester to enter into an intermunicipal agreement with the Town of Mount Pleasant whereby the Town shall operate and maintain the facilities of the park known as the Virginia Road Ballfield for municipal recreation purposes.

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 enter into an intermunicipal agreement (“IMA”) with the Town of Mount Pleasant (the “Town”) whereby the Town will operate and maintain the facilities of the park known as the Virginia Road Ballfield for municipal recreation purposes, which property comprises approximately 1.5 acres and is a portion of Parcel 25 as described on Sheet 29 of the Bronx River Parkway Commission Acquisition Maps.

§2. The term of the IMA shall be for five (5) years commencing on April 1, 2022 and expiring on March 31, 2027. The Town shall use the Virginia Road Ballfield as a municipal recreation facility for the benefit of all County residents, at an annual license fee of \$200 and with maintenance and supervision to be the sole responsibility of the Town.

§3. The County Executive or his 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.

INTERMUNICIPAL LICENSE AGREEMENT made this _____ day
of _____, 2022 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

TOWN OF MT. PLEASANT, a municipal corporation of the State of New York, having an office at Town Hall Plaza, Valhalla, New York 10504 (hereinafter referred to as the “Licensee”).

WITNESSETH:

WHEREAS, the County, acting through the Commissioner of Parks, Recreation and Conservation (the “Commissioner”) desires to grant a license the Licensee to enter onto, to operate and maintain the property known as the “Virginia Road Ballfield”; and

WHEREAS, the Licensee desires to accept the License upon the terms and conditions contained herein.

NOW, THEREFORE, in consideration of the terms and conditions hereinafter set forth, the parties agree as follows:

In consideration of the terms, conditions and covenants hereinafter set forth, the parties agree as follows:

1. The County hereby licenses to the Licensee and the Licensee hereby licenses from the County the land as consisting of a portion of Parcel 25 as described on Sheet 29 of the Bronx River Parkway Commission Acquisition Maps (hereinafter “Licensed Premises”) as detailed in the area outlined in red on the drawing attached hereto and made a part hereof as Schedule “A”. The Licensee accepts the Licensed Premises “as is” in their present

condition. The Licensed Premises shall be used and operated by the Licensee solely and exclusively for municipal recreation purposes subject to all the terms, conditions and covenants herein. The Licensed Premises shall be used, operated and maintained by the Licensee solely and exclusively as and for municipal recreational purposes subject to all the terms, conditions and covenants herein. The Licensed Premises shall be open for the use and benefit of all County residents.

2. The term of this License shall be for five (5) years commencing on April 1, 2022 and terminating on March 31, 2027, unless terminated sooner as hereinafter provided.

3. The Licensee shall pay to the County for the term of this License an annual license fee of Two Hundred (\$200.00) Dollars on the commencement date of this License and on each anniversary date thereof at the address herein provided.

While the Licensed Premises are presently exempt from real property taxes and other special assessments under the Real Property Tax Law, in the event that such law is changed, or in the event that the Licensed Premises become subject to taxation under the cited or any other federal, state or local law, the Licensee , as additional rental, shall pay and discharge (when due and payable) any and all real estate taxes, assessments, water meter (including any expenses incident to the installation, repair or replacement of any water meter) and sewer rents and all other such charges, taxes, assessments, rents license fees, levies and sums of every kind, nature and description, which may become and payable with respect to the licensed premises during the licensed term.

4. The Licensee shall not assign this License or sublet the Licensed Premises or any part thereof without the prior written consent of the County. However, no assignment of rights or delegation of any duties, in whole or part, shall relieve the Licensee of any of its obligations hereunder.

5. The Licensee shall promptly execute and comply with all statutes, ordinances, rules, orders, regulations, codes and requirements of the Federal, State, County and municipal governments and of the Westchester County Department of Parks, Recreation and Conservation and of all their departments and bureaus applicable to the said premises for the prevention and abatement of nuisance and other grievances in or upon or connected with the Licensed Premises, and shall also comply with all sanitary rules and regulations of the State and County Health Departments.

6. The Licensee shall not sell, offer for sale nor permit the sale of any food, commodity, ware or merchandise of any kind, nature or description on the Demised Premises or charge a fee for parking without the prior written consent of the Commissioner.

7. The Licensee shall not charge, impose or collect any fees for entrance into or for use of the Licensed Premises without the prior written consent of the Commissioner.

8. The Licensee shall not erect nor allow the erection of any structures of any kind or any advertising signs in or on the Licensed Premises, nor perform nor allow to be performed any improvement, change or alteration to the Licensed Premises, without obtaining the prior written approval of the Commissioner. Title to any approved alterations, improvements or fixtures shall immediately, upon installation, vest in the County.

9. The County, continuously throughout the term of this License, shall cause the Licensed Premises to be policed, including police patrols and investigation of all offenses or crimes committed or attempted within the Licensed Premises.

10. The Licensee, at it sole cost and expense, shall maintain, operate and properly supervise the Licensed Premises, it being understood and agreed that such maintenance, operation and supervision shall be performed by the Licensee to the complete satisfaction of and as directed by the Commissioner.

11. The Licensee agrees that the County, its officers, employees or agents, shall have the right to enter into and upon the Licensed Premises, or any part thereof, at any and all times for any and all purposes, including but not limited to performance of work, the installation of signage or for any other reason.

12. In the event that the County desires to enter upon the premises herein for the purpose of construction or park purposes, or in the event that said premises are conveyed to the People of the State of New York, or sold to a bona fide purchaser, this License shall be terminated and become null and void upon thirty (30) days written notice to the Licensee, which shall vacate said premises no later than the effective termination date. In the event of such termination the County shall have no liability to the Licensee whatsoever.

13. The Licensee shall keep the grass on the Licensed Premises mowed and in a neat and tidy condition, allowing no papers or refuse to remain thereon, all of which shall be done in a manner satisfactory to the Commissioner. The Licensee shall, at its own cost and expense, keep any and all refuse in containers and remove and dispose of same as required. Notwithstanding anything to the contrary contained in the foregoing and in addition to the foregoing, Licensee shall further comply with and perform the park maintenance requirements as set forth in Schedule "B" which is attached hereto and made a part of.

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

To the County:

Commissioner
Department of Parks, Recreation and Conservation
450 Saw Mill River Road
Ardsley, New York 10502

with a copy to:

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

To the Licensee:

Town Supervisor
Town of Mt. Pleasant
Town Hall Plaza
Valhalla, New York 10595

15. In addition to, and not in limitation of, the insurance requirements contained in Schedule "C" entitled "Insurance Provisions", attached hereto and made a part hereof, the Licensee agrees:

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

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

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

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

16. It is expressly understood that no building, structure, equipment or space is leased to the Licensee and the Licensee's privilege to use and occupy any space assigned to it for the operation of this License shall continue only so long as the Licensee shall continue to comply with each and every term and condition of this License.

17. The Licensee shall surrender possession of the Licensed Premises to the County at the expiration of the License in good condition, normal wear and tear excepted.

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

19. In the event that the Licensee defaults in the performance of any term, condition or covenant herein contained, the County, at its option and in addition to any other remedy it may have to seek damages, judicial enforcement or any other lawful remedy, may terminate this License upon ten (10) days notice to the Licensee; provided, however, that the Licensee may defeat such notice by curing the default complained of within such notice period, or, if any such default is not curable within such notice period, by promptly commencing to cure the default and diligently pursuing all necessary and appropriate action to effect such cure. Upon a second default by the Licensee, the County, at its option and in addition to any other remedy it may have to seek damage, judicial enforcement or any other lawful remedy, may terminate this License upon written notice to the Licensee, such notice to be effective immediately upon delivery thereon.

20. The Licensee expressly agrees that neither it nor any contractor, 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 term of, or in connection with, this Agreement, as these terms may be defined in Chapter 700 of the Laws of Westchester County.

21. The County may, at its option, audit and examine all relevant books, records, documents or electronic data of the Licensee that are reasonably pertinent to this Agreement and the Licensee's use and operation of the Licensed Premises.

22. At least once annually, during the term of this Agreement, the Licensee shall provide a written report to the County regarding the Licensee's use of the Licensed Premises that shall include, at minimum, all reservations and uses of the Licensed Premises over and above the Licensee's own use.

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

24. It is expressly understood and agreed by and between the parties hereto that all covenants, stipulations, promises, agreements and obligations of the County contained herein shall be deemed to be stipulations, promises, agreements and obligations of the County and not of any member, officer or employee of the County in his/her individual capacity and no recourse shall be had for any obligation or liability herein or any claim based thereon against any member, officer or employee of the County or any natural person executing this Agreement on behalf of the County.

25. This License and its attachments constitute the entire agreement between the parties hereto with respect to the subject matter hereof and shall supersede all previous negotiations, comments 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.

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

27. This License shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

28. This License shall be construed and enforced in accordance with the laws of the State of New York.

[NO FURTHER TEXT ON THIS PAGE. SIGNATURE PAGE FOLLOWS].

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

THE COUNTY OF WESTCHESTER

By: _____
Kathleen M. O'Connor
Commissioner of Parks,
Recreation & Conservation

TOWN OF MT. PLEASANT

By: _____
Carl Fugenzi
Town Supervisor

Authorized by Act No. _____-2022 of the Westchester County Board of Legislators,
adopted on _____.

Approved by the Town Board of Mt. Pleasant at a meeting held on the _____ day of
, 2022.

Approved:

Sr. Assistant County Attorney
The County of Westchester

S/Iannace/PRC/Mt.Pleasant.Virginia.Road.Ballfield.IMA.5.23.22

DRAFT

MUNICIPALITY'S ACKNOWLEDGMENT

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

On this _____ day of _____ 2022, 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 is 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/she executed the same in his/her
capacity, and that by his/her signature(s) on the instrument, the municipal corporation
executed the instrument.

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 and 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, and that said
(Title of such person),

agreement was duly signed for and on behalf of said Municipality by authority of its

_____, thereunto duly authorized and
(Town Board, Village Board, City Council)

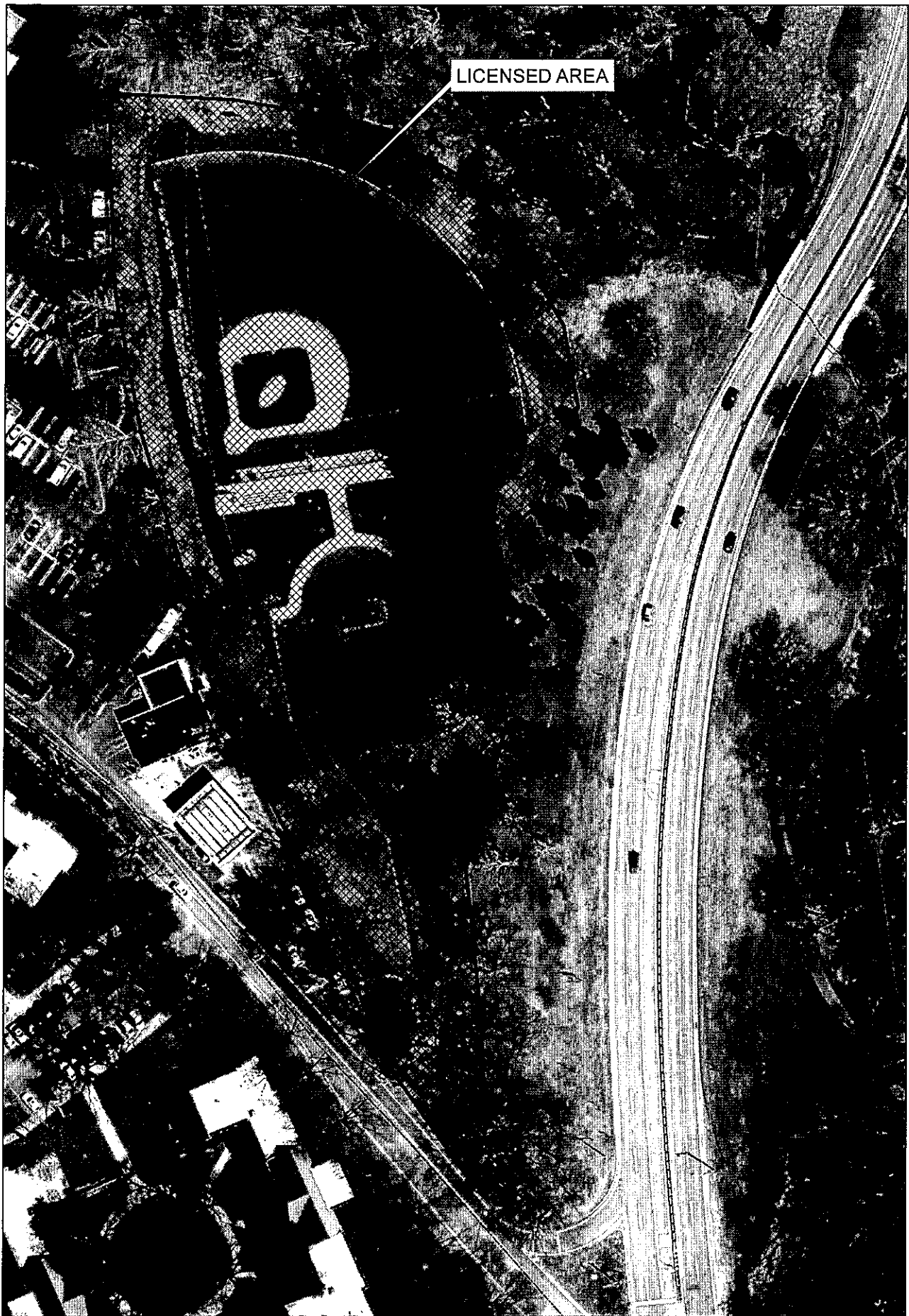
that such authority is in full force and effect at the date hereof.

(Signature)

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

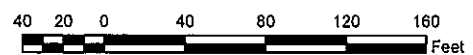
On this _____ day of _____ 2022, before me, the undersigned, personally
appeared _____, personally known to me or proved to me on the
basis of satisfactory evidence to be the individual whose name is subscribed to the above
certificate and acknowledged to me that he/she executed the above certificate in his/her capacity
as _____ of _____,
(Title) (Municipality)
the municipal corporation described in and which executed the within instrument.

Notary Public County



SCHEDULE 'A'
VIRGINIA ROAD BALLFIELD

WESTCHESTER COUNTY
DEPARTMENT OF PARKS, RECREATION AND CONSERVATION



SCHEDULE "B"

PARK MAINTENANCE

The following tasks are required and shall be performed by the Town for the maintenance and operation of a safe and aesthetically pleasing park facility:

Mowing

Grass will be cut weekly from April through October. Litter must be picked up prior to cutting grass.

Trimming

String trimming of site amenities (benches, fences, goals, etc.) will occur weekly from April through October.

Athletic Field Maintenance

Playing surfaces will be level and free of ruts, trash and other related debris associated with activities of the park that take place on the field.

Garbage/Litter Control

An ample amount of garbage cans will be placed out so as to reflect usage of the facility. Litter will be picked up and garbage cans emptied as needed.

Leaf Collection/ Removal

Leaves will be removed from all turf areas and parking lots in the autumn and removed from the site.

Site Amenities

All benches, goal posts, backstops, bridges, fences, etc. will be kept in good order and repair.

Vandalism

All acts of vandalism/graffiti will be repaired and removed in a timely manner.

Snow Removal

Parking lots and walkways will be plowed and cleared of snow once it accumulates greater than a ½ inch. A sand/salt mixture will be spread to alleviate icing conditions on parking lots and walkways. Under no circumstances shall the dumping or storage of snow be allowed within the Licensed Premises for any reason or at any time

Roads/Parking Lots

Roadway and parking lot surfaces will be maintained to be free of sand, gravel, leaves and potholes. Parking lot striping will be visible at all times in order to provide adequate parking spaces.

Trees

All trees in the park will be kept in a safe and aesthetic condition. Hazardous trees be removed in a timely manner for public safety. Invasive vines and vegetation will be removed on a yearly basis as to not effect the health of the trees in the park.

SCHEDULE "C"

STANDARD INSURANCE PROVISIONS **(Municipality)**

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

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

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

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

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

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

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

- a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State

Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

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

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

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:
 - i. Premises - Operations.
 - ii. Broad Form Contractual.
 - iii. Independent Contractor and Sub-Contractor.
 - iv. Products and Completed Operations.

- 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.

**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 \$965,000 to finance a component of capital project BSS14 – Infrastructure Improvements to Shelter Facilities – Coachman Family Center (2015 – 2019) (“BSS14”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood LLP, will finance the cost of replacement and upgrade of the playground at the Coachman Family Center in White Plains

The Department of Social Services (“Department”) has advised that the work for this component of BSS14 will include the resurfacing of the parking lot and playground areas, installation of new playground equipment and LED lighting with an EV charging station.

The Department has advised that following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance separable components of BSS14 as described in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, this component of BSS14 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: September 7, 2022
White Plains, New York

D. M. (w/o projects)
Manaf Sar
James J. Z...
Robert F...
...
John ...
...
Budget & Appropriations
COMMITTEE

Manaf Sar
John ...

Public Works & Transportation

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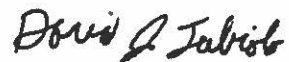
Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations



Catherine F. Parker



Public Works & Transportation



Catherine F. Parker



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS14

☐ 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

Coachman Playground

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 965,000 PPU 15 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 80,523

Total Debt Service (Annual Cost x Term): \$ 1,207,852

Finance Department: maab 6-23-22

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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Thomas Rooney

Title: Reimbursement Manager

Department: Social Services


Date: 6/27/22

Reviewed By: [Signature]

Budget Director

Date: 6/29/22

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

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

DATE: June 15, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BSS14 INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES
- COACHMAN FAMILY CENTER (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-16-2022 (Unique ID: 1955)

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: A separate request is being made under the same capital project to fund additional work at the same facility (Fact Sheet ID#1956). The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/cnm

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 Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$965,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT AND UPGRADE OF THE PLAYGROUND AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$965,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$965,000 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; \$965,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the replacement and upgrade of the playground at the County-owned Coachman Family Center in White Plains, 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 \$965,000. The plan of financing includes the issuance of \$965,000 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 \$965,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$965,000. 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 \$965,000 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.

* * *

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 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 \$965,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT AND UPGRADE OF THE PLAYGROUND AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$965,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$965,000 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 replacement and upgrade of the playground at the County-owned Coachman Family Center in White Plains, 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: \$965,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*

BSS14

☐ CBA

Fact Sheet Date:*

05-13-2022

Fact Sheet Year:*

2022

Project Title:*

INFRASTRUCTURE IMPROVEMENTS 5,
TO SHELTER FACILITIES -
COACHMAN FAMILY CENTER (2015-
2019)

Legislative District ID:

Category*

BUILDINGS, LAND &
MISCELLANEOUS

Department:*

SOCIAL SERVICES

CP Unique ID:

1955

Overall Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	4,840	3,440	1,400	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,840	3,440	1,400	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 2,368

Current Bond Description: This requests funds the replacement and upgrade of the playground at the Coachman Family Center in White Plains, NY.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	965,000
Cash:	0
Total:	\$ 965,000

SEQR Classification:

TYPE II

Amount Requested:

965,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2015	1,050,000	REPLACEMENT AND UPGRADES TO HVAC AND REFRIGERATION SYSTEMS
2016	1,640,000	ROOF REPLACEMENT; SELECTIVE REPLACEMENT OF BRICK MASONRY, LINTELS; AND REPAINTING OF FACADE, INSTALLATION OF LIGHTNING RODS, RESURFACING OF THE PARKING LOT AND PLAY AREA. UPGRADING LIGHTING FIXTURES AROUND THE BUILDING TO ENERGY EFFICIENT LED LIGHT
2020	750,000	IMPROVEMENTS TO THE ROOF AND FACADE
2022	1,400,000	PLAYGROUND RENOVATIONS AND UPGRADES TO BUILDING MECHANICAL AND ELECTRICAL SYSTEMS

Total Appropriation History:

4,840,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	214	1,050,000	1,032,532	INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER
16	167	1,026,859	1,026,859	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS
20	171	1,363,141	273,182	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS

Total Financing History:

3,439,999

Recommended By:

Department of Planning
WBB4

Date
05-16-2022

Department of Public Works
GKKK

Date
05-23-2022

Budget Department
LMYI

Date
05-23-2022

Requesting Department
TTR1

Date
06-06-2022

INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015-2019) (BSS14)

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	2022	2023	2024	2025	2026	Under Review
Gross	4,840	3,440	2,368	1,400					
Non County Share			30						
Total	4,840	3,440	2,398	1,400					

Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

Current Year Description

The current year request funds playground renovations and upgrades to building mechanical and electrical systems.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,400,000			1,400,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds. A portion of the debt service will be reimbursed by the Federal Government.

Appropriation History

Year	Amount	Description	Status
2015	1,050,000	Replacement and upgrades to HVAC and refrigeration systems	COMPLETE
2016	1,640,000	Roof replacement; selective replacement of brick masonry, lintels; and repainting of facade, installation of lightning rods, resurfacing of the parking lot and play area. Upgrading lighting fixtures around the building to energy efficient LED lighting.	DESIGN
2020	750,000	Improvements to the roof and facade	DESIGN
Total	3,440,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,440,000	2,332,573	1,107,427
Others		(30,166)	30,166
Total	3,440,000	2,302,407	1,137,593

**INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY
CENTER (2015-2019)
(BSS14)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
214 15	1,050,000	12/15/17	136,328	17,468
		12/15/17	25,031	
		12/15/17	211	
		12/10/18	709,511	
		12/10/19	134,826	
		12/10/19	26,625	
167 16	1,026,859	12/15/17	20,897	
		12/15/17	3,837	
		12/15/17	32	
		12/10/19	29,073	
		12/10/19	5,741	
		04/30/20	46,975	
		10/28/20	780,746	
		10/28/20	109,393	
		10/28/20	30,166	
171 20	1,363,141			1,363,141
Total	3,440,000		2,059,391	1,380,609

**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 \$435,000 to finance a component of capital project BSS14 – Infrastructure Improvements to Shelter Facilities – Coachman Family Center (2015 – 2019) (“BSS14”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood LLP, will finance the cost of mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains.

The Department of Social Services (“Department”) has advised that the work for this component of BSS14 will include replacing the domestic water valves and the fire suppression system as well as the air exchange system in the hair salon.

The Department has advised that following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.


It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance separable components of BSS14 as described in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, this component of BSS14 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.

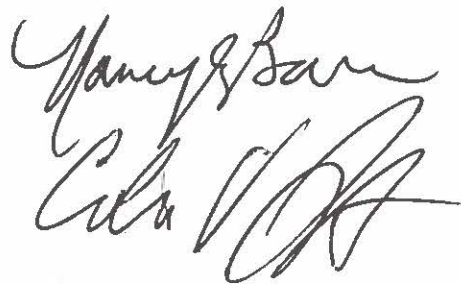
Dated: September 7, 2022
White Plains, New York



Budget & Appropriations

COMMITTEE ON

c.jpg 6-06-22



Public Works & Transportation

Dated: September 7, 2022

White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations



Catherine F. Parker

David A. Jablonski

Catherine Byrnes

Public Works & Transportation



Catherine F. Parker

David A. Jablonski

Catherine Byrnes

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS14

☐ 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

Coachman Building Systems

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 435,000 PPU 10 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 50,291

Total Debt Service (Annual Cost x Term): \$ 502,913

Finance Department: maab 6-23-22

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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Thomas Rooney

Title: Reimbursement Manager

Department: Social Services


Date: 6/27/22

Reviewed By: 

Budget Director

Date: 6/29/22

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

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

DATE: June 15, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BSS14 INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES
– COACHMAN FAMILY CENTER (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-15-2022 (Unique ID: 1956)

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;
- **617.5(c)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities.

COMMENTS: A separate request is being made under the same capital project to fund additional work at the same facility (Fact Sheet ID#1955). The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/cnm

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 Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$435,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF MECHANICAL AND ELECTRICAL IMPROVEMENTS AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$435,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$435,000 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; \$435,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance mechanical and electrical systems replacements and upgrades at the County-owned Coachman Family Center in White Plains, 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 \$435,000. The plan of financing includes the issuance of \$435,000 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 \$435,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 13 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 \$435,000. 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 \$435,000 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.

* * *

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 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 \$435,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF MECHANICAL AND ELECTRICAL IMPROVEMENTS AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$435,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$435,000 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 mechanical and electrical systems replacements and upgrades at the County-owned Coachman Family Center in White Plains, 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: \$435,000; 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

Project ID:* BSS14	<input type="checkbox"/> CBA	Fact Sheet Date:* 05-13-2022
Fact Sheet Year:* 2022	Project Title:* INFRASTRUCTURE IMPROVEMENTS 5, TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015- 2019)	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* SOCIAL SERVICES	CP Unique ID: 1956

Overall Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

<input checked="" type="checkbox"/> Best Management Practices	<input checked="" 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	2022	2023	2024	2025	2026	Under Review
Gross	4,840	3,440	1,400	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,840	3,440	1,400	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 2,368

Current Bond Description: This requests funds mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains, NY.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	435,000
Cash:	0
Total:	\$ 435,000

SEQR Classification:

TYPE II

Amount Requested:

435,000

Comments:

New mechanical and electrical equipment will be more energy efficient than the equipment being replaced.

Energy Efficiencies:

PARKING LOT LIGHTS WILL BE LED. THIS PROJECT WILL ALSO INCLUDE ELECTRONIC VEHICLE (EV) CHARGING STATION(S) TO COMPLY WITH COUNTY STATUTE.

Appropriation History:

Year	Amount	Description
2015	1,050,000	REPLACEMENT AND UPGRADES TO HVAC AND REFRIGERATION SYSTEMS
2016	1,640,000	ROOF REPLACEMENT; SELECTIVE REPLACEMENT OF BRICK MASONRY, LINTELS; AND REPAINTING OF FACADE, INSTALLATION OF LIGHTNING RODS, RESURFACING OF THE PARKING LOT AND PLAY AREA. UPGRADING LIGHTING FIXTURES AROUND THE BUILDING TO ENERGY EFFICIENT LED LIGHT
2020	750,000	IMPROVEMENTS TO THE ROOF AND FACADE
2022	1,400,000	PLAYGROUND RENOVATIONS AND UPGRADES TO BUILDING MECHANICAL AND ELECTRICAL SYSTEMS

Total Appropriation History:

4,840,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	214	1,050,000	1,032,532	INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER
16	167	1,026,859	1,026,859	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS
20	171	1,363,141	273,182	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS

Total Financing History:

3,439,999

Recommended By:

Department of Planning
WBB4

Date
05-15-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMY1

Date
05-23-2022

Requesting Department
TTRI

Date
06-06-2022

INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015-2019) (BSS14)

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	2022	2023	2024	2025	2026	Under Review
Gross	4,840	3,440	2,368	1,400					
Non County Share			30						
Total	4,840	3,440	2,398	1,400					

Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

Current Year Description

The current year request funds playground renovations and upgrades to building mechanical and electrical systems.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,400,000			1,400,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds. A portion of the debt service will be reimbursed by the Federal Government.

Appropriation History

Year	Amount	Description	Status
2015	1,050,000	Replacement and upgrades to HVAC and refrigeration systems	COMPLETE
2016	1,640,000	Roof replacement; selective replacement of brick masonry, lintels; and repainting of facade, installation of lightning rods, resurfacing of the parking lot and play area. Upgrading lighting fixtures around the building to energy efficient LED lighting.	DESIGN
2020	750,000	Improvements to the roof and facade	DESIGN
Total	3,440,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,440,000	2,332,573	1,107,427
Others		(30,166)	30,166
Total	3,440,000	2,302,407	1,137,593

**INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY
CENTER (2015-2019)
(BSS14)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
214 15	1,050,000	12/15/17	136,328	17,468
		12/15/17	25,031	
		12/15/17	211	
		12/10/18	709,511	
		12/10/19	134,826	
167 16	1,026,859	12/10/19	26,625	
		12/15/17	20,897	
		12/15/17	3,837	
		12/15/17	32	
		12/10/19	29,073	
		12/10/19	5,741	
		04/30/20	46,975	
		10/28/20	780,746	
		10/28/20	109,393	
		10/28/20	30,166	
171 20	1,363,141			1,363,141
Total	3,440,000		2,059,391	1,380,609

**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 \$6,000,000 to finance capital project SBB95 – Playland Pumping Station Rehabilitation ("SBB95"). The Bond Act, which was prepared by the law firm Norton Rose Fulbright will finance the cost of design, construction management and construction costs for the rehabilitation of the Playland Pumping Station, including but not limited to the replacement or repair of mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and flood hazard mitigation.

The Department of Environmental Facilities ("Department") has advised that SBB95 is necessary to keep its wastewater collection system in good operating condition in accordance with Federal and State Regulations.

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

The Planning Department has advised your Committee that based on its review, SBB95 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: September 12, 2022
White Plains, New York

Dr. N. Mor
Lancey Bell
Yancy Ban
Calvin Parker
David J. Tubish
Colin O'M
Zs. H.
Sela
Dedat Pashin
Budget & Appropriations

Yancy Ban
Calvin Parker
David J. Tubish
Colin O'M
Zs. H.

Public Works & Transportation

COMMITTEE ON

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

PUBLIC WORKS & TRANSPORTATION COMMITTEE

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SBB95

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☐ GENERAL FUND

☐ AIRPORT FUND

☒ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☐ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 6,000,000 PPU 30 Anticipated Interest Rate 3.50%

Anticipated Annual Cost (Principal and Interest): \$ 309,399

Total Debt Service (Annual Cost x Term): \$ 9,281,970

Finance Department: Interest rates from June 23, 2022 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: 65

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF


Date: 6/30/22

Reviewed By: 

Budget Director

Date: 6/30/22

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

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

DATE: June 15, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SBB95 PLAYLAND PUMPING STATION REHABILITATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-23-2022 (Unique ID: 1912).

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: The rehabilitation project will include an upgraded electrical line that will run underneath the main parking lot at Playland. Other upgraded service lines are proposed to be installed within the parking area and then the parking lot will be repaved in connection with other capital projects at Playland. This will be timed to coordinate with these other improvements, which have been classified as Type II or were collectively reviewed and a Negative Declaration was issued.

DSK/cnm

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 Marzola, Associate Budget Director
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION OF THE PLAYLAND PUMPING STATION IN AND FOR THE BLIND BROOK SEWER DISTRICT, IN AND FOR SAID COUNTY.

WHEREAS, the capital project 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 project, 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 the cost of such capital project;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For the class of objects or purposes of financing design, construction management and construction costs for the rehabilitation of the Playland Pumping Station, including but not limited to the replacement or repair of mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and flood hazard mitigation, and including incidental expenses in connection therewith, there are hereby authorized to be issued \$6,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond 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 class of objects or purposes is \$6,000,000, and that the plan for the financing thereof is by the issuance of the \$6,000,000 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 class of objects or purposes is thirty 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 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 Blind Brook Sewer District, 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 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 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 class of objects or purposes 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: _____, 2022

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 _____, 2022, 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 _____, 2022.

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 _____, 2022 and approved by the County Executive on _____, 2022 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 (the "County"), 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 for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-2022

A BOND ACT AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION OF THE PLAYLAND PUMPING STATION IN AND FOR THE BLIND BROOK SEWER DISTRICT, IN AND FOR SAID COUNTY.

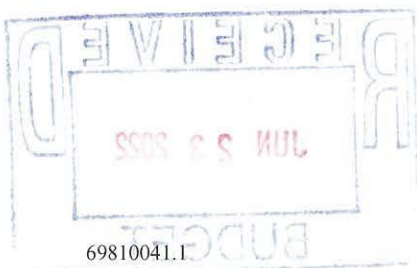
class of objects or purposes:	design, construction management and construction costs for the rehabilitation of the Playland Pumping Station, including but not limited to the replacement or repair of mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and flood hazard mitigation, in and for the County's Blind Brook Sewer District
-------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

period of probable usefulness:	thirty years
--------------------------------	--------------

amount of obligations to be issued:	\$6,000,000
-------------------------------------	-------------

Dated: _____, 2022
White Plains, New York

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



CAPITAL PROJECT FACT SHEET

Project ID:* SBB95	<input type="checkbox"/> CBA	Fact Sheet Date:* 03-15-2022
Fact Sheet Year:* 2022	Project Title:* PLAYLAND PUMPING STATION REHABILITATION	Legislative District ID: 3, 7, 6, 4,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 1912

Overall Project Description

The project will rehabilitate the Playland Pumping Station in the Blind Brook Sewer District.

- | | | |
|----------------------------------------------------|---------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Best Management Practices | <input checked="" 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	2022	2023	2024	2025	2026	Under Review
Gross	6,000	0	6,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,000	0	6,000	0	0	0	0	0

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

Current Bond Description: The request funds design and construction for the rehabilitation of the Playland Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs. Flood Hazard Mitigation will also be addressed as recommended in a prior Vulnerability Assessment Study, including the installation of a flood wall, water tight flood doors, hatches, and stop logs; sealing building penetrations.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	6,000,000
Cash:	0
Total:	<u>\$ 6,000,000</u>

SEQR Classification:

TYPE II

Amount Requested:

6,000,000

Comments:

Energy Efficiencies:

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

Appropriation History:

Year	Amount	Description
2022	6,000,000	DESIGN, CM, & CONSTRUCTION PLAYLAND PS

Total Appropriation History:

6,000,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
05-23-2022

Department of Public Works
JZR7

Date
06-06-2022

Budget Department
LMY1

Date
06-07-2022

Requesting Department
JWBA

Date
06-07-2022

PLAYLAND PUMPING STATION REHABILITATION (SBB95)

User Department : Environmental Facilities

Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	6,000			6,000					
Non County Share									
Total	6,000			6,000					

Project Description

The project will rehabilitate the pumping station in the Blind Brook Sewer District.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	6,000,000			6,000,000

Impact on Operating Budget

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

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$4,400,000 which includes \$900,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project SBB30 – Blind Brook Waste Water Treatment Plant Roof Replacements (“SBB30”). The Amended Bond Act, which was prepared by the law firm Norton Rose Fulbright is required to finance the cost of replacement of roofs at the County’s Blind Brook Water Resource Recovery Facility (“WRRF”).

The Department of Environmental Facilities (“Department”) has advised that the majority of the roofs at the Blind Brook WRRF are or will be reaching the end of their useful life and in need of replacement. The original treatment plant was built in 1962 and the secondary process was added in 1985.

Design is currently being performed by consultants and is expected to be completed by the fourth quarter of 2022. It is anticipated that construction will take twelve months to complete and will begin after award and execution of construction contracts, subject to approval of construction financing by your Honorable Board.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance SBB30, as indicated in the annexed fact sheet and as follows: Bond Act No. 55-2020 in the amount of \$900,000 which was authorized to finance design and construction management in connection with roof replacements at the Blind Brook WRRF. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 55-2020 be amended to increase the total amount authorized by \$3,500,000 for a total authorized amount, as amended, of \$4,400,000 to revise the scope of Bond Act No. 55-2020 to include work associated with the construction phase of SBB30 and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, SBB30 has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

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

Dated: September 12, 2022
White Plains, New York

Lee N. Mc
Lewy J. K. & H. G.

Mary E. Dan
Calvin Parker

Vedat J. Ali

David J. Jubilo

Colin O. Smith

W. H. J.

James J. Dan
L. J. R.

Budget & Appropriations

Mary E. Dan
Calvin Parker

David J. Jubilo

Colin O. Smith

W. H. J.

Public Works & Transportation

COMMITTEE ON

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

PUBLIC WORKS & TRANSPORTATION COMMITTEE

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SBB30

☐ 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 \$ 4,400,000 PPU 40 Anticipated Interest Rate 3.33%

Anticipated Annual Cost (Principal and Interest): \$ 185,875

Total Debt Service (Annual Cost x Term): \$ 7,435,000

Finance Department: Interest rates from July 5, 2022 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: 47

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 7/5/22

Reviewed By: 

Budget Director

Date: 7/8/22

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

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



DATE: June 16, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SBB30 Blind Brook Waste Water Treatment Plant Roof Replacements**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-23-2022 (Unique ID: 1911)

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 Marzola, Associate Budget Director
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 55-2020, WHICH PROVIDED FOR THE ISSUANCE OF \$900,000 BONDS TO FINANCE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE PROPOSED REPLACEMENT OF VARIOUS BUILDING ROOFS AT THE BLIND BROOK WASTEWATER TREATMENT PLANT, TO EXPAND THE OBJECT OR PURPOSE TO INCLUDE CONSTRUCTION COSTS AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$4,400,000.

WHEREAS, this Board has previously authorized the issuance of \$900,000 bonds to finance design and construction management costs for the replacement of various building roofs at the Blind Brook Wastewater Treatment Plant, pursuant to Bond Act No. 55-2020, adopted April 14, 2020.

WHEREAS, no obligations have been issued thereunder;

WHEREAS, it has now been determined that the description of the financed object or purpose should be expanded to include construction costs for the replacement of roofs at the Blind Brook Water Resource Recovery Facility, a class of objects or purposes, and that the estimated maximum cost of the aforesaid class of objects or purposes is \$4,400,000, an increase of \$3,500,000, and it is now desired to increase the amount of bonds authorized to \$4,400,000; and

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (the "County") (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 April 14, 2020, entitled:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE PROPOSED REPLACEMENT OF VARIOUS BUILDING ROOFS AT THE BLIND BROOK WASTEWATER TREATMENT PLANT.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$4,400,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION

MANAGEMENT AND CONSTRUCTION COSTS OF THE PROPOSED REPLACEMENT
OF ROOFS AT THE BLIND BROOK WATER RESOURCE RECOVERY FACILITY.

WHEREAS, the capital project 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 project, 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 purposes 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 project; NOW,
THEREFORE,

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

Section 1. For the class of objects or purposes of financing the design, construction management and construction costs for the replacement of roofs at the Blind Brook Water Resource Recovery Facility, including incidental expenses in connection therewith, there are hereby authorized to be issued \$4,400,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes 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 class of objects or purposes is \$4,400,000, and that the plan for the financing thereof is by the issuance of the \$4,400,000 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 class of objects or purposes 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 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 Blind Brook Sanitary Sewer District, 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 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 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 class of objects or purposes 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.

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 of the 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 Bond 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 Bond 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: _____, 2022

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 _____, 2022,
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) said meeting was held remotely by conference call, video conference, or other
similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

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 _____, 2022.

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 _____, 2022 and approved by the County Executive on _____, 2022 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 of Staff 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. _____-2022

A BOND ACT AUTHORIZING THE ISSUANCE OF \$4,400,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF THE PROPOSED REPLACEMENT OF ROOFS AT THE BLIND BROOK WATER RESOURCE RECOVERY FACILITY.

class of objects or purposes: financing the design, construction management and construction costs for the replacement of roofs at the Blind Brook Water Resource Recovery Facility

period of probable usefulness: forty (40) years

amount of obligations to be issued: \$4,400,000

Dated: _____, 2022
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* SBB30	<input type="checkbox"/> CBA	Fact Sheet Date:* 03-15-2022
Fact Sheet Year:* 2022	Project Title:* BLIND BROOK WASTE WATER TREATMENT PLANT ROOF REPLACEMENTS	Legislative District ID: 1, 7, 6, 3,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 1911

Overall Project Description

This project will provide funds for the replacement of roofs, installation of safety railings and repairs/replacements of expansion joints, as required, at the Blind Brook Wastewater Treatment Plant.

- | | | |
|----------------------------------------------------|--------------------------------------------------|----------------------------------------------------|
| <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	2022	2023	2024	2025	2026	Under Review
Gross	4,640	1,140	3,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,640	1,140	3,500	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 552

Current Bond Description: Construction funding for the replacement of all roofs at the Blind Brook Water Resource Recovery Facility.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	3,500,000
Cash:	0
Total:	<u>\$ 3,500,000</u>

SEQR Classification:

TYPE II

Amount Requested:

3,500,000

Comments:

Energy Efficiencies:

NOT APPLICABLE

Appropriation History:

Year	Amount	Description
2012	240,000	DESIGN & CONSTRUCTION OF PUMP HOUSE ROOF REPLACEMENT
2019	900,000	DESIGN AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

1,140,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	56	0	0	BLIND BROOK WASTE WATER TREATMENT PLANT ROOF REPLACEMENTS
14	84	240,000	131,523	BLIND BROOK WASTEWATER TREATMENT PLANT - ROOF REPLACEMENTS
20	55	900,000	0	COST OF DESIGN, CONSTRUCTION & ROOF REPLACEMENT AT BLIND BROOK WASTEWATER TREATMENT PLANT

Total Financing History:

1,140,000

Recommended By:**Department of Planning**

WBB4

Date

05-23-2022

Department of Public Works

JZR7

Date

06-06-2022

Budget Department

LMY1

Date

06-07-2022

Requesting Department

JWBA

Date

06-07-2022

BLIND BROOK WASTE WATER TREATMENT PLANT ROOF REPLACEMENTS (SBB30)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ; 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	2022	2023	2024	2025	2026	Under Review
Gross	4,640	1,140	548	3,500					
Non County Share									
Total	4,640	1,140	548	3,500					

Project Description

This project will provide funds for the replacement of roofs, installation of safety railings and repairs/replacements of expansion joints, as required, at the Blind Brook Wastewater Treatment Plant.

Current Year Description

The current request funds construction.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	3,500,000			3,500,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2012	240,000	Design & Construction of Pump House Roof Replacement	COMPLETE
2019	900,000	Design and construction management	DESIGN
Total	1,140,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,140,000	131,523	1,008,477
Total	1,140,000	131,523	1,008,477

BLIND BROOK WASTE WATER TREATMENT PLANT ROOF REPLACEMENTS (SBB30)

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
56 13				
84 14	240,000	11/19/15	89,765	108,477
		11/19/15	7,235	
		11/19/15	486	
		12/15/17	29,145	
		12/15/17	4,830	
		12/15/17	63	
55 20	900,000			900,000
Total	1,140,000		131,523	1,008,477

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$4,050,000 which amount does not represent an increase to the total authorized by Act 100-2019, previously authorized bonds of the County of Westchester (“County”) to finance Capital Project RD017 – Material Recovery Facility and Transfer Station Rehabilitation (“RD017”). The Amended Bond Act, which was prepared by the law firm Norton Rose Fulbright, is required to finance the cost of the design, construction management and construction costs of leachate collection facilities at the District’s Brockway Place Transfer Station in the City of White Plains (“Brockway” or “Facility”).

Bond Act 100-2019 authorized the County to issue bonds in the amount of \$4,050,000 to finance design and construction management in connection with the leachate collection at Brockway. The Department of Environmental Facilities (“Department”) has advised that the Amended Bond Act is required to authorize the County to issue bonds to finance construction in connection with RD017 to complete work required in connection with an Administrative Order issued by the United States Environmental Protection Agency (“EPA”).

The Department has advised that the EPA Administrative Order requires the District to install and maintain a barrier separation and filtration system in an effort to resolve outstanding leachate concerns at the Facility (“Work”). The Work must be completed by March 2023.

The Department has further advised that this component of RD017 has previously received approval by the New York State Comptroller (“Comptroller”) in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

Following bonding authorization and procurement of the system, design will be completed by a consultant and construction is anticipated to take approximately six months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance RD017 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, RD017 has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its

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

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

Dated: September 12, 2022
White Plains, New York

John D. M...
Lance B...
Nancy B...
Calvin Parker
Vedat J...
D...
C...
C...

Budget & Appropriations

Nancy B...
Calvin Parker
D...
C...

Public Works & Transportation

COMMITTEE ON

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

PUBLIC WORKS & TRANSPORTATION COMMITTEE

A handwritten signature in cursive script, reading "Mary Jane Shimsky".

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RD017

☐ 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 \$ 4,050,000 PPU 25 Anticipated Interest Rate 3.12%

Anticipated Annual Cost (Principal and Interest): \$ 228,341

Total Debt Service (Annual Cost x Term): \$ 5,708,525

Finance Department: Interest rates from July 5, 2022 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: 44

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF


Date: 7/5/22

Reviewed By: 

Budget Director

Date: 7/5/22

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

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

DATE: March 16, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RD017 Material Recovery Facility And Transfer Station Rehabilitation**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
02-15-2022 (Unique ID: 1890)

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;
 - **617.5(c)(35):** civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion.
-

COMMENTS: The current request will fund improvements needed at the White Plains Transfer to bring the facility into compliance with an EPA Administrative Order pertaining to stormwater discharges. The County will be seeking approval from the EPA to install a filter system encased in a concrete vault under the existing driveway near Outfall #1 at the White Plains Transfer Station.

DSK/cnm

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 Analyst
Melissa Rotini, Assistant Commissioner, Department of Environmental Facilities

C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Dept. of Environmental Facilities
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 100-2019, WHICH PROVIDED FOR THE ISSUANCE OF \$4,050,000 BONDS TO PAY THE DESIGN COSTS FOR THE INSTALLATION OF LEACHATE COLLECTION FACILITIES AT THE BROCKWAY PLACE TRANSFER STATION IN THE CITY OF WHITE PLAINS, IN, AND FOR THE BENEFIT OF, THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO EXPAND THE OBJECT OR PURPOSE TO INCLUDE CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS

WHEREAS, this Board has previously authorized the issuance of \$4,050,000 bonds to finance design costs for leachate collection facilities at the Brockway Place Transfer Station in the City of White Plains, pursuant to Act No. 100-2019, adopted June 3, 2019.

WHEREAS, no obligations have been issued thereunder;

WHEREAS, it has now been determined that the description of the financed object or purpose should be expanded to include construction management and construction costs of leachate collection facilities at the Brockway Place Transfer Station in the City of White Plains;

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

Section (A): The Bond Act duly adopted by this Board on May 5, 2013, as amended February 13, 2017 and June 3, 2019, entitled:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$4,050,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COST OF THE DESIGN OF LEACHATE COLLECTION FACILITIES AT THE BROCKWAY PLACE TRANSFER STATION IN THE CITY OF WHITE PLAINS, IN, AND FOR THE BENEFIT OF, THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$4,050,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF LEACHATE COLLECTION

FACILITIES AT THE BROCKWAY PLACE TRANSFER STATION IN THE CITY OF WHITE PLAINS, IN, AND FOR THE BENEFIT OF, THE COUNTY'S REFUSE DISPOSAL DISTRICT NO.

WHEREAS, the capital project 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 project, 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 purposes 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 project; NOW, THEREFORE,

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

Section 1. For the class of objects or purposes of financing the cost of the design, construction management and construction costs of leachate collection facilities at the Brockway Place Transfer Station in the City of White Plains, including incidental expenses in connection therewith, there are hereby authorized to be issued \$4,050,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes 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 class of objects or purposes is \$4,050,000, and that the plan for the financing thereof is by the issuance of the \$4,050,000 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 class of objects or purposes is twenty-five years pursuant to subdivision six 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 Refuse Disposal District No. 1, 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 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 class of objects or purposes 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.

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 of the 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: _____, 2022

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 _____, 2022,
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) said meeting was held remotely by conference call, video conference, or other
similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

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 _____, 2022.

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 _____, 2022 and approved by the County Executive on _____, 2022 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 of Staff 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. _____-2022

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 100-2019, WHICH PROVIDED FOR THE ISSUANCE OF \$4,050,000 BONDS TO PAY THE DESIGN COSTS FOR THE INSTALLATION OF LEACHATE COLLECTION FACILITIES AT THE BROCKWAY PLACE TRANSFER STATION IN THE CITY OF WHITE PLAINS, IN, AND FOR THE BENEFIT OF, THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO EXPAND THE OBJECT OR PURPOSE TO INCLUDE CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS

class of objects or purposes: financing the cost of the design, construction management and construction costs of leachate collection facilities at the Brockway Place Transfer Station in the City of White Plains

period of probable usefulness: twenty-five (25) years

amount of obligations to be issued: \$4,050,000

Dated: _____, 2022
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* RD017	<input type="checkbox"/> CBA	Fact Sheet Date:* 02-01-2022
Fact Sheet Year:* 2022	Project Title:* MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION	Legislative District ID: 1, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2,
Category* REFUSE DISPOSAL	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 1890

Overall Project Description

This multi-phased project will include, but not be limited to, the design and construction of a leachate collection system for the haulage vehicle "trailer staging area" at the MRF to address the liquid leachate leaking from the trailers in the first phase. The second phase will provide for leachate collection and/or treatment systems at the White Plains and Mt. Vernon transfer stations as directed by the USEPA. The third phase will involve the repair of any structural deficiencies identified in a prior structural inspection program and the roof replacements for the MRF and the four (4) Solid Waste Transfer Stations. Also included will be the repair or replacement of the various HVAC, electrical, mechanical and plumbing systems and equipment at the MRF and Transfer Stations.

- | | | |
|---------------------------------------------------------------|---------------------------------------------------------------------|----------------------------------------------------|
| <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(EPA ADMINISTRATIVE ORDER) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	37,680	27,680	0	0	0	0	0	10,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	37,680	27,680	0	0	0	0	0	10,000

Expended/Obligated Amount (in thousands) as of : 4,558

Current Bond Description: Requesting the amendment of Bond Act 100-2019 to include construction funding for the leachate collection system at the White Plains Transfer Station. The current bond act includes design and construction management only, the revised bond act will include design, construction management, and construction funding. Please note that the overall scope of the project has not changed.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	0
Cash:	0
Total:	\$ 0

SEQR Classification:

TYPE II

Amount Requested:

0

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2013	450,000	DESIGN AND CONSTRUCTION MANAGEMENT - WHITE PLAINS
2014	1,700,000	CONSTRUCTION - WHITE PLAINS
2015	5,800,000	FUNDS ADDITIONAL CONSTRUCTION COSTS
2018	6,000,000	CONSTRUCTION.
2019	13,730,000	FUNDS CONSTRUCTION

Total Appropriation History:

27,680,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
14	58	0	0	LEACHATE COLLECTION SYSTEM - OVERNIGHT HAULAGE VEHICLE STAGING AREA
17	32	4,050,000	0	LEACHATE COLLECTION SYSTEM - OVERNIGHT HAULAGE VEHICLE STAGING AREA
19	99	7,500,000	1,096,997	DESIGN/CONSTRUCTION FOR LEACHATE COLLECTION SYSTEM AT MRF IN YONKERS
19	100	0	0	NARROWS SCOPE OF WORK TO DESIGN AND CONSTRUCTION AT WHITE PLAINS TRANSFER STATION ONLY
20	85	300,000	0	COST OF STUDY TO EVALUATE ALL BUILDING SYSTEMS AND EQUIPMENTS AT MATERIAL RECOVERY FACILITY, YONKERS

Total Financing History:

11,850,000

Recommended By:

Department of Planning
WBB4

Date
02-15-2022

Department of Public Works
RJB4

Date
02-16-2022

Budget Department
LMY1

Date
02-22-2022

Requesting Department
CJGA

Date
02-22-2022

MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION (RD017)

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	2022	2023	2024	2025	2026	Under Review
Gross	37,680	27,680	4,558						10,000
Non County Share									
Total	37,680	27,680	4,558						10,000

Project Description

This multi-phased project will include, but not be limited to, the design and construction of a leachate collection system for the haulage vehicle "trailer staging area" at the MRF to address the liquid leachate leaking from the trailers in the first phase. The second phase will provide for leachate collection and/or treatment systems at the White Plains and Mt. Vernon transfer stations as directed by the NYSDEC. The third phase will involve the repair of any structural deficiencies identified in a prior structural inspection program and the roof replacements for the MRF and the four (4) Solid Waste Transfer Stations. Also included will be the repair or replacement of the various HVAC, electrical, mechanical and plumbing systems and equipment at the MRF and Transfer Stations.

Current Year Description

There is no current year request.

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
2013	450,000	Design and construction management - White Plains	DESIGN
2014	1,700,000	Construction - White Plains	DESIGN
2015	5,800,000	Funds additional construction costs	\$1,900,000 - White Plains - DESIGN ; \$3,900,000 - Yonkers - DESIGN
2018	6,000,000	Construction.	\$3,600,000 - Yonkers - DESIGN; \$300,000 - STUDY IN PROGRESS; \$2,100,000 - Phase II - AWAITING BOND AUTHORIZATION
2019	13,730,000	Funds construction	AWAITING BOND AUTHORIZATION
Total	27,680,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	27,680,000	3,840,800	23,839,200
Total	27,680,000	3,840,800	23,839,200

MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION (RD017)

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
58 14				
32 17	4,050,000			4,050,000
99 19	7,500,000	12/10/19	398,154	6,403,003
		12/10/19	29,471	
		04/30/20	669,372	
100 19				
85 20	300,000			300,000
Total	11,850,000		1,096,997	10,753,003

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a proposed Act transmitted by the County Attorney which, if adopted, would authorize the County of Westchester (the “County”) to further amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP (“Sheppard Mullin” or the “Firm”) for the provision of outside counsel legal services in connection with the civil matter *Yonkers Contracting Company, Inc. v. County of Westchester, et al* /Index Number: 63929/2015 (“*Yonkers Contracting*”), by increasing the not-to-exceed amount authorized thereunder by an additional \$100,000.00 and by extending the term thereof through December 31, 2023.

The County Attorney has advised your Committee that due to the special and complex nature of construction law litigation and the evaluation and analysis of damages, it is in the best interests of the County to retain counsel qualified to handle such litigation. Accordingly, on February 26, 2018 by Act No. 2018-18, your Honorable Board authorized the County to enter into a retainer agreement with the law firm of Pepper Hamilton, LLP (“Pepper Hamilton”), pursuant to which Pepper Hamilton agreed to defend the County against claims commenced against it and to prosecute appropriate cross-claims in the *Yonkers Contracting* matter for a term commencing on January 11, 2018 and continuing through January 10, 2021 (the “Agreement”). In consideration for services rendered, your Honorable authorized the County to pay Pepper Hamilton an amount not-to-exceed \$150,000.00 at agreed upon rates.

Thereafter, on May 6, 2019 by Act No. 2019-83, your Honorable Board authorized the County to pay Pepper Hamilton an additional amount not-to-exceed of \$200,000.00, increasing the total contract amount to \$350,000.00.

Then, on October 7, 2019 by Act No. 2019-198, your Honorable Board authorized the County to pay Pepper Hamilton an additional amount not-to-exceed of \$265,000.00, increasing the total contract amount to \$615,000.00.

Thereafter, on May 18, 2020 by Act No. 2020-89, your Honorable Board authorized the County to: 1) further amend the Agreement with Pepper Hamilton by increasing the not-to-

exceed cap thereunder by an additional \$69,100 to compensate Pepper Hamilton for legal services rendered through April 1, 2020; 2) consent to the assignment of the Agreement with Pepper Hamilton to the law firm of Sheppard Mullin, effective April 2, 2020; and 3) amend the Agreement, as assigned to Sheppard Mullin, to increase the not-to-exceed amount thereunder by an additional \$175,000.00.

Subsequently, on February 22, 2021, by Act No. 2021- 27, your Honorable Board authorized the County to extend the term of the Agreement with Sheppard Mullin through December 31, 2021.

Most recently, on December 7, 2021, by Act No. 2021- 214, your Honorable Board authorized the County to increase the not-to-exceed amount under the Agreement with Sheppard Mullin by \$150,000.00 and extend the term thereof through December 31, 2022.

Your Committee is advised that the County has exceeded its previous payment authorization and that there is an outstanding invoice from the Firm that has yet to be paid. In order to have sufficient funds available to pay Sheppard Mullin for services previously rendered, as well as for any services that may be needed going forward, it is necessary to increase the not-to-exceed cap by an additional \$100,000.00, bringing the total aggregate cost of the Agreement, as previously amended and assigned, from an amount not-to-exceed \$1,009,100.00, to an amount not-to-exceed \$1,109,100.00.

For the services rendered to the County by Sheppard Mullin, the Firm will be paid at the agreed upon rates as follows: \$520.00 per hour for the services of Ira M. Schulman, Esq.; \$412.00 per hour for Sophia Cahill, Esq.; \$312.00 per hour for Michelle Cooper, Esq., and \$150.00 per hour for paralegal Leigh Ann Tencza; or personnel within Sheppard Mullin with comparable experience and ability as those mentioned at the same rate of pay.

Your Committee is further advised that the Agreement with Sheppard Mullin is due to expire December 31, 2022. As the *Yonkers Contracting* case is still ongoing, the County continues to need representation. Accordingly, authority is also requested to extend the Agreement through December 31, 2023.

The Planning Department has advised that the proposed amendment to the retainer agreement does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

An affirmative vote of a majority of the voting strength of the Board is required for approval of the attached Act.

Your Committee recommends approval of the attached Act.

Dated: September 12, 2022
White Plains, New York

W. N. Mc
L. J. Zile - L. H. G.
Youngman
Cathryn Parker
Vedat Jasli
Colin O'Driscoll
Budget & Appropriations

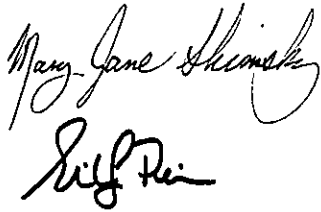
W. N. Mc
Youngman
Cathryn Parker
Vedat Jasli
Colin O'Driscoll
Law & Major Contracts

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON:

Budget & Appropriations



Handwritten signatures of Mary Jane Shimsky and Jeff Rein.

Law & Major Contracts



Handwritten signature of Mary Jane Shimsky.

FISCAL IMPACT STATEMENT

SUBJECT: Sheppard, Mullin, Richter & Hampton ☐ 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 \$ 100,000

Total Current Year Revenue \$ -

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

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 221_60_0110_4923

Potential Related Operating Budget Expenses: Annual Amount \$100,000

Describe: To further amend a retainer agreement with the firm of Sheppard, Mullin, Richter & Hampton, LLP, for the provision of legal services in connection with Yonkers contracting by increasing the NTE amount by \$100,000 and extending the term to 12/31/23

Potential Related Operating Budget Revenues: Annual Amount \$0

Describe: _____

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

Current Year: N/A

Next Four Years: \$100,000 for Litigation; contract has been extended to December 31st, 2023

Prepared by: William Olli

Title: Assistant Budget Director

Department: Budget

Date: July 12, 2022

Reviewed By: Lawrence Lee

Budget Director

Date: 7/12/22

AN ACT authorizing the County of Westchester to further amend a retainer agreement with the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with the civil matter *Yonkers Contracting Company, Inc. v. County of Westchester, et al*, by increasing the not-to-exceed amount authorized thereunder by \$100,000.00 and by extending the term thereof through December 31, 2023.

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

Section 1. The County of Westchester (the “County”) is hereby authorized to amend a retainer agreement, as previously amended and assigned (the “Agreement”), with the law firm of Sheppard, Mullin, Richter & Hampton LLP (“Sheppard Mullin” or the “Firm”) for the provision of outside counsel legal services in connection with the civil matter *Yonkers Contracting Company, Inc. v. County of Westchester, et al* /Index Number: 63929/2015 (“*Yonkers Contracting*”), by increasing the not-to-exceed contract amount by One Hundred Thousand (\$100,000.00) Dollars. The new total aggregate contract amount for the Agreement will be an amount not-to-exceed One Million One Hundred Nine Thousand One Hundred (\$1,109,100.00) Dollars.

§2. For the aforesaid services rendered to the County by Sheppard Mullin, the County shall continue to pay the Firm at the following rates: \$520.00 per hour for the services of Ira M. Schulman, Esq.; \$412.00 per hour for Sophia Cahill, Esq.; \$312.00 per hour for Michelle Cooper, Esq., and \$150.00 per hour for paralegal Leigh Ann Tencza; or personnel within Sheppard Mullin with comparable experience and ability as those mentioned at the same rate of pay.

§3. The County is hereby further authorized to amend the Agreement with Sheppard Mullin for the provision of outside counsel legal services in connection with the *Yonkers Contracting* matter in order to extend the term through December 31, 2023.

§4. That except as otherwise expressly amended hereby, all other terms and conditions of the retainer agreement, as previously amended and assigned, shall remain in full force and effect.

§5. This Act 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 approval of an Act which would authorize the County of Westchester (“County”), acting by and through the Westchester County Youth Bureau (“Youth Bureau”), to enter into inter-municipal agreements (“IMAs”) with the cities of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, Yonkers and White Plains, through their respective youth bureaus, and the Town of Greenburgh, through its community center (“Municipalities”), pursuant to which the Municipalities will provide summer youth employment and training services to eligible Westchester youth for a term commencing on July 1, 2022 and continuing through September 30, 2022 in a total aggregate not-to-exceed amount of \$135,632.00 payable as invoiced and pursuant to an approved budget. It is anticipated that the County will pay each municipality an amount not to exceed \$16,954.00 under their respective IMAs.

Your Committee is advised that the Youth Bureau has been awarded a grant in the amount of \$152,594.00 from New York Presbyterian Hospital (“NYP”) to provide up to 45 youth from the Municipalities with an opportunity to explore career paths, increase their employability skills, and earn income that may contribute to their basic needs such as food, clothing, and school supplies (“Program”). The objective of the Program is to provide youth between the ages 16-24 from families with low to moderate incomes, with a six-week comprehensive program that will provide initial introductions to the workplace and help youth to acquire and enhance transferable, employability skills.

Your Committee notes that in addition to the IMAs, the County will also enter into a contract with the Boys and Girls Club of Northern Westchester, Inc. (“Boys & Girls Club”) pursuant to which Boys & Girls Club will provide summer youth employment and training services funded by the balance of the NYP grant. Approval for the Boys & Girls Club contract and the grant agreement with NYP was previously authorized by the County’s Board of Acquisition & Contract on June 16, 2022.

The procurement of Program is exempt from the requirements of the Westchester County Procurement Policy and Procedures pursuant to Section 3(a) xviii of said Policy.

definition of an "action" under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 14, 2022, which is on file with the clerk of your Honorable Board. Therefore, no further environmental review is required. Your Committee concurs with this conclusion.

Your Committee has been advised that the passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board.

Your Committee has been advised that adoption of the proposed legislation is necessary to effectively carry out this worthwhile program. Accordingly, after due consideration, your Committee recommends adoption of the annexed legislation.

Dated: September 12, 2022
White Plains, New York

W. H. W. H.
Lancey Zille + Hyn
Yanay Pan
Cathie Parker

Vedat Ali

David S. Zille
Colin Zille
Y. H. W. H.
H. H. W. H.

Lancey Zille + Hyn
Yanay Pan
David S. Zille

Budget & Appropriations

Seniors & Youth

COMMITTEE ON

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**



SENIORS & YOUTH COMMITTEE



FISCAL IMPACT STATEMENT

SUBJECT: New York-Presbyterian Hospital

☐ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) ☒ GENERAL FUND ☐ AIRPORT ☐ SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 152,594

Total Current Year Revenue \$ 152,594

Source of Funds (check one): ☒ Current Appropriations

☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: Operating Acct: 101-11-0400-4380; Recovery 101-11-0400-9425

Potential Related Operating Budget Expenses: Annual Amount \$ 152,594

Describe: To provide summer youth employment and training experiences for 45 eligible Westchester youth between the ages 16-24 from families with low to moderate incomes, for a term commencing on July 1, 2022 and continuing through September 30, 2022. Subcontracts with Mount Vernon, New Rochelle, Ossining, Peekskill, White Plains, Port Chester, Yonkers, Greenburgh and Boys & Girls Club of Northern Westchester.

Potential Related Revenues: Annual Amount \$ 152,594

Describe: Grant from New York Presbyterian Hospital to provide summer youth employment and training services for 45 youth.

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

Current Year: \$0.00

Next Four years: Same as above

Prepared by: Bernie Dean

Title: Financial Administrator

Department: CEO/Youth Bureau

Reviewed By: 

Budget Director

7/14/22

If you need more space, please attach additional sheets.

ACT NO. _____ - 2022

AN ACT authorizing the County of Westchester to enter into inter-municipal agreements with the cities of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, Yonkers and White Plains, through their respective youth bureaus, and the Town of Greenburgh, through its community center, pursuant to which the municipalities will provide summer youth employment and training services to eligible Westchester youth.

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

Section 1. The County of Westchester, acting by and through the Westchester County Youth Bureau ("County"), be and hereby is authorized to enter into inter-municipal agreements ("IMAs") with the cities of Mount Vernon, New Rochelle, Ossining, Peekskill, Port Chester, Yonkers and White Plains, through their respective youth bureaus, and the Town of Greenburgh, through its community center ("Municipalities"), pursuant to which the Municipalities will provide summer youth employment and training services for up to 45 eligible Westchester youth between the ages 16-24 from families with low to moderate incomes. The term of each IMA will commence on July 1, 2022 and continue through September 30, 2022. Pursuant to the IMAs, the County shall reimburse the Municipalities a total aggregate amount not to exceed \$135,632.00, payable as invoiced, pursuant to an approved budget.

§2. The County Executive or his authorized designee is hereby empowered to execute all instruments and take all actions reasonable and necessary to effectuate the purposes hereof.

§3. This Act shall take effect immediately.

THIS AGREEMENT made the ____ day of _____, 2022 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 the "County"), acting by and through the Westchester County Youth Bureau, (hereinafter the "WCYB"),
and _____, acting by and through its _____
_____, having an office and principal place of business at _____
_____ (hereinafter the "Municipality");

WHEREAS, the County, through the WCYB, has been awarded a grant from The New York and Presbyterian Hospital (the "Hospital") to provide a summer youth employment and training program for eligible youth from Westchester County; and

WHEREAS, the County desires to enter into a contract with the Municipality to provide said services; and

WHEREAS, the Municipality desires to provide such services.

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties do agree as follows:

FIRST: The Municipality shall operate a summer youth employment and training program for eligible Westchester youth between the ages 16-24 from families with low to moderate incomes, as more particularly described in Schedule "A", which is attached hereto and made a part hereof (hereinafter the "Work"). The Municipality shall ensure that the Work and all services provided for hereunder shall conform in every respect to all applicable Federal, State and local laws, rules, regulations and ordinances and shall be performed to the complete satisfaction of the Executive Director of the Westchester County Youth Bureau (the "Executive Director").

SECOND: The term of this Agreement shall commence on July 1, 2022 and shall continue through September 30, 2022 unless terminated earlier pursuant to the provisions of this Agreement.

The Municipality shall report to the County on its progress toward completing the Work as required by applicable laws and rules and as the Executive Director may request, and shall immediately inform the Executive Director in writing of any cause for delay in the

performance of its obligations under this Agreement, including, but not limited to, any violation of applicable laws and rules.

THIRD: For the Work to be performed pursuant to Paragraph "FIRST", the Municipality shall be paid a total amount not to exceed _____ (\$ _____) DOLLARS, payable as invoiced and in accordance with the approved budget attached hereto and made a part hereof as Schedule "B".

The Municipality shall, at no additional charge, furnish all labor, services, materials, goods, equipment and any other things necessary to complete the Work, unless specific additional charges are expressly permitted under this Agreement. It is recognized and understood that even if specific additional charges are expressly permitted under this Agreement, in no event shall total payment to the Municipality exceed the not-to-exceed amount set forth above.

Any and all requests for payment to be made, including any request for partial payment shall be submitted by the Municipality on properly executed payment vouchers of the County, together with such receipts, vouchers or the like as the Executive Director may reasonably require and paid only after approval by the Executive Director. All payment vouchers must be accompanied by a numbered invoice and must contain the invoice number where indicated. All invoices submitted during each calendar year shall utilize consecutive numbering and be non-repeating. In no event shall final payment be made to the Municipality prior to completion of all Work and the approval of same by the Executive Director.

FOURTH: Prior to the making of any payments hereunder, the County may, at its option, audit such books and records of the Municipality as are reasonably pertinent to this Agreement to substantiate the basis for payment. The County will not withhold payment pursuant to this paragraph for more than thirty (30) days after payment would otherwise be due pursuant to the provisions of this Agreement, unless the County shall find cause to withhold payment in the course of such audit or the Municipality fails to cooperate with such audit. The County shall, in addition, have the right to audit such books and records subsequent to payment, if such audit is commenced within one year following expiration or termination of this Agreement.

The Municipality agrees to permit designated employees or agents of the County reasonable on-site inspection of the work being performed by the Municipality under this Agreement, its books, accounts, financial audits and records and agrees to keep records necessary to disclose fully the receipt and disposition of funds received under this Agreement. Unless the County shall, in writing, advise the Municipality to the contrary, the Municipality shall retain all financial records related to this Agreement for a period of six (6) years after the expiration or termination of this Agreement.

In addition to any other remedies it may have, the County shall have the right to deduct from future contract payments under any contracts the County may have with Municipality any funds the County may determine are owed to the County under this Agreement.

FIFTH: The Municipality agrees to furnish all reports and materials necessary to permit the County to fulfill its reporting requirements to State and Federal authorities under all applicable laws and rules, including but not limited to any audits required pursuant to said law and rules. The above audits shall be conducted in accordance with OMB Circular A-133.

In addition to the above, without limiting the County's right to require additional reports regarding the Work hereunder, the Municipality shall provide the County with the following reports:

- (a) A monthly report describing activities, progress and accomplishments of the Municipality in carrying out the Work, as directed by the Executive Director.
- (b) Statistical and programmatic reports, the nature and extent of which will be determined by the Executive Director.

The Executive Director shall be entitled to enter the premises utilized by the Municipality in connection with this Agreement at any time for the purpose of inspecting, observing and monitoring any aspect of the Municipality's operations. The Municipality shall be responsible for ensuring that any and all violations of any law or regulation pertaining to the Municipality's performance under this Agreement are promptly remedied.

SIXTH: The parties recognize and acknowledge that the obligations of the County under this Agreement are subject to the County's receipt of funds from the Hospital, and that no liability shall be incurred by the County beyond the monies made available from the Hospital for this Agreement. The Municipality agrees that the County shall not be liable for any of the payments hereunder unless and until the County's Commissioner of Finance has received said funds and the Hospital has not imposed any restriction that would prevent payment of this Agreement.

If, for any reason, the full amount of said funds is not paid over or made available to the County by the Hospital, the County may terminate this Agreement immediately or reduce the amount payable to the Municipality, in the discretion of the County. The County shall give prompt notice of any such termination or reduction to the Municipality. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

This Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Municipality, then the Municipality shall have the right to terminate this Agreement upon reasonable prior written notice.

SEVENTH: (a) The County, upon ten (10) days' notice to the Municipality, may terminate this Agreement in whole or in part when the County deems it to be in its best interest. Notice shall be effective on the date of receipt. In such event, the Municipality shall be compensated and the County shall be liable only for payment for services already rendered under this Agreement prior to the effective date of termination, which shall be pro-rated in accordance with the budget set forth in Schedule "B". Upon receipt of notice that the County is terminating

this Agreement in its best interests, the Municipality shall stop work immediately and incur no further costs in furtherance of this Agreement without the express approval of the Executive Director, and the Municipality shall direct any approved subcontractors to do the same.

In the event of a dispute as to the value of the Work rendered by the Municipality prior to the date of termination, it is understood and agreed that the Executive Director shall determine the value of such Work rendered by the Municipality. The Municipality shall accept such reasonable and good faith determination as final.

(b) In the event the County determines that there has been a material breach by the Municipality of any of the terms of the Agreement and such breach remains uncured for forty-eight (48) hours after service on the Municipality of written notice thereof, the County, in addition to any other right or remedy it might have, may terminate this Agreement and the County shall have the right, power and authority to complete the Work provided for in this Agreement, or contract for its completion, and any additional expense or cost of such completion shall be charged to and paid by the Municipality. Notice shall be effective on the date of receipt. Without limiting the foregoing, upon written notice to the Municipality, repeated breaches by the Municipality of duties or obligations under this Agreement shall be deemed a material breach of this Agreement justifying termination for cause hereunder without requirement for further opportunity to cure. Notice shall be effective on the date of receipt.

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

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

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

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

NINTH: The Municipality represents and warrants that all prices quoted herein for the work to be performed hereunder have been arrived at by the Municipality independently and have been submitted without collusion with any other vendor of similar materials, supplies, equipment or services.

TENTH: The Municipality expressly agrees that neither it nor any contractor, 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 term of or in connection with this Agreement, as those terms may be defined in Chapter 700 of the Laws of Westchester County. The Municipality 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.

ELEVENTH: The Municipality shall comply, at its own expense, with the provisions of all applicable local, state and federal laws, rules and regulations, including, but not limited to, those applicable to the Municipality as an employer of labor. The Municipality shall further comply, at its own expense, with all applicable rules, regulations and licensing requirements pertaining to its professional status and that of its employees, partners, associates, subcontractors and others employed to render the Work hereunder.

TWELFTH: 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 "D" is a Questionnaire entitled Business Enterprises Owned and Controlled by Persons of Color or Women. The Municipality agrees to complete the questionnaire attached hereto as Schedule "D", as part of this Agreement.

THIRTEENTH: All records or recorded data of any kind compiled by the Municipality in completing the Work described in this Agreement, 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 Municipality may retain copies of such records for its own use and shall not disclose any such information without the express written consent of the Executive Director. The County shall have the right to reproduce and publish such records, if it so desires, at no additional cost to the County.

Notwithstanding the foregoing, all deliverables created under this Agreement by the Municipality are to be considered "works made for hire." If any of the deliverables do not qualify as "works made for hire," the Municipality 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 which may be available. The Municipality agrees to assist the County, if required, in perfecting these rights. The Municipality shall provide the County with at least one copy of each deliverable.

The Municipality agrees to defend, indemnify and hold harmless the County 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 Municipality agrees to enable the County's continued use of the deliverable, or to modify or replace it. If the County determines that none of these alternatives is reasonably available, the deliverable may be returned.

FOURTEENTH: The Municipality shall not delegate any duties or assign any of its rights under this Agreement without the prior express written consent of the County. The Municipality shall not subcontract any part of the Work without the written consent of the County, subject to any necessary legal approvals. Any purported delegation of duties, assignment of rights or subcontracting of Work under this Agreement without the prior express written consent of the County is void. All subcontracts that have received such prior written consent shall provide that subcontractors are subject to all terms and conditions set forth in this Agreement. It is recognized and understood by the Municipality that for the purposes of this Agreement, all Work performed by a County-approved subcontractor shall be deemed Work performed by the Municipality and the Municipality shall insure that such subcontracted work is subject to the material terms and conditions of this Agreement.

All subcontracts for the Work shall expressly reference the subcontractor'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 Municipality. The Municipality shall obtain a written acknowledgement from the owner and/or chief executive of subcontractor or his/her duly authorized representative that the subcontractor has received a copy of the County's contract, read it and is familiar with the material terms and conditions thereof. The Municipality shall include provisions in its subcontracts designed to ensure that the Municipality and/or its auditor has the right to examine all relevant books, records, documents or electronic data of the subcontractor necessary to review the subcontractor's compliance with the material terms and conditions of this Agreement. For each and every year for which this Agreement continues, the Municipality shall submit to the Executive Director a letter signed by the owner and/or chief executive officer of the Municipality or his/her duly authorized representative certifying that each and every approved subcontractor is in compliance with the material terms and conditions of the Agreement.

FIFTEENTH: The Municipality and the County agree that the Municipality and its officers, employees, agents, contractors, subcontractors and/or consultants 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 Municipality covenants and agrees that neither the Municipality nor any of its officers, employees, agents, contractors,

SIXTEENTH: Failure of the County 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 the County 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 by the County of any provision hereof shall be implied.

To the County: Executive Director
Westchester County Youth Bureau
112 East Post Road
White Plains, New York 10601

To the Municipality: _____

853

or modified except by an instrument in writing signed by a duly authorized representative of each of the parties.

In the event of any conflict between the terms of this Agreement and the terms of any schedule or attachment hereto, it is understood that the terms of this Agreement shall be controlling with respect to any interpretation of the meaning and intent of the parties.

NINETEENTH: 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.

TWENTIETH: The Municipality recognizes that this Agreement does not grant the Municipality the exclusive right to perform the Work for the County and that the County may enter into similar agreements with other contractors on an "as needed" basis.

TWENTY-FIRST: The Municipality hereby represents that, if operating under an assumed name, it has filed the necessary certificate pursuant to New York State General Business Law Section 130.

TWENTY-SECOND: The Municipality shall use all reasonable means to avoid any conflict of interest with the County and shall immediately notify the County in the event of a conflict of interest. The Municipality shall also use all reasonable means to avoid any appearance of impropriety.

Attached hereto and forming a part hereof as Schedule "E" is a questionnaire entitled "Required Disclosure of Relationships to County." The Municipality agrees to complete said questionnaire as part of this Agreement. In the event that any information provided in the completed questionnaire changes during the term of this Agreement, Municipality agrees to notify County in writing within ten (10) business days of such event.

The Municipality shall also have each approved subcontractor complete this questionnaire and shall advise the subcontractor of the duty to report any changes to the information contained therein to the Municipality within ten (10) business days of such event and such information shall be forwarded by the Municipality to the County.

TWENTY-THIRD: The Municipality agrees to complete the Criminal Background Disclosure as required by Executive Order No. 1-2008 and attached hereto as Schedule "F" which is hereby incorporated by reference.

TWENTY-FOURTH: Pursuant to Act No. 56-1999, 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 "G". Therefore, the Municipality agrees, as part of this Agreement, to complete the form attached hereto as Schedule "G".

TWENTY-FIFTH: **VENDOR DIRECT PAYMENT:** All payments made by the County to the Municipality will be made by electronic funds transfer ("EFT") pursuant to the County's Vendor Direct program. Successful Contractors doing business with Westchester County, who are not already enrolled in the Vendor Direct Program, will be required to fill out and submit an EFT Authorization Form prior to receiving an award or purchase order. The EFT Authorization Form, Instructions and related information are annexed hereto as Schedule "H". Payments will be automatically credited to the Municipality's designated bank account at the Municipality's financial institution. Payments are anticipated to be deposited two business days after the voucher/invoice is processed for payment. Saturdays, Sundays, and legal holidays are not considered business days. Under the Vendor Direct program you will receive an e-mail notification two days prior to the day the payment will be credited to your designated account. The e-mail notification will come in the form of a remittance advice with the same information that currently appears on County check stubs and will contain the date that the funds will be credited to your account. All information received will be treated and handled as strictly confidential. The completed Authorization Form must be returned by the Municipality to the Department of Finance prior to execution of the contract. In rare cases, a hardship waiver may be granted. For a Hardship Waiver Request Form, please contact the Finance Department. Any successful Municipality that fails to return the completed authorization form(s) prior to execution of the contract may be considered non-responsive and the contract may be rejected.

TWENTY-SIXTH: In order to acknowledge the support and assistance of the County in the funding of the Work described herein, Municipality agrees to prominently display the County logo on any and all printed materials relating to the Work described herein, including but without limitation on any program or public information materials.

TWENTY-SEVENTH: The Municipality agrees not to disclose to the general public any information relating to the Work described herein, including, without limitation, Program and/or outcome data, without the prior express written approval of the Executive Director or his authorized designee.

TWENTY-EIGHTH: This Agreement may be executed simultaneously in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. 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 any cause of action arising out of this Agreement shall be brought in the County of Westchester.

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

TWENTY-NINTH: This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

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

IN WITNESS WHEREOF, the County of Westchester and the Municipality have caused this Agreement to be executed.

THE COUNTY OF WESTCHESTER

By: _____
Name:
Title:

MUNICIPALITY

By: _____
Name:
Title:

Approved by the Westchester County Board of Legislators by Act No. 2022 - _____ at a meeting duly held on the ____ day of _____, 2022.

Approved

Sr. Assistant 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(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
(MUNICIPAL CORPORATION)

I, _____,
(Officer other than officer signing contract)

certify that I am the _____ of
(Title)
the _____
(Name of Municipal 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 Municipal Corporation by authority of its municipal board, thereunto duly authorized and that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)

COUNTY OF)

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 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.

Notary Public

Date

SCHEDULE "A"
SCOPE OF SERVICES

DRAFT

SCHEDULE "B"
BUDGET

DRAFT

SCHEDULE "C"
STANDARD INSURANCE PROVISIONS
(Municipality)

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

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

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

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

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

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

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

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

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

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

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

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

- 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 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.

- e) Professional Liability. The Municipality shall provide proof of such insurance (limits of \$1,000,000.00 per occurrence/\$3,000,000.00 aggregate).

- f) Abuse and Molestation Liability, either by separate policy of insurance or through endorsement to the General Liability Policy or Professional Liability Policy. (Limits of \$1,000,000.00 per occurrence/3,000,000 aggregate). This insurance shall include coverage for the following, including coverage for client on client, counselor client, and third parties :

- i. Misconduct
- ii. Abuse (including both physical and sexual)
- iii. Molestation

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.

SCHEDULE "D"

QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES OWNED AND CONTROLLED BY PERSONS OF COLOR OR WOMEN

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 "E"
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**¹ 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: _____

¹ "Interest" means a direct or indirect pecuniary or material benefit accruing to a County officer or employee, his/her spouse, child or dependent, whether as the result of a contract with the County or otherwise. For the purpose of this form, a County officer or employee shall be deemed to have an "interest" in the contract of:

- 1.) His/her spouse, children and dependents, except a contract of employment with the County;
- 2.) A firm, partnership or association of which such officer or employee is a member or employee;
- 3.) A corporation of which such officer or employee is an officer, director or employee; and
- 4.) A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.

SCHEDULE "F"
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, Sublessess, 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.² 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

² 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.

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

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 Officer³. 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.

³ 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.

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.

PLEASE CONTINUE TO THE

Criminal Background Disclosure Form and Certification

BEGINNING ON THE NEXT PAGE

Contract #: _____
Name of Consultant, Contractor, Lessee, or Licensee: _____

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 "G"
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 "H"

Westchester County Vendor Direct Program Frequently Asked Questions

1. WHAT ARE THE BENEFITS OF THE ELECTRONIC FUNDS TRANSFER (EFT) ASSOCIATED WITH THE VENDOR DIRECT PROGRAM?

There are several advantages to having your payments automatically deposited into your designated bank account via EFT:

Payments are secure – Paper checks can be lost in the mail or stolen, but money deposited directly into your bank account is more secure.

You save time – Money deposited into your bank account is automatic. You save the time of preparing and delivering the deposit to the bank. Additionally, the funds are immediately available to you.

2. ARE MY PAYMENTS GOING TO BE PROCESSED ON THE SAME SCHEDULE AS THEY WERE BEFORE VENDOR DIRECT?

Yes.

3. HOW QUICKLY WILL A PAYMENT BE DEPOSITED INTO MY ACCOUNT?

Payments are deposited two business days after the voucher/invoice is processed. Saturdays, Sundays, and legal holidays are not considered business days.

4. HOW WILL I KNOW WHEN THE PAYMENT IS IN MY BANK ACCOUNT AND WHAT IT IS FOR?

Under the Vendor Direct program you will receive an e-mail notification two days prior to the day the payment will be credited to your designated account. The e-mail notification will come in the form of a remittance advice with the same information that currently appears on your check stub, and will contain the date that the funds will be credited to your account.

5. WHAT IF THERE IS A DISCREPANCY IN THE AMOUNT RECEIVED?

Please contact your Westchester County representative as you would have in the past if there were a discrepancy on a check received.

6. WHAT IF I DO NOT RECEIVE THE MONEY IN MY DESIGNATED BANK ACCOUNT ON THE DATE INDICATED IN THE E-MAIL?


In the unlikely event that this occurs, please contact the Westchester County Accounts Payable Department at 914-995-4708.

7. WHAT MUST I DO IF I CHANGE MY BANK OR MY ACCOUNT NUMBER?

Whenever you change any information or close your account a new Vendor Direct Payment Authorization Form must be submitted. Please contact the Westchester County Accounts Payable Department at 914-995-4708 and we will e-mail you a new form.

8. WHEN COMPLETING THE PAYMENT AUTHORIZATION FORM, WHY MUST I HAVE IT SIGNED BY A BANK OFFICIAL IF I DON'T INCLUDE A VOIDED CHECK?

This is to ensure the authenticity of the account being set up to receive your payments.

 Westchester gov.com	Westchester County • Department of Finance • Treasury Division Electronic Funds Transfer (EFT) Vendor Direct Payment Authorization Form	Authorization is: (check one) <input type="checkbox"/> New <input type="checkbox"/> Change
-------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------

INSTRUCTIONS: Please complete both sections of this Authorization Form and attach a voided check. See the reverse side for more information and instructions.

Mail to: Westchester County, Department of Finance, Treasury Division, 148 Martine Avenue, White Plains, NY 10601
Attention: Vendor Direct

Section I - Vendor Information

1. Vendor Name:	
2. Taxpayer ID Number or Social Security Number:	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>
3. Vendor Primary Address	
4. Contact Person Name:	Contact Person Telephone Number:
5. Vendor E-Mail Addresses for Remittance Notification:	
6. Vendor Certification: <i>I have read and understand the Vendor Direct Payment Program and hereby authorize payments to be received by electronic funds transfer into the bank that I designate in Section II. I further understand that in the event that an erroneous electronic payment is sent, Westchester County reserves the right to reverse the electronic payment. In the event that a reversal cannot be implemented, Westchester County will utilize any other lawful means to retrieve payments to which the payee was not entitled.</i>	
_____ Authorized Signature	_____ Print Name/Title
_____ Date	

Section II- Financial Institution Information

7. Bank Name:	
8. Bank Address:	
9. Routing Transit Number:	10. Account Type: (check one)
<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>	<input type="checkbox"/> Checking <input type="checkbox"/> Savings
11. Bank Account Number:	12. Bank Account Title:
13. Bank Contact Person Name:	Telephone Number:
14. FINANCIAL INSTITUTION CERTIFICATION (required ONLY if directing funds into a Savings Account OR if a voided check is not attached to this form): <i>I certify that the account number and type of account is maintained in the name of the vendor named above. As a representative of the named financial institution, I certify that this financial institution is ACH capable and agrees to receive and deposit payments to the account shown.</i>	
_____ Authorized Signature	_____ Print Name / Title
_____ Date	

(Leave Blank - to be completed by Westchester County) - Vendor number assigned

**Electronic Funds Transfer (EFT)
Vendor Direct Payment Authorization Form**

GENERAL INSTRUCTIONS

Please complete both sections of the Vendor Direct Payment Authorization Form and forward the completed form (along with a voided check for the account to which you want your payments credited) to: Westchester County Department of Finance, 148 Martine Ave, Room 720, White Plains, NY 10601, Attention: Vendor Direct. Please see item 14 below regarding attachment of a voided check.

Section I - VENDOR INFORMATION

1. Provide the name of the vendor as it appears on the W-9 form.
2. Enter the vendor's Taxpayer ID number or Social Security Number as it appears on the W-9 form.
3. Enter the vendor's complete primary address (not a P.O. Box).
4. Provide the name and telephone number of the vendor's contact person.
5. Enter the business e-mail address for the remittance notification. THIS IS VERY IMPORTANT. This is the e-mail address that we will use to send you notification and remittance information two days prior to the payment being credited to your bank account. We suggest that you provide a group mailbox (if applicable) for your e-mail address. You may also designate multiple e-mail addresses.
6. Please have an authorized Payee/Company official sign and date the form and include his/her title.

Section II - FINANCIAL INSTITUTION INFORMATION

7. Provide bank's name.
8. Provide the complete address of your bank.
9. Enter your bank's 9 digit routing transit number.
10. Indicate the type of account (check one box only).
11. Enter the vendor's bank account number.
12. Enter the title of the vendor's account.
13. Provide the name and telephone number of your bank contact person.
14. If you are directing your payments to a Savings Account OR you can not attach a voided check for your checking account, this line needs to be completed and signed by an authorized bank official. IF YOU DO ATTACH A VOIDED CHECK FOR A CHECKING ACCOUNT, YOU MAY LEAVE THIS LINE BLANK.

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if enacted by your Board, would authorize the settlement of the lawsuit of Doreen D. Klass v. Gayle E. Hogue, Town/Village of Harrison and County of Westchester, in an amount not to exceed \$85,000.00.

Plaintiff Doreen D. Klass (“plaintiff”) alleges that on November 7, 2017, at approximately 6:30 p.m., she suffered physical injuries when she was struck by an automobile while walking in a marked mid-block crosswalk at Halstead Avenue, Harrison, New York. Plaintiff alleges that the County was negligent in reinstalling the parking space markings immediately adjacent to the subject crosswalk in violation of New York State traffic regulations. The parking space markings contributed to the cause of the accident by allowing parked vehicles therein to obstruct lines of sight of both the plaintiff and co-defendant driver.

At a trial, plaintiff, 75 years old at the time of the accident, will argue that she suffered a permanent physical injury to her left leg and shoulder, which required multiple surgeries, permanent installation of metal hardware, permanent loss of function, and future pain and suffering. Under these factual circumstances, the Court or jury would likely find in plaintiff’s favor on the issue of the County’s contributing share of liability regarding its installation of the marked parking spaces.

Your Committee has carefully considered the subject matter, the settlement proposal, and the attached Act and recommends authorizing the County Attorney or his designee to settle this

lawsuit by payment to plaintiff in the amount not to exceed \$85,000, inclusive of attorney's fees.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York

September 12, 2022

W. N. M.
Lance Ball - 10/1/22
Marilyn Barr
Catherine Parker
Vedat J. Gul
David J. Tubish
Celine J. Barr
T. H. P.
[Signature]

W. N. M.
Marilyn Barr
Catherine Parker
Vedat J. Gul
Celine J. Barr

Budget & Appropriations COMMITTEE ON Labor & Major Contracts
l:jf

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.



COMMITTEES ON

Budget & Appropriations

Law & Major Contracts

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Doreen Klass

☐ 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 \$ 85,000

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☒ Other (explain)

Identify Accounts: 6N Fund: 615 59 0697/4110 4280/04

Potential Related Operating Budget Expenses: Annual Amount N/A

Describe: Settlement of General Liability Claim G170194

Potential Related Operating Budget Revenues: Annual Amount N/A

Describe: _____

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

Current Year: N/A

Next Four Years: N/A

Prepared by: John A. Fico

Title: Senior Assistant County Attorney

Department: Law

Date: July 9, 2019 2022

Reviewed By: 

PH

Budget Director

Date: 7/14/22

ACT NO.

2022

AN ACT authorizing the County Attorney to settle the lawsuit of Doreen D. Klass v. Gayle E. Hogue, Town/Village of Harrison and County of Westchester, Supreme Court of the State of New York, Westchester County, Index No. 51165/2019

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

Section 1. The County Attorney is hereby authorized to settle the lawsuit of Doreen D. Klass v. Gayle E. Hogue, Town/Village of Harrison and County of Westchester by payment in an amount not to exceed \$85,000.00 to plaintiff, inclusive of counsel fees.

Section 2. The County Attorney or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purposes hereof.

Section 3. This Act 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 adoption of an act amendment Act No. 2021 – 30 (“Act 2021 – 30”). On March 8, 2021, your Honorable Board approved Act 2021 - 30, which authorized the County of Westchester (“County”), acting by and through its Department of Emergency Services (“DES”) to enter into an intermunicipal agreement with the Hawthorne Fire District (“District”), for the provision of fire suppression services at Grasslands Campus, for a term of two (2) years commencing on January 1, 2021 and expiring on December 31, 2022. For the services to be provided by the District, the County was authorized to pay the District an amount not to exceed Twenty-Six Thousand (\$26,000.00) Dollars, subject to appropriation. The Agreement authorized by Act 2021-30 has not been executed.

Your Committee has been advised that there has been a significant increase over the last two years in the volume of services being requested by the County at the Grasslands Campus, and as a result the District found it necessary to purchase additional fire suppression equipment (“Additional Equipment”) in the amount of Forty Three Thousand Six Hundred Twenty Four and 00/100 (\$43,624.00) Dollars. This Additional Equipment directly helps address the increase in the volume of calls being made by the County for assistance.

Accordingly, transmitted herewith for your consideration is an Act, which if adopted by your Honorable Board, would authorize an amendment to Act 2021 - 30, in order to increase the not to exceed amount by Forty Three Thousand Six Hundred Twenty Four and 00/100 (\$43,624.00) Dollars to a new not to exceed amount of Sixty Nine Thousand Six Hundred Twenty-Four and 00/100 (\$69,624.00) Dollars in order to compensate the District for the purchase of the Additional

Equipment. Your Committee is advised that all other terms and conditions of Act 2021 - 30 shall remain unchanged and in full force and effect.

The Planning Department has advised that based on its review the proposed contract is a "Type II" action under the State Environmental Quality Review Act ("SEQRA"), 6 NYCRR Section 617.5(c)(26), which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee concurs with this conclusion.

An affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the attached Act.

Your Committee has carefully considered the proposed Act and believes it to be in the best interest of the County and, therefore, recommends your Honorable Board's favorable action on the annexed proposed Act.

Dated: September 12, 2022
White Plains, New York

Colin Parker
David M. O'Neil
Samuel J. Zuckerman
Mauryk Baur
[Signature]
SPB

C:CMC.07.19.2022

[Signature]
Colin O'Neil
David J. Zuckerman
Vedat Gashi
Budget & Appropriations

Mauryk Baur
Margaret A. Cyro
SPB
[Signature]
Colin O'Neil

Public Safety

Mauryk Baur
[Signature]
Colin O'Neil
David J. Zuckerman
Colin Parker

Public Works & Transportation

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations

Mary Jane Skomsky
Catherine Byrnes

Public Works & Transportation

Mary Jane Skomsky
Catherine Byrnes

Public Safety

[Signature]
Catherine Byrnes

TO: Carla Chaves, Assistant County Attorney
Department of Law

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



DATE: July 15, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR HAWTHORNE
FIRE DISTRICT AGREEMENT AMENDMENT**

PROJECT/ACTION: Amendment of a prior act authorizing an agreement with the Hawthorne Fire District for fire suppression services for the years 2021-2022 to increase the amount payable in order to compensate the district for the purchase of additional equipment needed to fulfill its duties with the County.

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)(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.

COMMENTS: None

DSK/cnm

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

FISCAL IMPACT STATEMENT

SUBJECT: Amendment Hawthorne Fire District

☐ 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 \$ 43,624

Total Current Year Revenue \$ -

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

☐ Additional Appropriations

☐ Other (explain)

Identify Accounts: 101_20_1000_4420

Potential Related Operating Budget Expenses:

Annual Amount \$43,624

Describe: An Amendment of Act No.2021-30 in order to increase the NTE aggregate amount by an additional \$43,624 to compensate the District for the purchase of additional fire suppression equipment required to address the increased volume of services at the Grasslands Campus.

Potential Related Operating Budget Revenues:

Annual Amount N/A

Describe:

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: July 21, 2022

Reviewed By: 

PH

Budget Director

Date:

7/21/22

ACT NO. 2022-_____

AN ACT amending Act No. 2021 -30, which authorized the County of Westchester to enter into an intermunicipal agreement with the Hawthorne Fire District to provide specialized training and fire suppression services for a two (2) year term commencing on January 1, 2021 and expiring on December 31, 2022 in an aggregate amount not to exceed Twenty-Six Thousand (\$26,000.00) Dollars, in order to increase the not to exceed aggregate amount by Forty Three Thousand Six Hundred Twenty Four and 00/100 (\$43,624.00) Dollars to compensate the District for the purchase of additional fire suppression equipment.

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

Section 1. Section 2 of Act No. 2021 – 30 is hereby deleted in its entirety and the following is inserted in its place:

“§2. The District will participate in specialized training and activities with the Grasslands Fire Brigade and furnish, at its sole cost and expense, equipment appropriate to prepare for fire suppression activities and rescue operations on the Grasslands Campus. For the services to be provided, the District will be paid the aggregate amount not to exceed Twenty-Six Thousand (\$26,000.00) Dollars, subject to appropriation. As additional consideration for the services to be provided, the District will be paid an additional amount not to exceed Forty Three Thousand Six Hundred Twenty Four and 00/100 (\$43,624.00) Dollars to compensate the District for the purchase of additional fire suppression equipment, bringing the total amount to be paid to the District to Sixty Nine Thousand Six Hundred Twenty-Four and 00/100 (\$69,624.00) Dollars.”

§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.

**HONORABLE BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER**

Your Committee is in receipt of a proposed Act transmitted by the County Attorney which, if adopted, would authorize the County of Westchester (the “County”) to retain, at County expense, the law firm of Sheppard, Mullin, Richter & Hampton LLP (“Sheppard Mullin” or the “Firm”) to provide outside counsel legal services in connection with the civil matter entitled *Sherwani Contracting Inc. v. County of Westchester*, Index No. 61222/2022, for a term commencing retroactive to July 25, 2022 and continuing until a final disposition and/or order of the case or until the County determines, in its sole discretion, to terminate the agreement with Sheppard Mullin.

The County Attorney has advised your Committee that the County has been named as a respondent/defendant in the civil matter, *Sherwani Contracting Inc. v. County of Westchester*. Sherwani Contracting Inc., (“Sherwani”) as Petitioner/Plaintiff, asserts two causes of action against the County. Sherwani’s first cause of action is pursuant to Article 78 of the New York Civil Practice Law and Rules, and alleges that the County wrongfully terminated a public works construction contract with it, titled “Renovations and Improvements – 2906 Old Yorktown Road, Yorktown Heights, New York, Contract No. 17-510”. Sherwani’s second cause of action alleges under the principles of common law that the County breached said contract. Sherwani seeks damages in both its first and second causes of action, of a sum of not less than \$1,000,000.00, and other damages to be established at a trial.

The County Attorney has further advised your Committee that due to the complex and specialty nature of construction law litigation, and the evaluation and analysis of damages related to such claims, it is in the best interests of the County to retain counsel qualified to handle such litigation. Sheppard Mullin is a firm that specializes in this type of litigation. Moreover, its lead attorney, Ira M. Schulman, Esq. is a nationally-recognized construction law attorney with over 37 years of experience in the field and has represented the County successfully in the past on similar matters. The Firm will be retained to, *inter alia*, defend the County against claims commenced against it, and, if necessary, prosecute appropriate counterclaims and/or cross claims and/or implead third parties.

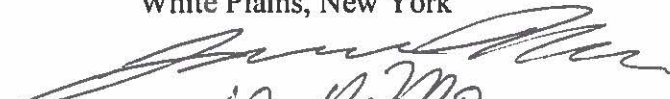
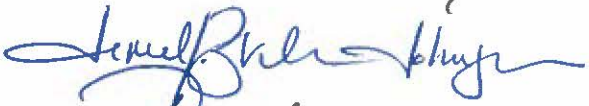
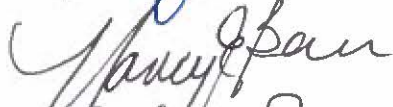





For the services rendered to the County by Sheppard Mullin, the Firm will be paid at the agreed upon rates as follows: \$550.00 per hour for the services of Ira M. Schulman, Esq.; \$450.00 per hour for Sophia Cahill, Esq.; \$350.00 per hour for Michelle Cooper, Esq., and \$150.00 per hour for paralegal services; or personnel within Sheppard Mullin with comparable experience and ability as those mentioned at the same rate of pay. In no event shall the total amount payable to the Firm under the retainer exceed the sum of One Hundred Thousand Dollars (\$100,000.00).

The Planning Department has advised that the proposed retainer agreement does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

An affirmative vote of a majority of the voting strength of the Board is required for approval of the attached Act.

Your Committee recommends approval of the attached Act.

Dated: September 12, 2022
White Plains, New York


William McGowan

Daniel B. Hughes

Nancy Sparr

Cathleen Parker

Vedat Gachi

David J. Lubio
COMMITTEE ON
c:JPG 07.22.22
Budget & Appropriations

Colin O'Brien

Izzy


William McGowan

Nancy Sparr

Cathleen Parker

Vedat Gachi

Colin O'Brien

Law & Major Contracts

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

A handwritten signature in cursive script, reading "Mary Jane Skimish".

PUBLIC WORKS & TRANSPORTATION COMMITTEE

A handwritten signature in cursive script, reading "Mary Jane Skimish".

FISCAL IMPACT STATEMENT

SUBJECT: Sheppard, Mullin / Sherwani

☐ 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 TBD (NTE \$100,000)

Total Current Year Revenue \$ -

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

☐ Additional Appropriations ☐ Other (explain)

Identify Accounts: 101-18-1000-4923

\$100K NTE contract payable at various hourly rates, commencing 7/25/2022- ending when concluded.

Potential Related Operating Budget Expenses: Annual Amount TBD

Describe: An Act authorizing the County to retain, at County expense, the law firm of
Sheppard, Mullin, Richter & Hampton LLP to provide outside counsel legal services in connection
with the civil matter entitled Sherwani Contracting Inc. v. County of Westchester

Potential Related Operating Budget Revenues: Annual Amount \$0

Describe: _____

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

Current Year: \$0

Next Four Years: \$0

Prepared by: Dianne Vanadia

Title: Sr. Budget Analyst

Department: Budget

Date: July 28, 2022

Reviewed By: 

Budget Director

Date: 7/28/22

ACT NO. 2022 - _____

AN ACT authorizing the County of Westchester to retain, at County expense, the law firm of Sheppard, Mullin, Richter & Hampton LLP, for the provision of outside counsel legal services in connection with the civil matter *Sherwani Contracting Inc. v. County of Westchester*.

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

Section 1. The County of Westchester (the “County”) is hereby authorized to retain, at County expense, the law firm of Sheppard, Mullin, Richter & Hampton LLP (“Sheppard Mullin” or the “Firm”) for the provision of outside counsel legal services in connection with the civil matter entitled *Sherwani Contracting Inc. v. County of Westchester*, Index No. 61222/2022, for a term commencing retroactive to July 25, 2022 and continuing until a final disposition and/or order of the case or until the County determines, in its sole discretion, to terminate the agreement with Sheppard Mullin.

§2. The Firm shall be retained to, *inter alia*, defend the County against claims commenced against it, and, if necessary, prosecute appropriate counterclaims and/or cross claims and/or implead third parties.

§3. For the aforesaid services rendered to the County by Sheppard Mullin, the County is authorized to pay the Firm at the following rates: \$550.00 per hour for the services of Ira M. Schulman, Esq.; \$450.00 per hour for Sophia Cahill, Esq.; \$350.00 per hour for Michelle Cooper, Esq., and \$150.00 per hour for paralegal services; or personnel within Sheppard Mullin with comparable experience and ability as those mentioned at the same rate of pay. In no event shall the total amount payable by the County to the Firm exceed the sum of One Hundred Thousand Dollars (\$100,000.00).

§4. This Act shall take effect immediately.

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the settlement of the lawsuit of James Darrell Davis v. Westchester County and Leandra Eustache, 22 cv 0598 (S.D.N.Y.), in the amount of \$90,000.00.

This matter is pending in the United States District Court for the Southern District of New York. The matter tentatively settled pending this Board's approval of a settlement in the amount of \$90,000.00, inclusive of attorney's fees, at the third and final court-mandated mediation session. Nathaniel Charny, Esq. of Charny & Wheeler, P.C., 9 West Market Street, Rhinebeck, New York, is representing the Plaintiff.

Plaintiff, who was a Grade 9 Community Work Assistant in the Taxi and Limousine Commission (the "Department") brought a federal lawsuit under the ADA against Westchester County and Leandra Eustache, the Department's Chairperson and Chief Executive Officer, in her individual capacity. Prior to his filing, he filed a Complaint with the New York State Division of Human Rights ("NYSDHR"), in which he alleged that he was discriminated against and did not receive reasonable accommodations for his physical disabilities, alleged to include his back injuries from a prior automobile accident and an amputated pinky finger. The NYSDHR investigated and determined that "probable cause" existed to believe that Respondents engaged in discriminatory practices.

In his federal lawsuit, Plaintiff alleges that he did not receive a reasonable accommodation that he requested for his disabilities and that the County filed charges against him in retaliation for his filing a Complaint with the NYSDHR. He claims that he suffered a loss of income and emotional damages as a result of the alleged discrimination. After the County filed its Answer, this case was automatically referred to the Southern District of New York's mediation program because it is a counseled employment discrimination case. After two lengthy mediation sessions and hearing the strengths and weaknesses of the parties' claims and defenses, the mediator submitted her Mediator's Proposal of \$90,000, which was accepted by both sides (subject to the Board's approval). The Plaintiff entered mediation with a settlement demand of \$650,000. In light of the claims alleged and the unlikelihood that this matter will resolve via summary judgment as there are many issues of fact, we recommend settling this action for \$90,000.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal and, in the event the Plaintiff is successful following a jury trial, the payment of Plaintiff's counsel's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled James Darrell Davis v. Westchester County and Leandra Eustache, 22 cv 0598 (S.D.N.Y.) in the amount of \$90,000.00, inclusive of attorney's fees. An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: September 12, 2022
White Plains, New York

12-17-2022
James J. Zuccarone
Nancy E. Parn
Catherine Parker
David L.
Vedat G. Li
Colin V. H.
J. V. D.
James J. Zuccarone

12-17-2022
Nancy E. Parn
Catherine Parker
Vedat G. Li
Colin V. H.

COMMITTEES ON

Budget & Appropriations

Law & Major Contracts

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.



COMMITTEES ON

Budget & Appropriations

Law & Major Contracts

ACT NO. 2022

AN ACT authorizing the County of Westchester to settle the the lawsuit of James Darrell Davis v. Westchester County and Leandra Eustache, 22 cv 0598 (S.D.N.Y.), in the amount of \$90,000.00, inclusive of attorney's fees

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

1. The County Attorney is authorized to settle the lawsuit of James Darrell Davis v. Westchester County and Leandra Eustache, 22 cv 0598 (S.D.N.Y.), in the amount of \$90,000.00, inclusive of attorney's fees.
2. The County Attorney or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose hereof.
3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Davis, James Darrell

☐ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

(To be completed by operating department and reviewed by Budget Department)

A) ☒ GENERAL FUND ☐ AIRPORT ☐ SPECIAL REVENUE FUND (Districts)

B) EXPENSES AND REVENUES

Total Current Year Cost \$ 90,000

Total Current Year Revenue \$ _____

Source of Funds (check one): ☐ Current Appropriations

☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☒ Other (explain)

Identify Accounts:

6N Fund: 615 59 0699/4350 4280/04

Potential Related Operating Budget Expenses: Annual Amount \$ N/A

Describe: Settlement of General Liability Claim (G190130 Davis, James Darrell)

Potential Related Revenues: Annual Amount \$ N/A

Describe: _____

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

Current Year:

N/A

Next Four years: N/A

Prepared by: Loren Zeitler

Title: Senior Assistant County Attorney

Department: Law

Reviewed By: _____

Budget Director

8/17/22

If you need more space, please attach additional sheets.

**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 \$7,000,000 prepared by the law firm Hawkins, Delafield & Wood, to add and finance a new capital project; RWW05 – Willson’s Woods Pool Improvements (“RWW05”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to add an appropriation for RWW05 in the amount of \$7,000,000. The Department of Parks, Recreation and Conservation (“Department”) has advised your Committee that during preparation for the 2022 swimming season, structural fractures in the pool base were discovered. Following an investigation, it was determined that the pool is compromised and will require extensive repairs.

The Bond Act, in the amount of \$7,000,000, would finance the cost of the construction of improvements to the County’s Willson’s Woods pool, including the replacement of multiple ruptured pipes, restoration of multiple cracks in several areas of the pool, remediation of significant ground water accumulation in the pool and upgrades to the UV filtration system.

The Department has further advised financing is required for the pool to re-open for the 2023 season. County pools are a public service and resource for residents during the hot summer months. Willson’s Woods serves the population of Mount Vernon and the surrounding area and is open to all Westchester residents.

Following bonding authorization, design will be scheduled and is anticipated to take three months to complete. It is anticipated that design will be completed using consultants. It is estimated that construction will take six months to complete and will begin after award and

execution of the construction contracts, subject to approval of construction financing by your Honorable Board.

The Planning Department has advised your Committee that based on its review, RWW05 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 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. 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. The Planning Board report for RWW05 will be transmitted under separate cover.

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: September 12, 2022
White Plains, New York

John N. Mc
James J. Zellerbach
Nancy Barr
Cathleen Parker
Robert J. Li
Colin J. Li
John J. Li
David J. Li
Budget & Appropriations

John N. Mc
Nancy Barr
Cathleen Parker
Robert J. Li

Parks & Recreation

COMMITTEE ON

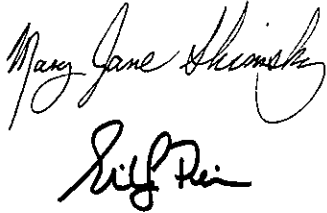
s: MG/8-15-22

Dated: September 12, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

**BUDGET & APPROPRIATIONS
COMMITTEE**

Handwritten signatures of Mary Jane Shimsky and Jeff Rein.

PARKS & RECREATION COMMITTEE

Handwritten signature of Mary Jane Shimsky.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RWW05

☐ 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 \$ 7,000,000 PPU 15 Anticipated Interest Rate 2.80%

Anticipated Annual Cost (Principal and Interest): \$ 571,641

Total Debt Service (Annual Cost x Term): \$ 8,574,615

Finance Department: Interest rates from August 25, 2022 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: 76

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation


Date: 8/25/22

Reviewed By: 

Budget Director

Date: 8/26/22

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

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

DATE: August 16, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RWW05 WILLSON'S WOODS POOL IMPROVEMENTS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
08-15-2022 (Unique ID: 1995)

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/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Tami Altschiller, Assistant Chief Deputy County Attorney
Peter Tartaglia, First Deputy Commissioner, Dept. of Parks, Recreation and Conservation
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project RWW05 - Willson's
Woods Pool Improvements

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

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$0	\$7,000,000	\$7,000,000

Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	\$7,000,000	\$7,000,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$0	\$7,000,000	\$7,000,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO WILLSON'S WOODS POOL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,000,000 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 to the provisions of other laws applicable thereto; \$7,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the construction of improvements to Willson's Woods pool, including the replacement of multiple ruptured pipes, restoration of multiple cracks in several areas of the pool, remediation of significant ground water accumulation in the pool and upgrades to the UV filtration system, 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 \$7,000,000. The plan of financing includes the issuance of \$7,000,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$7,000,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$7,000,000. 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 \$7,000,000 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.

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 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 \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO WILLSON'S WOODS POOL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on _____, 20____)

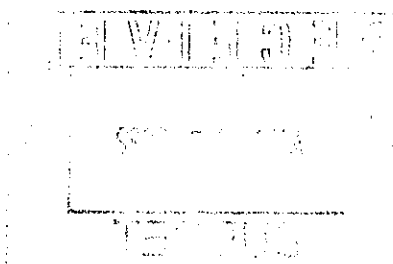
object or purpose: to finance the construction of improvements to Willson's Woods pool, including the replacement of multiple ruptured pipes, restoration of multiple cracks in several areas of the pool, remediation of significant ground water accumulation in the pool and upgrades to the UV filtration system, 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: \$7,000,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

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



3719817.1 045751 LEG

BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Local Law which, if adopted by your Honorable Board, would authorize an agreement (“Termination Agreement”) between the County of Westchester (“County”), the County of Westchester Industrial Development Agency (“Agency”), and Westchester Airport Associates L.P. (“WAA”) to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993 (“Ground Lease”) for property located at the Westchester County Airport in connection with WAA’s construction and operation of a parking garage thereon.

By way of background, it should be noted that after the County and WAA entered into the Ground Lease for a term of 30 years, WAA assigned its interest therein to the Agency pursuant to the terms of an Assignment dated February 1, 1994 (the “Assignment”). The Agency subsequently entered into a Sublease and Assignment Agreement dated February 1, 1994 (the “Sublease”). The Ground Lease was thereafter amended by a First Amendment dated August 11, 1994 (the “First Amendment”), a Second Amendment dated May 23, 2001 (the “Second Amendment”), and a Third Amendment dated April 8, 2003. The County and WAA entered into a Settlement Agreement dated February 28, 2013, to resolve claims related to WAA withholding rent as well as the County’s operation of a cell phone waiting lot. More recently, the parties entered into a Payment Agreement dated September 28, 2018, to resolve claims over the payment of Percentage Rent owed by WAA from 2016-2017 by requiring the payment of \$775,000.00 in three annual installments through September 2020. Your Honorable Board authorized all of these amendments and subsequent agreements. The term of the Ground Lease will expire on July 31, 2024.

Your Committee has been advised that since early 2020, the COVID-19 pandemic has caused a major disruption to air travel and has significantly reduced WAA’s

revenues from public parking. In recognition of this, the County abated WAA's Base Rent by \$727,083.34 from June 1, 2020 through June 30, 2021. However, this abatement has not completely offset WAA's lost revenue. Therefore, the parties propose to enter into the Termination Agreement to terminate the Ground Lease retroactive to December 31, 2021. WAA still owes the County \$326,000 under the Settlement Agreement and \$175,000 under the Payment Agreement for a total of \$501,000.00. The Termination Agreement provides that WAA will pay this amount within 30 days after the Ground Lease is canceled.

The Ground Lease provides for termination in only two instances: default by the tenant, subject to notice and the opportunity to cure; and cancellation by the County on the 7th, 14th or 21st anniversary of the lease commencement for the purpose of buying the garage. As neither of these situations is present in the current circumstances, the Termination Agreement requires the same approval as the Ground Lease and its amendments, namely a Local Law approved by a two-thirds majority of your Honorable Board.

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 and its implementing regulations, 6 NYCRR Part 617 ("SEQRA") have been met. The Planning Department advises that the proposed Settlement Agreement is classified as a Type II action. Therefore, no further action is required by your Honorable Board. Your Committee has reviewed the annexed SEQRA memo and concurs with that conclusion.

Date: July 28, 2022
White Plains, New York

COMMITTEE ON
Legislation
DLV/24/2022

Budget & Appropriations

Public Works & Transportation

Dated: July 28, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Legislation

Margaret A. Cunzio (WOP)

Budget & Appropriations



Tye H. [Signature] (WOP)

Public Works & Transportation

Tye H. [Signature] (WOP)

FISCAL IMPACT STATEMENT

SUBJECT: Airport Parking Lease

☐ 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	\$	0
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Total Current Year Revenue	\$	(1,517,000)
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Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

Additional Appropriations

☒ Other (explain)

Identify Accounts: 161-44-4110-9096

Potential Related Operating Budget Expenses:

Annual Amount

Describe:

Potential Related Operating Budget Revenues:

Annual Amount

Describe:

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

Current Year: Estimated Net Revenue Loss of \$1,517,000

Next Four Years: Assuming that the successor agreement is terminated by mutual consent on

August 1, 2024, there is no projected net revenue loss for CFY 2023 and \$1.1 million projected net revenue loss for CFY 2024.

Prepared by: Lawrence Soule

Title: _____ **Director:** _____

Department: Department of Budget


Date: May 5, 2022

Reviewed By:

Budget Director

Date:

TO: David Vutera, Associate County Attorney
Department of Law

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

DATE: February 18, 2022

SUBJECT: STATE ENVIRONMENTAL QUALITY REVIEW FOR AIRPORT PARKING
GARAGE LEASE TERMINATION

PROJECT/ACTION: Termination of a lease agreement with the County of Westchester Industrial Development Agency (IDA) and Westchester Airport Associates, L.P. in connection with the construction and operation of a parking garage at the Westchester County Airport. Initiated in 1993 and amended from time to time, the lease agreement is currently due to expire on July 31, 2024. Early termination is being sought to allow for the same parties to enter into a new 5-year lease agreement that would better adjust for lost revenues associated with the pandemic. The termination will be retroactive to December 31, 2021.

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(S):
- 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 anticipated new lease agreement will be retroactive to January 1, 2022 and will provide for continued maintenance and operations of the parking garage by Westchester Airport Associates L.P. for 5 additional years. This action may also be classified as Type II pursuant to section 617.5(c)(32).

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Hugh Greechan, Jr., Commissioner of Public Works & Transportation
Norma Drummond, Commissioner
Tami Altschiller, Assistant Chief Deputy County Attorney
Claudia Maxwell, Associate Environmental Planner

LOCAL LAW NO. ____ - 2022

A LOCAL LAW authorizing the County of Westchester to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. (“WAA”) to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA’s construction and operation of a parking garage thereon.

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

Section 1. The County of Westchester is authorized to enter into an agreement with the County of Westchester Industrial Development Agency and Westchester Airport Associates L.P. (“WAA”), in substantially the same form as attached hereto, to terminate, effective retroactively to December 31, 2021, a lease agreement dated October 19, 1993, for property located at the Westchester County Airport in connection with WAA’s construction and operation of a parking garage thereon.

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

§3. This Local Law shall take effect immediately.

[Attach Termination Agreement]

LEASE TERMINATION AND SURRENDER AGREEMENT

AGREEMENT made as of the ____ day of _____, 2022, by and among

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,

COUNTY OF WESTCHESTER INDUSTRIAL DEVELOPMENT AGENCY, a corporate governmental agency constituting a public benefit corporation of the State of New York, having an office at 148 Martine Avenue, White Plains, New York, 10601 (hereinafter referred to as the "Agency")

and,

WESTCHESTER AIRPORT ASSOCIATES L.P., a Delaware limited partnership qualified to do business in the State of New York, having an office at 1 Renaissance Square, 4th Floor, White Plains, New York 10601 (hereinafter referred to as the "Tenant").

WITNESSETH:

WHEREAS, the County and Tenant entered into an Agreement of Lease dated October 19, 1993, (the "Ground Lease") of certain property located at the Westchester County Airport in connection with the Tenant's construction and operation of a Parking Facility thereon (the "Parking Facility"); and

WHEREAS, the Tenant thereafter assigned its interest in the Ground Lease to the Agency pursuant to the terms of an Assignment dated February 1, 1994 (the "Assignment"); and

WHEREAS, the Agency thereafter entered into a Sublease and Assignment Agreement, dated February 1, 1994 (the "Sublease"); and

WHEREAS, in order to facilitate the financing of the construction of the Parking Facility at the Airport, the Agency on February 1, 1994 issued certain

Airport Facility Revenue Bonds (Westchester Airport Associated, LP Project) comprised of Series A Bonds and Series B Bonds (Federally Taxable)(collectively, the "Bonds") and the Agency entered into a Leasehold Mortgage and Security Agreement, dated March 1, 1994 (the "Leasehold Mortgage") in favor of the bond trustee (or its successors and assigns, the "Leasehold Mortgagee"); and

WHEREAS, the Ground Lease was thereafter amended by a First Amendment of Ground Lease dated August 11, 1994 (the "First Amendment") to revise the property description as set forth in Exhibit "A" of the Ground Lease; and

WHEREAS, the Ground Lease was thereafter amended by a Second Amendment of Ground Lease, dated May 23, 2001 (the "Second Amendment") to, among other things, modify the Parking Facility's hours of operation and agree to arbitrate a dispute as to the calculation of Excess Rent; and

WHEREAS, the Ground Lease was thereafter amended by a Third Amendment of Ground Lease, dated April 8, 2003 (the "Third Amendment") to clarify the calculation of Excess Revenue; and

WHEREAS, the County, the Tenant, and the Agency entered into a Settlement Agreement dated February 28, 2013 in order to, among other things, settle the claims between the parties as to the payment of Excess Rent by requiring the Tenant to pay the County \$10,416.67 per month through the expiration of the Ground Lease ("Settlement Agreement"); and

WHEREAS, the County, the Tenant, and the Agency entered into a Payment Agreement dated September 28, 2018 in order to resolve unpaid Percentage Rent for 2016-2017 by requiring the Tenant to pay \$775,000.00 in three annual installments through September 2020 ("Payment Agreement"); and

WHEREAS, the County, the Tenant, and the Agency recognize that the COVID-19 pandemic ("COVID-19) has caused a major disruption to air travel and as a result, revenues under the Ground Lease have been impacted; and

WHEREAS, in recognition of the impact of COVID-19 on the Tenant's revenues, the County for the period from June 1, 2020 through June 30, 2021, abated the Tenant's Base Rent by an amount of \$727,083.34; and

WHEREAS, the Tenant still owes the County \$326,000 under the Settlement Agreement and \$175,000 under the Payment Agreement for a total of \$501,000.00; and

WHEREAS, the County, the Tenant, and the Agency desire to terminate the Ground Lease and simultaneously enter into the new ground lease of even date herewith (the "New Lease")(attached hereto as Schedule 1).

NOW, THEREFORE, in consideration of the premises and covenants herein, the parties agree as follows:

1. All initially capitalized terms shall have the meaning ascribed to them in the Ground Lease.
2. Conditioned upon the full execution of the New Lease, the Ground Lease is hereby canceled and terminated effective as of midnight December 31, 2021, and the term demised is brought to an end as of midnight December 31, 2021 (the "Cancellation Time") with the same force and effect as if the term of the Ground Lease was fixed to expire on the Cancellation Time. The parties acknowledge that the Cancellation Time is subject to the approval of the Westchester County Board of Legislators and the Westchester County Board of Acquisition and Contract.
3. Effective on the Cancellation Time, the parties mutually agree that all obligations under the Ground Lease shall be extinguished, except that the Tenant's obligations under the Settlement Agreement and the Payment Agreement shall continue in full force and effect.
4. This Lease Surrender Agreement may not be changed orally, and shall be binding upon and inure to the benefit of the parties to it, their respective heirs, successors, and, as permitted, their assigns.
5. As of the Cancellation Time, neither Landlord, Agent, nor Tenant shall have any further rights against the other under the Ground Lease nor any further obligations or liabilities under the Ground Lease, except that the Tenant shall remain obligated under the Settlement Agreement and the Payment Agreement to pay the County any amounts due thereunder . No later than thirty (30) days after the Cancellation Time, the Tenant shall pay the County

\$501,000.00 in full satisfaction of the amounts owed under the Settlement Agreement and the Payment Agreement.

6. The Tenant shall indemnify, defend and hold harmless the County and the Agency against any claim or action brought by an Institutional Lender or any other party for amounts owed by the Tenant.
7. This Agreement shall not be enforceable until signed by all parties and approved by the Office of the County Attorney.
8. To facilitate execution, this Agreement may be executed in as many counterparts as may be required. It shall not be necessary that the signature on behalf of both parties hereto appear on each counterpart hereof. All counterparts hereof shall collectively constitute a single agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement

THE COUNTY OF WESTCHESTER

By: _____
Hugh J. Greechan, Jr., P.E.
Commissioner of Public Works
and Transportation

COUNTY OF WESTCHESTER
INDUSTRIAL DEVELOPMENT
AGENCY

By: _____
(Name and Title)

WESTCHESTER AIRPORT
ASSOCIATES, L.P.

By: _____
Louis R. Cappelli, President
Airport Parking Associates, General
Partner

Approved by the Board of Legislators of the County of Westchester on
_____, 2022.

Approved by the Board of Acquisition and Contract of the County of Westchester
on _____, 2022.

Approved:

County Attorney

County of Westchester

Vutera/DTR/124200/WAA Termination Agr draft 2-3-22

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