

Memorandum

Office of the County Executive Michaelian Office Building

September 27, 2024

TO:

Hon. Vedat Gashi, Chair

Hon. Jose Alvarado, Vice Chair

Hon. Tyrae Woodson-Samuels, Majority Leader

Hon. Margaret Cunzio, Minority Leader...

FROM:

Westchester County Executive

RE:

Message Requesting Immediate Consideration: Bond Act (Amended)-

RB03I - Tuckahoe Road Bridge Over Bronx River, Yonkers &

Tuckahoe.

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 30. 2024 Agenda.

Transmitted herewith for your review and approval is an amended and restated bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue additional bonds in the amount of \$3,495,000.00 to finance the construction component of the following capital project: RB03I.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for September 30, 2024 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



George Latimer Westchester County Executive

September 25, 2024

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 and restated bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue additional bonds in the amount of \$3,495,000.00 to finance the construction component of the following capital project:

RB03I - Tuckahoe Road Bridge Over Bronx River, Yonkers and Tuckahoe ("RB03I").

The Amended Bond Act, in the total amount of \$3,775,000, which includes \$280,000.00 in previously authorized bonds of the County, would finance the cost of construction and construction management associated with the rehabilitation of the bridge on Tuckahoe Road over the Bronx River, including the removal and replacement of the pavement, fill, sidewalk and waterproofing membrane and related work. Deteriorated concrete on the structure will be removed and replaced. Erosion and scour problems will be addressed with rip-rap and bioremediation along the banks. Stone facing will be repaired and repointed. The presence of a high voltage line (NYPA) on the bridge will require additional work and coordination to shut down power, expose, support and protect this line during construction.

Design is currently underway using outside consultants and is expected to be completed by the fourth quarter of 2024. It is anticipated that construction will take approximately 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 the following component of project RB03I: Bond Act No. 43-2015 in the amount of \$280,000.00, to finance the design portion of this project, which remains unissued. Authority of your Honorable Board is now requested to amend and restate Bond Act No. 43-2015 to increase the initial amount authorized thereunder by \$3,495,000.00, for a new total authorized amount, as amended, of \$3,775,000.00, to revise the scope of Bond Act No. 43-2015 to include work associated with the construction phase of the project, and to increase the period of probable usefulness of said bonds from five (5) to twenty (20) years.

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

Sincerely.

George Latimer
County Executive

GL/HG/cmc Attachments

HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER, NEW YORK

Your Committee is in receipt of an amended and restated bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue additional bonds in the amount of \$3,495,000.00. The Amended Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood LLP, will finance the construction component of Capital Project RB03I – Tuckahoe Road Bridge Over Bronx River, Yonkers and Tuckahoe ("RB03I").

The Amended Bond Act, in the total amount of \$3,775,000.00, which includes \$280,000.00 in previously authorized bonds of the County, would finance the cost of construction and construction management associated with the rehabilitation of the bridge on Tuckahoe Road over the Bronx River, including the removal and replacement of the pavement, fill, sidewalk and waterproofing membrane and related work. Deteriorated concrete on the structure will be removed and replaced. Erosion and scour problems will be addressed with rip-rap and bioremediation along the banks. Stone facing will be repaired and repointed. The presence of a high voltage line (NYPA) on the bridge will require additional work and coordination to shut down power, expose, support and protect this line during construction.

Design is currently underway using outside consultants and is expected to be completed by the fourth quarter of 2024. It is anticipated that construction will take approximately eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds in connection with the following component of project RB03I: Bond Act No. 43-2015, in the amount of \$280,000.00, to finance the design portion of this project, which remains unissued. Authority of your Honorable Board is now requested to amend and restate Bond Act No. 43-2015 to increase the initial amount authorized thereunder by \$3,495,000.00, for a new total authorized amount, as amended, of \$3,775,000.00, to revise the scope of Bond Act No. 43-2015 to include

work associated with the construction phase of the project, and to increase the period of probable

usefulness of said bonds from five (5) to twenty (20) years.

The Department of Planning has advised your Committee that based on its review, the

authorization of the proposed capital project may be classified as a Type "II" action pursuant to

the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617

("SEQR"). Therefore, no environmental review is required. Your Committee has reviewed the

annexed SEQR documentation and concurs with this recommendation.

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:

, 2024.

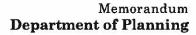
White Plains, New York

COMMITTEE ON

k/cmc/9.26.2024

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB03!	NO FISCAL IMPACT PROJECTED				
	SECTION A - CAPITAL BU To Be Completed by					
X GENERAL FUN		SPECIAL DISTRICTS FUND				
	Source of County Funds (check one):	X Current Appropriations				
		Capital Budget Amendment				
	SECTION B - BONDING AU	THORIZATIONS				
	To Be Completed by	Finance				
Total Principa	I \$ 3,775,000 PPU	20 Anticipated Interest Rate 2.98%				
Anticipated A	nnual Cost (Principal and Interest):	\$ 250,577				
Total Debt Sei	rvice (Annual Cost x Term):	\$ 5,011,535				
Finance Depai	rtment: maab 9-27-24					
:	SECTION C - IMPACT ON OPERATING BUD					
	To Be Completed by Submitting Departm	ent and Reviewed by Budget				
Potential Rela	ted Expenses (Annual): \$	•				
Potential Rela	ted Revenues (Annual): \$	-				
Anticipated sa	avings to County and/or impact of depart	ment operations				
(describe in d	etail for current and next four years):					
	SECTION D - EMPLO	DYMENT				
Α	s per federal guidelines, each \$92,000 of a	appropriation funds one FTE Job				
Number of Fu	ll Time Equivalent (FTE) Jobs Funded:	41				
Prepared by:	Dianne Vanadia					
Title:	Associate Budget Director	Reviewed By:				
Department:	Budget	Budget Director				
Date:	9/27/24	Date: 9 27 24				





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:

September 25, 2024

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB03I TUCKAHOE ROAD BRIDGE OVER BRONX RIVER, YONKERS

AND TUCKAHOE (BIN 3364940)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-04-2024 (Unique ID: 2632)

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: Rip-rap and bioremediation will be limited to the immediate area around the bridge.

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

Robert Abbamont, Director of Operations, Department of Public Works & Transportation

Susan Darling, Chief Planner

Claudia Maxwell, Principal Environmental Planner

Michael Lipkin, Associate Planner

REFERENCE: RB03I

ACT NO. -20

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED MARCH 23, 2015, IN RELATION TO THE REHABILITATION OF THE TUCKAHOE ROAD BRIDGE OVER THE BRONX RIVER, AT THE MAXIMUM ESTIMATED COST OF \$3,775,000. (Adopted , 20____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$280,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of the Tuckahoe Road Bridge over the Bronx River, pursuant to Act No. 43-2015 duly adopted on March 23, 2015; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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

Section (A). The bond act duly adopted by this Board on March 23, 2015, entitled:

"ACT NO. 43-2015

BOND ACT AUTHORIZING THE ISSUANCE OF \$280,000 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 THE TUCKAHOE ROAD BRIDGE OVER THE BRONX RIVER; STATING THE ESTIMATED TOTAL COST THEREOF IS \$280,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$280,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS."

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,775,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE REHABILITATION OF THE TUCKAHOE ROAD BRIDGE OVER THE BRONX RIVER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,775,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,775,000 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; \$3,775,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the planning, construction and

construction management in connection with the rehabilitation of the Tuckahoe Road Bridge over the Bronx River, including the removal and replacement of pavement, fill, sidewalks, and waterproofing membrane and related work, removal and replacement of deteriorated concrete on the structure, addressing of erosion and scour problems with rip-rap and bioremediation along the banks, repair and repoint of stone facing, and additional work and coordination to shut down power, expose, support, and protect the NYPA high voltage line on the bridge during construction, 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 \$3,775,000. The plan of financing includes the issuance of \$3,775,000 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 \$3,775,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years;

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

\$3,775,000. 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 \$3,775,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

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

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

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

Section (B). The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

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

* * *

STATE OF NEW YORK)	
: :	ss.:
COUNTY OF NEW YORK)	
I HEREBY CERTIFY that	I have compared the foregoing Act No20
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

Legislators on March 23, 2015 and ame by the County Executive on such Bond Act may be hereafter cont purpose for which the County of West money or if the provisions of law which this Notice were not substantially cor	which is published herewith, has been adopted by the Board of ended on, 20 and approved, as amended,, 20 and the validity of the obligations authorized by ested only if such obligations were authorized for an object or techester, in the State of New York, is not authorized to expend a should have been complied with as of the date of publication of applied with, and an action, suit or proceeding contesting such ays after the publication of this Notice, or such obligations were of the Constitution.
inspection during normal business hou	ed Bond Act summarized herewith shall be available for public rs at the Office of the Clerk of the Board of Legislators of the a period of twenty days from the date of publication of this Notice.
ACT NO20	
OF WESTCHESTER, OR SO MUC THE REHABILITATION OF TH RIVER, STATING THE ESTIM STATING THE PLAN OF FINA \$3,775,000 BONDS HEREIN AUTH	ISSUANCE OF \$3,775,000 BONDS OF THE COUNTY THEREOF AS MAY BE NECESSARY, TO FINANCE E TUCKAHOE ROAD BRIDGE OVER THE BRONX ATED MAXIMUM COST THEREOF IS \$3,775,000; NCING SAID COST INCLUDES THE ISSUANCE OF HORIZED; AND PROVIDING FOR A TAX TO PAY THE ON SAID BONDS. (adopted on March 23, 2015 and
with the rehab including the waterproofing deteriorated of problems with repoint of ston power, expose	construction and construction management in connection ilitation of the Tuckahoe Road Bridge over the Bronx River, removal and replacement of pavement, fill, sidewalks, and membrane and related work, removal and replacement of oncrete on the structure, addressing of erosion and scour rip-rap and bioremediation along the banks, repair and e facing, and additional work and coordination to shut down e, support, and protect the NYPA high voltage line on the construction, all as set forth in the County's Current Year t, as amended.
amount of obligations to be issued: and period of probable usefulness:	\$3,775,000; twenty (20) 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:*	□CI	BA		F	act Sheet	Date:*		4-6.2
RB03I		08-21-2024						
Fact Sheet Year:*	Proje	Project Title:* Legislative District ID:						
2024	BRO	KAHOE ROAD BR NX RIVER, YONK KAHOE, (BIN 336	ERS ANI		0, 15,			
Category*	Depa	rtment:*		C	P Unique	e ID:		
ROADS & BRIDGES		LIC WORKS			632			
Overall Project Description								
This project will rehabilitate the b replacement of the pavement, fill, removed and replaced. Erosion at facing will be repaired and repoin coordination to shut down power,	sidewalks and nd scour proble ted. The preser	waterproofing mem ms will be addresse nce of a high voltage	brane. De d with rip- e line (NY	eteriorated -rap and bar (PA) on the	concrete ioremedia e bridge v	on the stru tion along	cture will the banks	be . Stone
■ Best Management Practices	□ En	ergy Efficiencies		x] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	Oti	her						
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	3,775	3,775	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,775	3,775	0	0	0	0	0	0
Current Bond Description: Fur rehabilitation of the bridge include and related work. Deteriorated con addressed with rip-rap and biorem voltage line (NYPA) on the bridge this line during construction.	nding is request ing the removal acrete on the strated	ed for construction and replacement of ructure will be remo the banks. Stone fac	f the paver oved and re cing will b	ment, fill, s eplaced. E e repaired	sidewalks Prosion an and repoi	and water d scour pr nted. The	proofing i oblems w presence	membrane ili be of a high
Financing Plan for Current Req	inest:							
Non-County Shares:	<u>luesi.</u>	\$ 0						
Bonds/Notes:		3,495,000						
Cash:		0						
Total:		\$ 3,495,000						
SEQR Classification: TYPE II								
Amount Requested: 3,495,000								
Expected Design Work Provider								
☐ County Staff	⋉ Co	nsultant] Not App	licable		
Comments: Bridge Condition Rating: 4.22 (20)23); AADT: 7,	340						
Energy Efficiencies:								

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Appropriation History:

Year	Amount	Description
2013	2,360,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2019	290,000	COST ESCALATION
2022	1,125,000	COST ESCALATION

Total Appropriation History:

3,775,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	43	280,000		0 TUCKAHOE ROAD BRIDGE OVER BRONX RIVER, YONKERS AND TUCKAHOE

09-07-2024

Total Financing History:

280,000

RJB4

Recommended By:

Department of Planning
MLLL
09-04-2024

Department of Public Works
RJB4
09-05-2024

Budget Department
DEV9
09-07-2024

Requesting Department
Date

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TUCKAHOE ROAD BRIDGE OVER BRONX RIVER, YONKERS AND TUCKAHOE, (BIN 3364940)

(RB03I)

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 PI	ROGRAM (in th	ousands)	- 1000			101/12	A SECONDARY OF THE		1371
	Est Ult Cost Ap	propriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	3,775	3,775	165						Kenen
Non County Share									
Total	3,775	3,775	165						

Project Description

This project will rehabilitate the bridge on Tuckahoe Road over the Bronx River. Work will include the complete removal and replacement of the pavement, fill, sidewalks and waterproofing membrane. Deteriorated concrete on the structure will be removed and replaced. Erosion and scour problems will be addressed with rip-rap and bioremediation along the banks. Stone facing will be repaired and repointed. The presence of a high voltage line (NYPA) on the bridge will require additional work and coordination to shut down power, expose, support and protect this line during construction.

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.

Year	Amount	Description	Status
2013	2,360,000	Design, construction and construction management	\$280,000 - DESIGN; \$2,080,000 - AWAITING BOND AUTHORIZATION
2019	290,000	Cost escalation	AWAITING BOND AUTHORIZATION
2022	1,125,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	3,775,000		

Prior Appropriations				Bonds Authoriz	ed :		
	Appropriated	Collected	Uncollected	Bond Act	Amount	Date Sold	Amount Sold
Bond Proceeds	3,775,000		3,775,000	43 15	280,000		
Total	3,775,000		3,775,000	Total	280,000		

Balance 280,000 280,000