



110857

DATE: April 7, 2025

TO: Board of Acquisition and Contract

FROM: Blanca P. Lopez, M.S.
Commissioner of Planning

Hugh J. Greechan, Jr., PE
Commissioner of Public Works and Transportation

SUBJECT: Resolution authorizing an intermunicipal agreement between the County of Westchester and the City of Yonkers for the creation of a riverfront park on the Hudson River, in the Ludlow Section of Yonkers.

The attached resolution, if approved by your Honorable Board, would authorize the County of Westchester (the "County"), acting by and through its Department of Planning ("Department") to enter into an intermunicipal agreement (the "Agreement" or "IMA") with the City of Yonkers (the "City"), pursuant to which the County will (i) contribute up to \$15,000,000.00 to finance the construction of upland site work improvements to create a riverfront park on the Hudson River, in the Ludlow section of Yonkers (the "Park," "Property" or "Fernbrook/Ludlow Waterfront Park"), including, but not limited to, remediation work; and (ii) lease the Park from the City for the term of the proposed IMA. The Park will be comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which will be conveyed to the City and leased back to the County.

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

Pursuant to the IMA, the Park will be operated and maintained solely by the City and remain accessible to all County residents for park purposes, in perpetuity and free of any parking entry charges or use fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City will charge the same fees to residents and non-residents of the City of Yonkers.

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

The goal and objective of the proposed IMA is to create a riverfront park on the Hudson River to remain accessible to all County residents for park purposes in perpetuity. The construction of the Park will be monitored by the Department and DPW.

This procurement is in compliance with the County of Westchester Procurement Policy, pursuant to Section 3(b), which exempts real property leases, licenses and concessions.

Pursuant to Local Law Intro No. 66 – 2025 adopted on March 24, 2025 by the Westchester County Board of Legislators, the County was authorized to enter into the IMA.

We recommend approval of the attached Resolution.

BPL/HJG/cmc
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/10/2025 RAYMOND SCURIA SECRETARY

RESOLUTION

UPON A COMMUNICATION FROM THE COMMISSIONERS OF PLANNING AND PUBLIC WORKS AND TRANSPORTATION, BE IT HEREBY

RESOLVED: that the County of Westchester (the "County"), acting by and through its Department of Planning ("Department"), is authorized to enter into an intermunicipal agreement (the "Agreement" or "IMA") with the City of Yonkers (the "City"), pursuant to which the County shall (i) contribute up to \$15,000,000.00 to finance the construction of upland site work improvements to create a riverfront park on the Hudson River, in the Ludlow section of Yonkers ("Park" or "Fernbrook/Ludlow Waterfront Park"), including, but not limited to, remediation work and (ii) lease the Park from the City for the term of the IMA; and be it further

RESOLVED: that the Park shall be comprised of certain riverfront properties owned by the City located on Water Grant Street, Pier Street and Yerks Place, Yonkers, NY, more particularly identified as Section 1, Block 615, Lots 1, 6, 10 and 35.45, Section 1, Block 622, Lots 1 and 8 and Section 1, Block 623, Lots 1, 2 and 4 on the tax maps of the City of Yonkers, and certain County property which will be conveyed to the City and leased back to the County; and be it further

RESOLVED: that term of the IMA shall commence upon the start of construction of the upland site work improvements on the Park and continue for the life of the bonds which is anticipated to be fifteen (15) years, unless the Agreement is terminated sooner in accordance with the terms of this Agreement; and be it further

RESOLVED: that the Park shall be operated and maintained solely by the City and remain accessible to all County residents for park purposes, in perpetuity and free of any parking entry charges or use fees, except for the renting of picnic facilities, kayak equipment or other activities mutually approved by the parties, provided (i) such fees are reasonable and (ii) the City will charge the same fees to residents and non-residents of the City of Yonkers; and be it further

RESOLVED: that City shall be responsible for all labor and equipment to create the Fernbrook/Ludlow Waterfront Park, including procuring design services and construction of the Park improvements, in compliance with all applicable laws, rules and regulations; and be it further

RESOLVED: that the City shall not deviate from the approved drawings and specifications without the prior written consent of the Department's Commissioner and the County's Department of Public Works and Transportation Commissioner; and be it further

RESOLVED: that the County Executive or his duly authorized designee is authorized to execute any documents and take any actions necessary to effectuate purposes hereof.

Account to be
Charged/Credited

		Major Program, Program & Phase	Object/ Sub Object	Trust Account	
Fund	Dept	Or Unit			Dollars
318	19	BLA1A-07-S	6210	N/A	\$15,000,000

Budget Funding Year(s)
(must match resolution)

Start Date Commencement of construction

End Fifteen Years thereafter

Funding Source

Tax Dollars 100%

State Aid _____

\$15,000,000.00
(must match resolution)

Federal Aid _____

Other _____

S:\ADMINISTRATION\Contracts\Completed Contracts\Capital\CCAP25260\Clean Resolution - Yonkers Waterfront Park Ludlow Section IMA.docx

APPROVED BOARD OF ACQUISITION & CONTRACT - 04/10/2025 - RAYMOND SCULKY, SECRETARY