



George Latimer
County Executive

May 2, 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 is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current-year capital budget ("Capital Budget Amendment") for the following capital project:

SY043 – Yonkers Joint WWTP – Post Storm Reconstruction and Rehabilitation ("SY043").

The proposed Capital Budget Amendment will amend the County's current-year capital budget by increasing the non-County share for SY043 by Three Million (\$3,000,000.00) Dollars. This revision is requested to reflect the anticipated receipt of Federal Emergency Management Agency ("FEMA") funds for SY043.

The Department of Environmental Facilities ("Department") has advised that the work will include replacement of the Public Address system, including all electrical and control components which were damaged during Hurricane Sandy. The Department anticipates that FEMA will reimburse the County for approximately 90% of the cost of the work. The Department has advised that the work will maintain facility safety.

Following authorization of the Capital Budget Amendment, design will be scheduled and is anticipated to take nine months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twelve months and will begin after award and execution of the construction contracts.

The Planning Department has advised that based on its review, SY043 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.

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

Office of the County Executive


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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 SY043 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 annexed Act is most respectfully requested.

Sincerely,

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

George Datimer
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 an Act to amend the County’s current-year capital budget (“Capital Budget Amendment”) for capital project SY043 – Yonkers Joint WWTP – Post Storm Reconstruction and Rehabilitation (“SY043”). Your Committee is advised that the proposed Capital Budget Amendment will amend the County’s current-year capital budget by increasing the non-County share for SY043 by Three Million (\$3,000,000.00) Dollars. This revision is requested to reflect the anticipated receipt of Federal Emergency Management Agency (“FEMA”) funds for SY043.

The Department of Environmental Facilities (“Department”) has advised that the work will include replacement of the Public Address system, including all electrical and control components which were damaged during Hurricane Sandy. The Department anticipates that FEMA will reimburse the County for approximately 90% of the cost of the work. The Department has advised that the work will maintain facility safety.

Following authorization of the Capital Budget Amendment, design will be scheduled and is anticipated to take nine months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twelve months and will begin after award and execution of the construction contracts.

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. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

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 Department has advised that the Planning Board has previously reviewed this project 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.

Please note 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.

Your Committee has carefully considered the proposed Capital Budget Amendment and recommends approval the proposed Act.

Dated: _____, 20_____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY043

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

Receipt of Non-County Shares

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: Joe Brown

Title: Capital Program Coordinator

Department: DEF


Date: 4/25/22

Reviewed By: 

Deputy Budget Director

Date: 4/28/22

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

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

DATE: April 13, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY043 Yonkers Joint WWTP – Post Storm Reconstruction and Rehabilitation**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 03-31-2022 (Unique ID: 1907)

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
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, Dept. of Environmental Facilities
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: April 14, 2022

RE: **Capital Budget Amendment**
SY043 Yonkers Joint WWTP – Post Storm Reconstruction and Rehabilitation

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project SY043 provides funding for infrastructure reconstruction and rehabilitation of the Yonkers Joint Wastewater Treatment Plant as a result of the damage caused by Superstorm Sandy.

A Capital Budget Amendment is requested to amend the County's current-year capital budget by increasing the non-County share for SY043 by \$3,000,000. This revision is requested to reflect the anticipated receipt of Federal Emergency Management Agency (FEMA) funds for SY043. The work will include replacement of the Public Address system, including all electrical and control components which were damaged during Hurricane Sandy.

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 Kvinge, Director, Environmental Planning
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2022 County
 Capital Budget Appropriations for
 Capital Project SY043 - YJWWTP- Post
 Storm Reconstruction & Rehabilitation

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	\$39,950,000	\$3,000,000	\$42,950,000

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	\$9,950,000		\$9,950,000
Non County Shares	\$30,000,000	\$3,000,000	\$33,000,000
Cash	\$0		\$0
Total	\$39,950,000	\$3,000,000	\$42,950,000

Section 3. The ACT shall take effect immediately.

CAPITAL PROJECT FACT SHEET

Project ID:* SY043	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 03-03-2022
Fact Sheet Year:* 2022	Project Title:* YONKERS JOINT WWTP - POST STORM RECONSTRUCTION AND REHABILITATION	Legislative District ID: 2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 1907

Overall Project Description

This project will provide for the infrastructure reconstruction and rehabilitation of the Yonkers Joint Wastewater Treatment Plant as a result of the damage caused by Superstorm "Sandy". This project will provide for the repair and rehabilitation of infrastructure consisting of, but not limited to, electrical equipment, controls and motors, generators, pumps, mechanical equipment, heating and HVAC systems, structural damage and all related ancillary equipment and systems which were damaged by the storm. Other miscellaneous costs related to storm reconstruction are also included.

- | | | |
|--|--|--|
| <input 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	42,950	39,950	0	0	0	0	0	3,000
Less Non-County Shares	33,000	30,000	0	0	0	0	0	3,000
Net	9,950	9,950	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 39,586

Current Bond Description: Replacement of the Public Address system, including all electrical and control components, that were damaged during Hurricane Sandy.

Financing Plan for Current Request:

Non-County Shares:	\$ 3,000,000
Bonds/Notes:	0
Cash:	0
Total:	\$ 3,000,000

SEQR Classification:

TYPE II

Amount Requested:

0

Comments:

The replacement was part of the original Post Storm Reconstruction and Rehabilitation project but subsequently removed for a more cost-efficient alternative. However, as described below, the DEF would like to re-include this work in the project. The full cost is being requested in this CBA in order to utilize a NYS Office of General Services (OSG) Contract to perform the work. It is anticipated that this work will be approximately 90% reimbursable by FEMA. Also included with this request is a capital budget amendment in the amount of \$3 million (shown under review).

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2012	12,650,000	YJTP RECONSTRUCTION AND REHABILITATION
2014	22,100,000	YJTP RECONSTRUCTION AND REHABILITATION
2017	3,700,000	YJTP RECONSTRUCTION AND REHABILITATION
2018	500,000	ADDITIONAL FUNDS FOR CONSTRUCTION
2019	1,000,000	ADDITIONAL FUNDS FOR CONSTRUCTION

Total Appropriation History:

39,950,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
12	180	9,950,000	9,949,001	RECONSTRUCTION AND REHABILITATION

Total Financing History:

9,950,000

Recommended By:

Department of Planning
WBB4

Date
03-31-2022

Department of Public Works
RJB4

Date
04-01-2022

Budget Department
LMY1

Date
04-04-2022

Requesting Department
JWBA

Date
04-04-2022

YONKERS JOINT WWTP - POST STORM RECONSTRUCTION AND REHABILITATION (SY043)

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	39,950	39,950	39,576						
Non County Share	(30,000)	(30,000)	(21,199)						
Total	9,950	9,950	18,377						

Project Description

This project will provide for the infrastructure reconstruction and rehabilitation of the Yonkers Joint Wastewater Treatment Plant as a result of the damage caused by Superstorm "Sandy". This project will provide for the repair and rehabilitation of infrastructure consisting of, but not limited to, electrical equipment, controls and motors, generators, pumps, mechanical equipment, heating and HVAC systems, structural damage and all related ancillary equipment and systems which were damaged by the storm. Other miscellaneous costs related to storm reconstruction are also included.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the District Operating Budget is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2012	12,650,000	YJTP Reconstruction and Rehabilitation	CONSTRUCTION
2014	22,100,000	YJTP Reconstruction and Rehabilitation	CONSTRUCTION
2017	3,700,000	YJTP Reconstruction and Rehabilitation	CONSTRUCTION
2018	500,000	Additional funds for construction	CONSTRUCTION
2019	1,000,000	Additional funds for construction	CONSTRUCTION
Total	39,950,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,950,000	9,949,001	999
Federal Funds	30,000,000	21,198,579	8,801,421
Funds Revenue			
Total	39,950,000	31,147,580	8,802,420

**YONKERS JOINT WWTP - POST STORM RECONSTRUCTION AND REHABILITATION
(SY043)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
180 12	9,950,000	12/10/13	427,932	999
		12/10/13	72,068	
		12/10/13	1,467	
		11/19/15	928,927	
		11/19/15	74,873	
		11/19/15	5,024	
		12/15/16	3,000,000	
		12/15/17	4,289,599	
		12/15/17	710,816	
		12/15/17	9,294	
		12/10/19	399,434	
		12/10/19	29,566	
Total	9,950,000		9,949,001	999