



## Committee on Labor/Parks/Planning/Housing

~AGENDA~

Monday, July, 17, 2017

10:00 AM

Committee Chair: David B. Gelfarb

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Committee Room, 148 Martine Avenue, 8th Floor, White Plains, NY 10601

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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### CALL TO ORDER

### MINUTES APPROVAL

1. Monday, June 19, 2017 at 10:02 AM

### I. ITEMS FOR DISCUSSION

Meeting jointly with the Committee on Budget & Appropriations.

1. **(ID # 10259) Act – NHLA-Block 10776, Lots 19, 20, 21, Lewisboro:**

An ACT authorizing the County of Westchester to purchase approximately 35.4 acres of real property located on Route 22 in the Town of Lewisboro, and subsequently convey said property, for the purpose of developing 46 affordable units that will affirmatively further fair housing and remain affordable for a period of not less than 50 years.

2. **(ID # 10260) Act – BOND ACT-BPL30-Route 22, Lewisboro:**

A BOND ACT authorizing the issuance of TWO MILLION, SIX HUNDRED THOUSAND (\$2,600,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL30 - Route 22, Lewisboro.

### II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

### III. RECEIVE & FILE

### ADJOURNMENT



CALL TO ORDER

Table with 4 columns: Attendee Name, Title, Status, Arrived. Rows include David B. Gelfarb (Chair, Present), Francis Corcoran (D2 Legislator, Present), Margaret A Cunzio (D3 Legislator, Present), Kenneth W. Jenkins (D16 Legislator, Absent), Catherine Parker (D7 Legislator, Present), Alfreda Williams (D8 Legislator, Present), Michael Kaplowitz (D4 Legislator, Present), and Alessandra Restiano (Comm. Coor., Present).

Others In Attendance: DPW/T: Scott Donnelly, Vincent Kopicki, Robert Abbamont PRC; David DeLucia, Paul Reitano, Peter Tartaglia LAW: Robert Meehan DEF: Tom Lauro INTERNS: Philip Monteiro Guests: Deirdre Curran, Brian Conybeare

MINUTES APPROVAL

- 1. Monday, June 05, 2017 at 10:01 AM

With a motion by Legislator Corcoran the item was approved with a vote of 6-0.

I. ITEMS FOR DISCUSSION

Meeting jointly with Infra and B&A.

- 1. ACT-2017-113 Act – CBA-RP053-Playland Pool Rehabilitation:

An ACT amending the 2016 County Capital Budget Appropriations for Capital Project RP053-Playland Pool Rehabilitation.

Deputy Commissioner Tartaglia, David DeLucia from the department of Parks and Recreation along with Commissioner Kopicki and Scott Donnelly from the Department of Public Works came before the committee to discuss Bond Act RP053- Playland Rehabilitation. This request came before the committee approximately a year ago and is to finance a new capital project in the amount of \$9,540,000. The Bond Act will fund the cost of design and construction for the complete rehabilitation of the Playland Pool located at the Playland Park in the City of Rye. The work will include new mechanicals, lighting, decking, rehabilitation of the bathhouse, brick facade and locker room renovation. The Department noted that the existing pool is from 1927. The pool is an Olympic size pool, 150 x 75 feet, and the estimate is based on the recent work done by the county at the Sprain Ridge pool.

Minutes Acceptance: Minutes of Jun 19, 2017 10:02 AM (MINUTES APPROVAL)

The design is anticipated to take 12-18 months and construction is anticipated to take 14-16 months. The Department said they anticipate a 2019 opening. With a motion by Legislator Parker the item was approved with a vote of 5-0 (Kaplowitz - No).

If you wish to watch the full discussion regarding the Playland Pool please refer to the link below;

<http://westchestercountyny.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=4623&Format=Agenda>

**RESULT: SIGNED BY COMMITTEE**

2. **ACT-2017-114 Act – BOND ACT-RP053-Playland Pool Rehabilitation:**

A BOND ACT authorizing the issuance of NINE MILLION FIVE HUNDRED FORTY THOUSAND(\$9,540,000) DOLLARS in bonds of the County to finance Capital Project RP053-Playland Pool Rehabilitation.

With a motion by Legislator Parker the item was approved with a vote of 5-0 (Kaplowitz - No).

**RESULT: SIGNED BY COMMITTEE**

3. **RES-2017-79 Resolution – ENV RES- West Basin Alienation:**

A RESOLUTION finding that there will be no significant adverse impact on the environment from the proposed Home Rule Request that the New York State Legislature adopt Senate Bill No. S6499-B and Assembly Bill No. A8090-B relating to the West Basin Pumping Station.

County Attorney Meehan came before the committee to discuss Enviromental Resolution and the Home Rule Resolution- West Basin Alienation. This is a request regarding an easement of parklands in Mamaroneck for sewage pumping station. Mr. Meehan discussed that in 1984, the state had passed alienation legislation authorizing use of the parkland. The pumping station was renovated due to damage in Superstorm Sandy. Since the structure is new and to protect the facility, there needed to be new legislation to alienate the parkland. This past Friday it was revealed that part of the parklands, about a few hundred feet were appropriated by the State of New York. Mr. Meehan explained that since the time sensitivity (state ending the legislative session on Wednesday), he would recommend proceeding with the legislation. With a motion by Legislator Parker the item was approved with a vote of 6-0.

**RESULT: SIGNED BY COMMITTEE**

4. **RES-2017-80 Resolution – HOME RULE-West Basin Alienation:**

A RESOLUTION requesting that the New York State Legislature adopt Senate Bill No. S6499-B and Assembly Bill No. A8090-B entitled, "An ACT to amend Chapter 725 of the Laws of 1984 relating to authorizing the Village of Mamaroneck, Westchester County, to sell and convey both permanent and temporary easements in certain park lands to Westchester County, for the purpose of construction, operation and maintenance of a sanitary sewage pumping station, pipelines and outfall, in relation to excepting certain lands as necessary for above-ground appurtenances."

With a motion by Legislator Parker the item was approved with a vote of 6-0.

**RESULT: SIGNED BY COMMITTEE**

**5. RES-2017-81 Resolution – Home Rule Request - Merestead Park Easement Alienation:**

A RESOLUTION authorizing a "home rule request" for the enactment of Assembly Bill A.8456 and Senate Bill S.6657, entitled "An ACT to authorize the County of Westchester to convey a temporary easement and temporarily alienate certain parkland during period of such easement."

This item came in as an added starter to the LPPH agenda.

County Attorney Meehan joined the committee to discuss the Home Rule request - Merestead Park Easement Alienation. Mr. Meehan had explained that this was a temporary easement of a portion of the county park Merestead. The committees had discussed this item before, and the board passed the legislation. This is a follow-up Home Rule Request Resolution. He explained it would include the Bill numbers passed by the state. With a motion by Legislator Corcoran the item was approved with a vote of 6-0.

**RESULT: SIGNED BY COMMITTEE**

## II. OTHER BUSINESS

Unfinished Business and any other agenda items to come before the Committee.

## III. RECEIVE & FILE

## ADJOURNMENT

With a motion by Legislator Cunzio the item was approved with a vote of 6-0.

REFERENCE BPL30

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF LAND LOCATED ON ROUTE 22, IN THE TOWN OF LEWISBORO, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING PURSUANT TO THE COUNTY'S FAIR AND AFFORDABLE HOUSING CAPITAL PROJECT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted , 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and other laws applicable thereto, bonds of the County in the aggregate amount of \$2,600,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 35.4 acres of land located on Route 22, in the Town of Lewisboro (the "AFFH Property") from the current owner of record at a cost of \$2,600,000, including acquisition and settlement costs; the County will file a Declaration of Restrictive Covenants in the Westchester

County Clerk's office requiring that the acquired property remain affordable for a period of not less than 50 years. The funding requested herein is in support of the development of 46 AFFH units at the aggregate estimated maximum cost of \$2,600,000. Such property shall be acquired by the County, subjected to a declaration of restrictive covenants and subsequently conveyed to a developer who will construct the 46 affordable AFFH units which shall affirmatively further fair housing in accordance with the Stipulation and Order of Settlement and Dismissal entered into in connection with the settlement of the lawsuit titled, *U.S. ex rel. Anti-Discrimination Center of Metro New York v. Westchester County*, the Westchester County Affordable Housing Plan Statement of Need adopted by Resolution No. 107-1992, as amended (the "Statement of Need"), and otherwise 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 and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$2,600,000. The plan of financing includes the issuance of \$2,600,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$2,600,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose for which bonds are herein authorized, which costs are

reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Bond Act, in the maximum amount of \$2,600,000. 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 \$2,600,000 as the estimated maximum cost of the aforesaid object or purpose is hereby approved, and as the amount of bonds herein authorized is not in excess of \$10,000,000, this Act is not subject to referendum.

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

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by section 52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the

County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

\* \* \*



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

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

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

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

(SEAL)

CAPITAL PROJECT #: BPL30

NO FISCAL IMPACT PROJECTED

**SECTION A - CAPITAL BUDGET IMPACT**

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

Rt 22, Town of Lewisboro

**SECTION B - BONDING AUTHORIZATIONS**

To Be Completed by Finance

Total Principal \$ 2,600,000 PPU 20 Anticipated Interest Rate 2.05%

Anticipated Annual Cost (Principal and Interest): \$ 158,234

Total Debt Service (Annual Cost x Term): \$ 3,164,680

Finance Department: Interest rates from 06-14-2017 Bond Buyer - CAV

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

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

\_\_\_\_\_  
\_\_\_\_\_

**SECTION D - EMPLOYMENT**

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

Number of Full Time Equivalent (FTE) Jobs Funded: N/A

**SECTION E - EXPECTED DESIGN WORK PROVIDER**

County Staff

Consultant

Not Applicable

Prepared by: Norma V. Drummond

Title: Deputy Commissioner

Department: Planning

Date: 06/14/17

Reviewed By: *[Signature]*

Budget Director

Date: 6-15-17

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> BPL30	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 06-03-2017
<b>Fact Sheet Year:*</b> 2017	<b>Project Title:*</b> NEW HOMES LAND ACQUISITION II	<b>Legislative District ID:</b> 2
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> PLANNING	<b>CP Unique ID:</b> 416

**Overall Project Description**

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies                            | <input 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 (FAIR AND AFFORDABLE HOUSING) |   |

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

	Estimated Ultimate Total Cost	Appropriated	2017	2018	2019	2020	2021	Under Review
<b>Gross</b>	22,200	7,500	7,200	2,500	2,500	0	0	2,500
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	22,200	7,500	7,200	2,500	2,500	0	0	2,500

**Expended/Obligated Amount (in thousands) as of:** 5,671

**Current Bond Description:** Bonding in an amount not-to-exceed \$2,600,000 as a part of BPL30 is requested to create 46 affordable rental units that affirmatively further fair housing ("Affordable AFFH Units") on Route 22 in the Town of Lewisboro.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,600,000
Cash:	0
<b>Total:</b>	<b>\$ 2,600,000</b>

**SEQR Classification:**

UNLISTED

**Amount Requested:**

2,600,000

**Comments:**

Westchester County proposes to purchase approximately 35.4 acres of real property located on Route 22 in the Town of Lewisboro identified on the tax maps as Sheet 5, Block 10776, Lots 19, 20 & 21 to underwrite the cost of land to support the development of 46 affordable AFFH rental units. A not to exceed amount of \$2,600,000 as a part of Capital Project BPL30 New Homes Land Acquisition ("BPL30") will finance acquisition of the Affordable Housing Property from the current owner for an amount not to exceed \$2,530,000 plus an additional \$70,000 to cover County soft costs associated with the project.

Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property to require among other things that the proposed affordable AFFH units will be marketed and rented pursuant to an approved Affordable Fair Housing Marketing Plan ("AFHMP") to households who earn at or below 50% and 60% of the Westchester County Area Median Income ("AMI") and will remain affordable for a period of not less than 50 years (the "Period of Affordability").

The County will subsequently convey the Property to Wilder Balter Partners, Inc., its successors or assigns (the "Developer") for \$1.00 to construct 46 affordable AFFH units to include 45 rental units and one unit for the superintendent (the "Development") that will be affordable to households with incomes at or below 50% and 60% of the Westchester County Area Median Income ("AMI"). The AMI is established by the U.S. Department of Housing and Urban Development and income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies.

**Energy Efficiencies:**

NOT APPLICABLE

**Appropriation History (in thousands):**

Year	Amount	Description
2014	5,000,000	CONTINUATION OF THIS PROJECT
2016	2,500,000	CONTINUATION OF THIS PROJECT
2017	7,200,000	LAND ACQUISITION FOR MT HOPE PLAZA FOR MT HOPE COMMUNITY REDEVELOPMENT CORP, LOCATED AT 65 LAKE ST. WHITE PLAINS

**Total Appropriation History:**

14,700,000

**Financing History (in thousands):**

Year	Bond Act #	Amount	Issued	Description
15	240	0	0	
15	235	1,840,000	1,830,000	ACQUISITION OF 80 BOWMAN AVENUE, VILLAGE OF RYE BROOK
15	204	460,000	0	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS ACQUISITION
15	267	284,000	0	ACQUISITION OF 322 KEAR STREET, YORKTOWN HEIGHTS
16	59	210,800	0	5 STANLEY AVE - OSSINING
16	50	228,800	0	112 VILLAGE RD YORKTOWN
16	53	219,050	0	18 MINKEL RD OSSINING
16	56	400,220	0	9 WATSON ST-CORTLANDT
16	24	353,000	290,732	104 PINE STREET, CORTLANDT-COST OF ACQUISITION
16	231	2,009,980	1,999,980	200 READER'S DIGEST ROAD CHAPPAQUA AFFIRMATIVELY FURTHERING AFFORDABLE HOUSING AMEND
16	18	385,000	0	164 PHYLLIS COURT, YORKTOWN - COST OF ACQUISITION
16	21	197,000	191,659	27 WALDEN COURT, UNIT #M YORKTOWN - COST OF ACQUISITION

**Total Financing History:**

6,587,850

**Recommended By:**

**Department of Planning**

PPN2

**Date**

06-06-2017

**Department of Public Works**

JPA4

**Date**

06-07-2017

**Budget Department**

LMY1

**Date**

06-09-2017

**Requesting Department**

PPN2

**Date**

06-09-2017

## NEW HOMES LAND ACQUISITION II ( BPL30 )

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2017	2018	2019	2020	2021	Under Review
Gross	22,200	7,500	5,211	7,200	2,500	2,500	2,500		2,500
Non County Share									
<b>Total</b>	<b>22,200</b>	<b>7,500</b>	<b>5,211</b>	<b>7,200</b>	<b>2,500</b>	<b>2,500</b>	<b>2,500</b>		<b>2,500</b>

### Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost c properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associati costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existin structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordabl units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

### Current Year Description

The current year request funds the land acquisition for Mt. Hope Plaza for Mt. Hope Community Redevelopment Corp., located at 65 Lake St. White Plains in the amount of \$2,200,000; and continuation of this project in the amount of \$5,000,000.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2017	7,200,000			7,200,000

### Impact on Operating Budget

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

### Appropriation History

Year	Amount	Description	Status
2014	5,000,000	Continuation of this project	IN PROGRESS
2016	2,500,000	Continuation of this project	\$1,138,000 - AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>7,500,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	7,500,000	4,312,371	3,187,629
<b>Total</b>	<b>7,500,000</b>	<b>4,312,371</b>	<b>3,187,629</b>

**NEW HOMES LAND ACQUISITION II  
( BPL30 )**

Bonds Authorized					
Bond Act	Amount	Date Sold	Amount Sold	Balance	
204 15	460,000			460,000	
235 15	1,840,000	12/15/16	1,830,000	10,000	
240 15					
267 15	284,000			284,000	
18 16	385,000			385,000	
21 16	197,000	12/15/16	191,659	5,341	
24 16	353,000	12/15/16	290,732	62,268	
56 16	400,220			400,220	
59 16	210,800			210,800	
50 16	228,800			228,800	
53 16	219,050			219,050	
231 16	2,009,980	12/15/16	1,999,980	10,000	
<b>Total</b>	<b>6,587,850</b>		<b>4,312,371</b>	<b>2,275,479</b>	