

ACT 105 - 2025
(BOND) ACTS 106,107 - 2025

Reference RB212

**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 the following Acts in connection Capital Project RB212 – Bryant Ave, CR 153, White Plains ("RB212"):

(1) an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment");

(2) a bond act amending, in part, prior Bond Act No. 7-2023 to remove a \$2,500,000 authorization allocable to RB212, and decrease the estimated maximum amount of bonds authorized to \$14,140,000 ("Amending Bond Act"). The Amending Bond Act was prepared by the law firm Hawkins Delafield & Wood and is required to remove the approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work related to RB212; and

(3) a bond act authorizing the issuance of bonds in the amount of \$3,200,000 to finance the cost of design, construction and construction management associated with the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling, resurfacing, concrete curb replacement, drainage repairs, new traffic loops, new pavement markings, and related work in connection with RB212. This \$3,200,000 proposed bond act represents a \$700,000 increase to the amount previously authorized for RB212 and includes the \$2,500,000 previously authorized for RB212 by Bond Act 7-2023 ("Consolidated Bond Act").

Your Committee is advised that the proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for RB212 by \$700,000 to \$3,200,000.

The \$3,200,000 Consolidated Bond Act represents a \$700,000 increase to the amount previously authorized for RB212 and includes the \$2,500,000 previously authorized for RB212 by Bond Act 7-2023. The Consolidated Bond Act would finance the cost of design, construction and construction management associated with the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling, resurfacing, concrete curb replacement, drainage repairs, new traffic loops, new pavement markings, and related work in connection with RB212.

The Department of Public Works and Transportation (“Department”) has advised that this road has an average annual daily traffic count of 7,129 and is in need of rehabilitation to maintain a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2022 was 61 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

The Department has advised that design was completed by a consultant and it is anticipated that construction will take approximately six months to complete. The Department has further advised that bids received for construction of RB212 exceed the available funding. The increase in construction costs and materials is due to the length of time that has transpired since the project's 2023 inception.

The design was completed by a consultant and it is anticipated that construction will take approximately six months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance RB212 as indicated in the annexed fact sheet.

The Department of Planning has advised your Committee that based on its review, RB212 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.

Additionally, as your Honorable Board may know, 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 RB212 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 Amending Bond Act and Consolidated Bond Act, and recommends approval of all the proposed Acts, noting that the Amending Bond Act and Consolidated Bond Act can only be enacted following adoption of the Capital Budget Amendment.

It should be further 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 Amending Bond Act and Consolidated Bond Act.

Dated: May 19th, 20 25.
White Plains, New York

James J. Zelen John J.
Smith
Sefor
John R. L.
J. L.
Maurice Baur

Sefor

James J. Zelen John J.
Smith
J. L.
Maurice Baur


COMMITTEE ON

C:MG 3-18-25

Budget & Appropriations

Public Works & Transportation

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: April 7, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB212 BRYANT AVENUE, CR 153, WHITE PLAINS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 03/20/2025 (Unique ID: 2840)

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; and
- **617.5(c)(5):** repaving of existing highways not involving the addition of new travel lanes; and
- **617.5(c)(6):** street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities; and
- **617.5(c)(22):** installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/oav

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
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner

A handwritten signature in blue ink, appearing to be "SD", located next to the "From:" field.

Date: March 27, 2025

RE: **NO-ACTION MEMO - Capital Budget Amendment – RB212 Bryant Avenue, CR 153, White Plains (2025 CBA)**

The County Executive is requesting an amendment to the 2025 Capital Budget to modify the funding of the above project. Capital project **RB212 Bryant Avenue, CR 153, White Plains (2025 CBA)** will fund the construction and construction management for the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound.

The capital budget amendment is needed because of the increased costs associated with this project. This increase is due to the length of time that has transpired since the project's initial inception in 2023 including construction costs and particularly costs associated with materials. These additional funds are needed to award the project to a contractor and to accommodate the subsequent increase in costs for construction.

The 2023 appropriation was \$2,500,000. The additional request is for \$700,000.

This project was classified as a PL2 in the Planning Board Report on the 2023 Capital Project Requests adopted July 5, 2022.

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: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

RB212 Bryant Avenue, CR 153, White Plains

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2023	2024	2025	2026	2027	Under Review
Gross Non-County Share	2,500		2,500					
County Share	2,500		2,500					

Project Description

This project will fund the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

Appropriation Requests

2023: Design, Construction and Construction Management.

Justification

To maintain a safe travelway.

AADT: 7,129

PCI: 64 (2019)

Consistency with Programs or Plans

This is a programmed project. The proposed project is consistent with "*Westchester 2025*", the County Planning Board's long-range planning policy document, as it will maintain existing transportation infrastructure and ease movement on travel routes.

As per Westchester County policy, stormwater management must be addressed with every capital project where feasible. Designs should comply with the latest version of the NYS Stormwater Management Design Manual and the NYS Standards and Specifications for Erosion and Sediment Control.

Planning Board Analysis

PL2: The Planning Board supports the proposed improvements. Planning Department staff will monitor the progress of design to address physical and environmental planning concerns including pedestrian and bicycle safety as well as stormwater management. The Planning Board recommends this project incorporate Complete Streets design features which consider the safe, convenient access, and mobility of all roadway users of all ages and abilities. The Planning Board recommends that the design of this project include consideration of future bus service needs. This divided highway has a relatively low AADT of about 7,000, and lacks sidewalks or bicycle facilities. Its location near a school makes it a prime candidate for a road diet. The expectation of the Planning Department is that the adjacent office parks will one day be repurposed with residential and retail uses. New concrete curb could provide an opportunity to use space for a curb-raised trail with pedestrian/bicycle separation. This will also provide for safe pedestrian/bicycle connectivity if adjacent office parks continue to see residential development.

An Act amending the 2025 County
Capital Budget Appropriations for
Capital Project RB212 BRYANT
AVENUE, CR 153, WHITE PLAINS

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

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

	Previous 2025 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation	\$2,500,000	\$700,000	\$3,200,000

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$2,500,000	\$700,000	\$3,200,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$2,500,000	\$700,000	\$3,200,000

Section 3. The ACT shall take effect immediately.

REFERENCE P0032
RB210
RB214
RB233
RB234
RB235
RB236
RB237

ACT NO. 106 - 2025

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED JANUARY 9, 2023 IN RELATION TO THE CONSTRUCTION OF VARIOUS COUNTY ROADWAY IMPROVEMENTS IN AND FOR THE COUNTY AT THE TOTAL ESTIMATED COST OF \$14,140,000. (Adopted 05/19, 2025).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance the cost of the design, construction and construction management associated with the rehabilitation of the following respective County roadways as set forth in column B of the schedule below:

A	B
\$3,350,000	approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
800,000	approximately 0.32 miles of roadway from Pelham Manor/New Rochelle line to Bronx line including milling; resurfacing; concrete curb

	replacement; drainage repairs; new traffic loops; new pavement markings and related work
2,500,000	approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
425,000	approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
600,000	approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters including milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
775,000	approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road including milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work
420,000	approximately 0.11 miles of roadway from Irving Avenue to King Street including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work

1,620,000	approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
6,150,000	approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9 including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work

at the estimated maximum cost of \$16,640,000, pursuant to Act No. 7-2023 duly adopted on January 9, 2023, and

WHEREAS, this Board has determined to revise the scope of work of said Bond Act, and remove the \$2,500,000 authorization for project RB212, and

WHEREAS, it has now been determined that such bond act shall be amended to revise said scope of work and decrease the amount of bonds authorized; now, therefore,

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 January 9, 2023, entitled:

“(BOND) ACT NO. 7-2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$16,640,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS COUNTY ROADWAY IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,640,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,640,000 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 \$14,140,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS COUNTY ROADWAY IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$14,140,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$14,140,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(adopted on January 9, 2023 and amended on May 19, 2025)

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, Bonds of the County in the respective amounts as set forth in column A of the schedule below, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction and construction management associated with the rehabilitation of the following respective County roadways as set forth in column B of the schedule below; 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$14,140,000. The plan of financing includes the issuance of \$14,140,000 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.

A	B
\$3,350,000	approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
800,000	approximately 0.32 miles of roadway from Pelham Manor/New Rochelle line to Bronx line including milling; resurfacing; concrete curb

	replacement; drainage repairs; new traffic loops; new pavement markings and related work
425,000	approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
600,000	approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters including milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
775,000	approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road including milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work
420,000	approximately 0.11 miles of roadway from Irving Avenue to King Street including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
1,620,000	approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work

6,150,000	approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9 including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
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Section 2. The period of probable usefulness of the class of objects or purposes for which said \$14,140,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.20(c) of the Law, is fifteen (15) 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 total amount of \$14,140,000. 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 \$14,140,000 as the estimated total cost of the aforesaid class of objects or purposes 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.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB212

☐ 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

REDUCE BA 7-2023 BY \$2.5M TO \$14.14M

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 14,140,000 PPU 15 Anticipated Interest Rate 3.65%

Anticipated Annual Cost (Principal and Interest): \$ 1,222,758

Total Debt Service (Annual Cost x Term): \$ 18,341,370

Finance Department: Interest rates from April 16, 2025 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: 154

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works and Transportation

Date: 4/16/25

Reviewed By:

DV 4/16/25
CD 4/16/25

Date:

Budget Director

4/16/25

430 STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on May 19, 2025 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
May 14, 2025

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting
May 14, 2025

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on May 20, 2025.



Malika Vanderberg, Clerk
Westchester County Board of Legislators

AYES:

Legislator	Jose Alvarado
Legislator	Nancy Barr
Legislator	Benjamin Boykin
Legislator	Terry Clements
Legislator	Margaret Cunzio
Legislator	Vedat Gashi
Legislator	Judah Holstein
Legislator	David Imamura
Legislator	James Nolan
Legislator	Catherine Parker
Legislator	Erika Pierce
Legislator	David Tubiolo
Legislator	Emiljana Ula
Legislator	Shanae Williams
Legislator	Jewel Williams-Johnson
Legislator	Tyrae Woodson-Samuels

ABSENT: Legislator Colin Smith

The Bond Act was thereupon declared duly adopted.

Date: May 10, 2025

ACT NO. 107 - 2025

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,200,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF IMPROVEMENTS TO BRYANT AVENUE; STATING THE ESTIMATED TOTAL COST THEREOF IS \$3,200,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,200,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted 05/19, 2025).

WHEREAS, this Board has heretofore duly authorized the issuance of \$2,500,000 bonds to finance the cost of the design, construction and construction management associated with the rehabilitation of Bryant Avenue, pursuant to Bond Act No. 7-2023 duly adopted on January 9, 2023; and

WHEREAS, it is now appropriate to authorize such purposes, 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 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; \$3,200,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction and construction management associated with the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling, resurfacing, concrete curb replacement, drainage repairs, new traffic loops, new pavement markings, and related work in connection therewith, 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 total cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$3,200,000. The plan of financing includes the issuance of \$3,200,000 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 object or purpose for which said \$3,200,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) 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

\$3,200,000. 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 \$3,200,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2024 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB212

☐ 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 \$ 3,200,000 PPU 15 Anticipated Interest Rate 3.65%

Anticipated Annual Cost (Principal and Interest): \$ 276,720

Total Debt Service (Annual Cost x Term): \$ 4,150,800

Finance Department: Interest rates from April 16, 2025 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: 35

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works and Transportation

Date: 4/16/25

Reviewed By: [Signature]

DM 4/16/25
CP 4/16/25

Budget Director

Date: 4/16/25

CAPITAL PROJECT FACT SHEET

Project ID:* RB212	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 02-05-2025
Fact Sheet Year:* 2025	Project Title:* BRYANT AVENUE, CR 153, WHITE PLAINS	Legislative District ID: 5,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2840

Overall Project Description

This project will fund the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound.

<input checked="" 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	2025	2026	2027	2028	2029	Under Review
Gross	3,200	2,500	0	0	0	0	0	700
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,200	2,500	0	0	0	0	0	700

Expended/Obligated Amount (in thousands) as of : 265

Current Bond Description: Additional funding is requested for construction and construction management associated with the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	700,000
Cash:	0
Total:	\$ 700,000

SEQR Classification:

TYPE II

Amount Requested:

700,000

Expected Design Work Provider:

☐ County Staff ☒ Consultant ☐ Not Applicable

Comments:

The bids received for the construction contract exceeded the available funding for the project. Therefore, a capital budget amendment (CBA) in the amount of \$700,000, shown under review, is requested to award the construction contract.

PCI: 61 (2022); AADT: 7,129

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	2,500,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
Total Appropriation History:		
	2,500,000	

Financing History:

Year	Bond Act #	Amount	Issued	Description
23	7	2,500,000		0 BRYANT AVENUE, CR 153, WHITE PLAINS

Total Financing History:

2,500,000

Recommended By:**Department of Planning**

MLLL

Date

03-20-2025

Department of Public Works

RJB4

Date

03-20-2025

Budget Department

DEV9

Date

03-25-2025

Requesting Department

RJB4

Date

03-25-2025

BRYANT AVENUE, CR 153, WHITE PLAINS (RB212)

User Department : Public Works

Managing Department(s) : 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	2025	2026	2027	2028	2029	Under Review
Gross	2,500	2,500	265						
Non County Share									
Total	2,500	2,500	265						

Project Description

This project will fund the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound.

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.

Appropriation History

Year	Amount	Description	Status
2023	2,500,000	Design, construction and construction management	DESIGN
Total	2,500,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,500,000		2,500,000
Total	2,500,000		2,500,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
7 23	2,500,000			2,500,000
Total	2,500,000			2,500,000

430 STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on May 19, 2025 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
May 14, 2025

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting
May 14, 2025

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on May 20, 2025.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

AYES:

Legislator	Jose Alvarado
Legislator	Nancy Barr
Legislator	Benjamin Boykin
Legislator	Terry Clements
Legislator	Margaret Cunzio
Legislator	Vedat Gashi
Legislator	Judah Holstein
Legislator	David Imamura
Legislator	James Nolan
Legislator	Catherine Parker
Legislator	Erika Pierce
Legislator	David Tubiolo
Legislator	Emiljana Ulaj
Legislator	Shanae Williams
Legislator	Jewel Williams-Johnson
Legislator	Tyrae Woodson-Samuels

ABSENT: Legislator Colin Smith

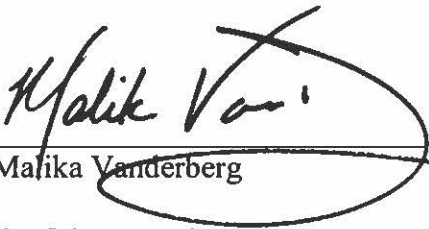
The Bond Act was thereupon declared duly adopted.

Date: ✓ May 20, 2025

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 105 - 2025, and (Bond) Act No's. 106, 107 - 2025, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Acts, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on May 19, 2025, and approved by the County Executive on May 20, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 20th day of May, 2025.


Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

