

Westchester County

George Latimer
County Executive

July 28, 2023

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

Dear Members of the Board of Legislators:

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

SY038 – Yonkers Joint Treatment Plant Engine Replacement & Blower Reconditioning ("SY038").

The proposed Capital Budget Amendment will amend the County's 2023 capital budget to move \$5,000,000 originally appropriated for 2024 to 2023, and to revise the project financing plan for the non-county shares.

The Bond Act, in the amount of \$6,320,600, would finance additional construction funding for the replacement of the two remaining diesel/methane dual fuel engines with natural gas/anaerobic digester gas dual fuel engines and all their auxiliary systems and appurtenances, including all structural, electrical, controls, plumbing, and HVAC systems.

The Department of Environmental Facilities ("Department") has advised that this is a previously programmed project which originally requested funds for replacement of the three diesel/methane dual fuel engines and reconditioning of the blowers. The project was revised to provide for refurbishment of the engines, and reconditioning of the blowers. Further revision is now required by the New Title V Air Permit Emissions Limits which require the replacement of the existing diesel/methane engines with cleaner more efficient methane/natural gas fired engines and all their auxiliary systems and appurtenances. This multi-phased project will also replace the existing aeration blowers with new more efficient turbo blowers and controls, provide for aeration system upgrades and install a new natural gas main.

Design is currently underway by a consultant and is expected to be completed by the end of the 3rd quarter of 2023. It is estimated that construction will take 24 months to complete and will begin after award and execution of the construction contracts.

Office of the County Executive

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

Telephone: (914) 995-2900

It should be noted that your Honorable Board has previously authorized the County to issue bonds for SY038 as indicated in the annexed fact sheet.

The Planning Department has advised that based on its review, SY038 may be 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 environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

The Planning Department has advised that the Planning Board has previously reviewed SY038 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.

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

Sincerely,



George Latimer
County Executive

GL/VK/JB/jpg/nn

**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 bond act (the “Bond Act”) which, if adopted, will authorize the County to issue an additional \$6,320,600 in bonds to finance capital project SY038 – Yonkers Joint Treatment Plant Engine Replacement & Blower Reconditioning (“SY038”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s 2023 capital budget to move \$5,000,000 originally appropriated for 2024 to 2023, and to revise the project financing plan for the non-county shares.

The related Bond Act, prepared by the law firm Norton Rose Fulbright, would finance additional construction funding for the replacement of the two remaining diesel/methane dual fuel engines with natural gas/anaerobic digester gas dual fuel engines and all their auxiliary systems and appurtenances, including all structural, electrical, controls, plumbing, and HVAC systems.

The Department of Environmental Facilities (“Department”) has advised that this is a previously programmed project which originally requested funds for replacement of the three diesel/methane dual fuel engines and reconditioning of the blowers. The project was revised to provide for refurbishment of the engines, and reconditioning of the blowers. Further revision is now required by the New Title V Air Permit Emissions Limits which require the replacement of the existing diesel/methane engines with cleaner more efficient methane/natural gas fired engines and all their auxiliary systems and appurtenances. This multi-phased project will also replace the existing aeration blowers with new more efficient turbo blowers and controls, provide for aeration system upgrades and install a new natural gas main.

Your Committee is advised that Design is currently underway by a consultant and is expected to be completed by the end of the 3rd quarter of 2023. It is estimated that construction will take 24 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 for prior components of SY038 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, SPC38 may be 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 environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

The Planning Department has further advised your Committee that the Planning Board has previously reviewed SY038 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

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

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

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY038

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 \$ 6,320,600 PPU 30 Anticipated Interest Rate 3.44%

Anticipated Annual Cost (Principal and Interest): \$ 117,308

Total Debt Service (Annual Cost x Term): \$ 3,519,240

Finance Department: Interest rates from August 1, 2023 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: 68

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF


Date: 8/1/23

Reviewed By: 

Budget Director

Date: 8/3/23

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

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

DATE: July 26, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY038 YONKERS JOINT TREATMENT PLANT ENGINE REPLACEMENT
& BLOWER RECONDITIONING**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-16-2023 (Unique ID: 2206)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

To: The Westchester County Planning Board

From: Blanca P. López

Date: July 31, 2023



RE: **Capital Budget Amendment –
SY038 Yonkers Joint Treatment Plant Engine Replacement (2023 CBA)**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **SY038 Yonkers Joint Treatment Plant Engine Replacement (2023 CBA)** will fund the rehabilitation of the engine blowers at the Yonkers Joint Treatment Plant. The capital budget amendment will fund increased costs in construction.

A Capital Budget Amendment (CBA) in the amount of \$5,000,000 is being requested to provide additional construction funding to address increased costs. This project was classified as a PL2, a project with physical planning and historic aspects by the Planning Board in the 2013 Report on the Capital Project Requests adopted July 24, 2012.

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: David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner
Douglas Wessells, Environmental Planner

An Act amending the 2023 County
 Capital Budget Appropriations for
 Capital Project SY038 Yonkers Joint
 Treatment Plant Engine
 Replacement & Blower
 Reconditioning

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

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$74,200,000	\$5,000,000	\$79,200,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$74,200,000	\$1,220,600	\$75,420,600
Non County Shares	\$0	\$3,779,400	\$3,779,400
Cash	\$0		\$0
Total	\$74,200,000	\$5,000,000	\$79,200,000

Section 3. The ACT shall take effect immediately.