

# Budget & Appropriations Meeting Agenda



Committee Chair: Jewel Williams Johnson

800 Michaelian Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

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**Monday, March 4, 2024**

**10:00 AM**

**Committee Room**

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## CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Legislator Colin Smith will be participating remotely from 1132 Main St. Suite 1, Peekskill, NY 10566.

## MINUTES APPROVAL

### I. ITEMS FOR DISCUSSION

[2024-39](#)

#### **BOND ACT-T0056-Bus Stop Improvements II**

A BOND ACT authorizing the issuance of ONE MILLION, TWO HUNDRED FIFTY THOUSAND (\$1,250,000) DOLLARS in bonds of Westchester County to finance Capital Project T0056 - Bus Stop Improvements II.

***COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION***

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan

Director of Operations (Capital Planning Program) Robert Abbamont

Director of Surface Transportation Michael Swee

[2024-40](#)      **BOND ACT-T0072-Cerrato Bus Garage-Infrast. & Site Improves.,  
Valhalla**

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project T0072 - Cerrato Bus Garage - Infrastructure and Site Improvements, Valhalla (2024-2028).

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan

Director of Operations (Capital Planning Program) Robert Abbamont

Director of Surface Transportation Michael Swee

[2024-63](#)      **CBA-T001Z-Replace 95 NABI 40-Foot Buses**

AN ACT amending the 2024 County Capital Budget Appropriations for Capital Project T001Z - Replace 95 NABI 40-Foot Hybrid Buses.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan

Director of Operations (Capital Planning Program) Robert Abbamont

Director of Surface Transportation Michael Swee

[2024-64](#)      **BOND ACT-T001Z-Replace 95 NABI 40-Foot Buses**

A BOND ACT authorizing the issuance of TWENTY-FOUR MILLION, FOUR HUNDRED SEVENTY THOUSAND (\$24,470,000) DOLLARS in bonds of Westchester County to finance Capital Project T001Z - Replace 95 NABI 40-Foot Buses.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan

Director of Operations (Capital Planning Program) Robert Abbamont

Director of Surface Transportation Michael Swee

[2024-66](#)**BOND ACT(Amended)-RB176-Westchester Avenue, Port Chester**

A BOND ACT (Amended) authorizing the issuance of an additional TWO MILLION, SIX HUNDRED FIFTY THOUSAND (\$2,650,000) DOLLARS in bonds of Westchester County, making the total amount for this bond THREE MILLION, FIFTY THOUSAND (\$3,050,000) DOLLARS, to finance Capital Project RB176 - Westchester Avenue, Port Chester.

***COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION***

Joint with PWT.

Guests: Department of Public Works & Transportation

Commissioner Hugh Greechan

Director of Operations (Capital Planning Program) Robert Abbamont

Director of Surface Transportation Michael Swee

**II. OTHER BUSINESS****III. RECEIVE & FILE****ADJOURNMENT**

# Westchester County

George Latimer  
County Executive

January 22, 2024

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 are two bond acts (the "Bond Acts") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the total amount of \$1,750,000, to finance the following capital projects for 2024:

\$1,250,000	Serial Bonds for	T0056	T0056 – Bus Stop Improvements II ("T0056")
\$500,000	Serial Bonds for	T0072	T0072 – Cerrato Bus Garage – Infrastructure and Site Improvements, Valhalla (2024-2028) ("T0072")

I recommend your Board's favorable action on the annexed proposed Bond Acts.

Sincerely,



George Latimer  
County Executive

Attachments

Office of the County Executive

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

Email: [CE@westchestercountyny.gov](mailto:CE@westchestercountyny.gov)  
Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)



**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 a bond act (“Bond Act”) in the amount of \$1,250,000 to finance capital project T0056 – Bus Stop Improvements II (“T0056”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of construction of bus stop improvements throughout the County, including installation of replacement bus shelters and other bus stop related improvements.

The Department of Public Works & Transportation (“Department”) has advised that the Bee-Line bus system is served by over 3,000 bus stops. This on-going project will address needed repairs and improvements to a number of these stops.

The Planning Department has advised your Committee that based on its review, T0056 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.

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 Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: \_\_\_\_\_, 20\_\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0056

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 \$ 1,250,000 PPU 5 Anticipated Interest Rate 2.41%

Anticipated Annual Cost (Principal and Interest): \$ 271,055

Total Debt Service (Annual Cost x Term): \$ 1,355,275

Finance Department: Interest rates from January 9, 2024 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):

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## SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 14

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 1/22/24


Reviewed By: 

*will be by*

Budget Director

Date: 1/23/24

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: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T0056 BUS STOP IMPROVEMENTS II**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 08-22-2023 (Unique ID: 2345)

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;
  - **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.
- 

**COMMENTS:** None

DSK/sed

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  
Blanca P. Lopez, Commissioner of Planning  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20 \_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF REPLACEMENT BUS SHELTERS AND OTHER BUS STOP RELATED IMPROVEMENTS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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; \$1,250,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase and installation of replacement bus shelters and other bus stop related improvements for the Airport/Department of Transportation, 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 \$1,250,000. The plan of financing includes the issuance of \$1,250,000 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 class of objects or purposes for which said \$1,250,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.89 of the Law, is five (5) 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 \$1,250,000. 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 \$1,250,000 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.

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_\_\_ 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

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF REPLACEMENT BUS SHELTERS AND OTHER BUS STOP RELATED IMPROVEMENTS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on \_\_\_\_\_, 20\_\_\_\_\_)

object or purpose: to finance the cost of the purchase and installation of replacement bus shelters and other bus stop related improvements for the Airport/Department of Transportation, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$1,250,000; five (5) 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

<b>Project ID:*</b> T0056	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-02-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> BUS STOP IMPROVEMENTS II	<b>Legislative District ID:</b> ALL
<b>Category*</b> TRANSPORTATION	<b>Department:*</b> AIRPORT/DOT	<b>CP Unique ID:</b> 2345

**Overall Project Description**

This multi-year project funds bus stops improvements. Improvements will include items such as: new paved areas, bus stop amenities, improved ADA accessibility, bus shelters, sidewalks, concrete bus stop pads (in-road), curbing and signage.

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	3,350	2,850	250	250	0	0	0	0
<b>Less Non-County Shares</b>	400	400	0	0	0	0	0	0
<b>Net</b>	2,950	2,450	250	250	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 410

**Current Bond Description:** Purchase and installation of replacement bus shelters and other bus stop related improvements.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	1,250,000
Cash:	0
<b>Total:</b>	<b>\$ 1,250,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,250,000

**Expected Design Work Provider:**

- County Staff                       Consultant                       Not Applicable

**Comments:**

**Energy Efficiencies:**

SOME OF THE EXISTING HARD WIRED BUS SHELTERS WILL BE REPLACED WITH SOLAR POWERED SHELTERS.

**Appropriation History:**

Year	Amount	Description
2014	100,000	ANALYSIS AND DESIGN FOR THIS PROJECT
2015	500,000	CONTINUED IMPROVEMENTS TO BUS STOPS
2017	300,000	CONTINUED IMPROVEMENTS TO BUS STOP
2018	250,000	CONTINUED IMPROVEMENTS TO BUS STOP
2019	200,000	CONTINUED IMPROVEMENTS TO BUS STOP
2020	500,000	CHANGE OF FINANCING FOR THIS PROJECT DUE TO FTA FUNDS; CONTINUED IMPROVEMENTS TO BUS STOP
2022	1,000,000	ADDITIONAL IMPROVEMENTS TO BUS STOPS

**Total Appropriation History:**

2,850,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
21	220	1,100,000	0	BUS STOP IMPROVEMENTS II
21	216	350,000	0	BUS STOP IMPROVEMENTS II

**Total Financing History:**

1,450,000

**Recommended By:**

**Department of Planning**  
MLLL

**Date**  
08-22-2023

**Department of Public Works**  
RJB4

**Date**  
08-22-2023

**Budget Department**  
DEV9

**Date**  
08-23-2023

**Requesting Department**  
RJB4

**Date**  
08-29-2023

## BUS STOP IMPROVEMENTS II ( T0056 )

**User Department :** Airport/DOT

**Managing Department(s) :** Airport/DOT ;

**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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	3,350	2,850	347	250	250				
<b>Non County Share</b>	(400)	(400)							
<b>Total</b>	2,950	2,450	347	250	250				

### **Project Description**

This multi-year project funds bus stops improvements. Improvements will include items such as: new paved areas, bus stop amenities, improved ADA accessibility, bus shelters, concrete bus stop pads (in-road), curbing and signage.

### **Current Year Description**

The current year request funds the continuation of this project.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2024	250,000			250,000

### **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
2014	100,000	Analysis and design for this project	DESIGN
2015	500,000	Continued improvements to bus stops	DESIGN
2017	300,000	Continued improvements to bus stop	DESIGN
2018	250,000	Continued improvements to bus stop	DESIGN
2019	200,000	Continued improvements to bus stop	DESIGN
2020	500,000	Change of financing for this project due to FTA funds; Continued improvements to bus stop	DESIGN
2022	1,000,000	Additional improvements to bus stops	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>2,850,000</b>		

**BUS STOP IMPROVEMENTS II  
( T0056 )**

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	2,450,000		2,450,000
Federal Funds	400,000		400,000
<b>Total</b>	<b>2,850,000</b>		<b>2,850,000</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
216 21	350,000			350,000
220 21	1,100,000			1,100,000
<b>Total</b>	<b>1,450,000</b>			<b>1,450,000</b>

**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 a bond act (“Bond Act”) in the amount of \$500,000 to finance capital project T0072 – Cerrato Bus Garage – Infrastructure and Site Improvements, Valhalla (2024-2028) (“T0072”). The Bond Act, which was prepared by the law firm Harris Beach, will finance the cost of planning for infrastructure and site improvements to the County’s Cerrato Bus Garage in Valhalla, including removal of underground gas, oil, anti-freeze storage tanks and rehabilitation to the parking lot, including drainage, lighting and upgrade of detention ponds.

The Department of Public Works and Transportation (“Department”) has advised that the above noted equipment and facilities are approaching the end of their useful life and are in need of replacement.

Following bonding authorization, design will be scheduled and is anticipated to take four to six months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take four to six months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, T0072 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.

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 Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0072

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**    \$                    500,000            **PPU**    5            **Anticipated Interest Rate**    2.41%

**Anticipated Annual Cost** (Principal and Interest):                    \$    108,422

**Total Debt Service** (Annual Cost x Term):                                    \$    542,110

**Finance Department:**            Interest rates from January 9, 2024 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:**                                    5

**Prepared by:**                    Dianne Vanadia

**Title:**                                    Associate Budget Director

**Department:**                    Budget

**Date:**                                    1/22/24

**Reviewed By:** 


*Reviewed by*

**Budget Director**

**Date:**                                    1/23/24



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: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T0072 CERRATO BUS GARAGE – INFRASTRUCTURE AND SITE  
IMPROVEMENTS, VALHALLA (2024-2028)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 08-21-2023 (Unique ID: 2347)

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)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.
- 

**COMMENTS:** The current request is for design only.

DSK/sed

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  
Blanca P. Lopez, Commissioner of Planning  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE INFRASTRUCTURE AND SITE IMPROVEMENTS TO THE CERRATO BUS GARAGE IN VALHALLA; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$500,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 (the "County"), 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, to the provisions of other laws applicable thereto, \$500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of planning for the infrastructure and site improvements to the Cerrato Bus Garage in Valhalla, including removal of underground gas, oil, anti-freeze storage tanks and rehabilitation to the parking lot, including

drainage, lighting and upgrade of detention ponds; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$500,000. The plan of financing includes the issuance of \$500,000 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.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 62(2<sup>ND</sup>) of the Law, is five (5) 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 \$500,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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. 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 6. 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 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_ 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 Officer of the  
County Board of Legislators  
County of Westchester, New York

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE INFRASTRUCTURE AND SITE IMPROVEMENTS TO THE CERRATO BUS GARAGE IN VALHALLA; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$500,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost of planning for the infrastructure and site improvements to the Cerrato Bus Garage in Valhalla, including removal of underground gas, oil, anti-freeze storage tanks and rehabilitation to the parking lot, including drainage, lighting and upgrade of detention ponds; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$500,000; five (5) 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:\***

T0072

CBA

**Fact Sheet Date:\***

01-02-2024

**Fact Sheet Year:\***

2024

**Project Title:\***

CERRATO BUS GARAGE -  
INFRASTRUCTURE AND SITE  
IMPROVEMENTS, VALHALLA (2024-  
2028)

**Legislative District ID:**

3

**Category\***

TRANSPORTATION

**Department:\***

AIRPORT/DOT

**CP Unique ID:**

2347

**Overall Project Description**

This project is a continuation of Capital Project T0070. Appropriations in this project will fund infrastructure and site improvements at the Cerrato Bus Garage in Valhalla.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies     | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	11,500	0	500	5,000	6,000	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	11,500	0	500	5,000	6,000	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 0

**Current Bond Description:** DESIGN for 1) Removal of underground gas, oil, anti-freeze storage tanks and replaced with above ground tanks and 2) Rehabilitate parking lot including drainage & lighting and upgrade of detention ponds

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	500,000
Cash:	0
<b>Total:</b>	<b>\$ 500,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

500,000

**Expected Design Work Provider:**

- County Staff                       Consultant                       Not Applicable

**Comments:**

**Energy Efficiencies:**

**Total Financing History:**

0



**Recommended By:**

**Department of Planning**

MLLL

**Date**

08-21-2023

**Department of Public Works**

RJB4

**Date**

08-22-2023

**Budget Department**

DEV9

**Date**

08-23-2023

**Requesting Department**

RJB4

**Date**

08-29-2023

**CERRATO BUS GARAGE - INFRASTRUCTURE AND SITE IMPROVEMENTS, VALHALLA  
(2024-2028)  
( T0072 )**

**User Department :** Airport/DOT

**Managing Department(s) :** Airport/DOT ; 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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	<b>11,500</b>			<b>500</b>	<b>5,000</b>	<b>6,000</b>			
<b>Non County Share</b>									
<b>Total</b>	<b>11,500</b>			<b>500</b>	<b>5,000</b>	<b>6,000</b>			

**Project Description**

This project is a continuation of Capital Project T0070. Appropriations in this project will fund infrastructure and site improvements at the Cerrato Bus Garage in Valhalla.

**Current Year Description**

The current year request funds the design of removal of underground storage tanks with replacement of above ground tanks, rehabilitation of parking and driveway areas including EV charging stations, and upgrade of detention ponds.

**Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2024	500,000			500,000

**Impact on Operating Budget**

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

February 1, 2024

TO: Hon. Vedat Gashi, Chair  
Hon. Jose Alvarado, Vice Chair  
Hon. Tyrae Woodson-Samuels, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **CBA & Bond Act –  
T001Z - Replace 95 NABI 40-Foot Buses.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 5, 2024 Agenda.

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 as adopt a related bond act (the “Bond Act”) to finance the following capital project: T001Z.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 5, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

# Westchester County

George Latimer  
County Executive

January 30, 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 Act which, if adopted, would authorize the County of Westchester (“County”) to amend its current year Capital Budget (“Capital Budget Amendment”), as well as adopt a related bond act (the “Bond Act”) to finance the following capital project:

T001Z – Replace 95 NABI 40-Foot Buses (“T001Z”).

The proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the amount of non-County shares for T001Z by \$8,625,000. The Department of Public Works and Transportation (the “Department”) has advised that a capital budget amendment is required to add more non-County funds to this project. The total cost of the project has increased due to updated cost estimates for buses.

The Bond Act, in the amount of \$24,470,000, would provide additional funding for the purchase of 95 replacement 40-foot buses for the County. The Department has advised that the buses to be replaced are approaching the end of their useful lives and are in need of replacement. The existing model year 2009 hybrid buses will be replaced with a combination of new hybrid and all electric buses.

Following bonding authorization, it is expected to take approximately twelve (12) months to purchase the buses and put them into service.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with T001Z as follows: Bond Act No. 221-2021 which authorized \$29,600,000 in bonds of the County to finance the acquisition of buses under capital projects T001U – Replacement of Thirty-Foot Buses, T001Y – Replace Orion Forty-Foot Coach Buses, and T001Z. \$350,000 of this amount is attributable to T001Z. These bonds have not been sold.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer  
County Executive

GL/HJG/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 up to \$24,470,000 in bonds of the County to finance capital project T001Z – Replace 95 NABI 40-Foot Buses (“T001Z”).

Your Committee is advised that the proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the amount of non-County shares for T001Z by \$8,625,000. The Department of Public Works and Transportation (the “Department”) has advised that a capital budget amendment is required to add more non-County funds to the project. The total cost of the project has increased due to updated cost estimates for buses.

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood, LLP, would provide additional funding for the purchase of 95 replacement 40-foot buses for the County. The Department has advised that the buses to be replaced are approaching the end of their useful lives and are in need of replacement. The existing model year 2009 hybrid buses will be replaced with a combination of new hybrid and all electric buses.

The Department has advised that following bonding authorization, it is expected to take approximately twelve (12) months to purchase the buses and put them into service.

Your Committee notes that your Honorable Board has previously authorized the County to issue bonds in connection with T001Z as follows: Bond Act No. 221-2021 which authorized \$29,600,000 in bonds of the County to finance the acquisition of buses under capital projects T001U – Replacement of Thirty-Foot Buses, T001Y – Replace Orion Forty-Foot Coach Buses, and T001Z. \$350,000 of this amount is attributable to T001Z. These bonds have not been sold.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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 further 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 this Honorable Board is required in order to amend the County’s Capital Budget and to adopt the Bond Act.

Your Committee has carefully considered the proposed Acts and recommends approval of same.

Dated: \_\_\_\_\_, 2024  
White Plains, New York

**COMMITTEE ON**

s: jpg/1-29-24

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T001Z

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**    \$            24,470,000        **PPU**    10        **Anticipated Interest Rate**    2.51%

**Anticipated Annual Cost** (Principal and Interest):            \$    2,815,359

**Total Debt Service** (Annual Cost x Term):                    \$    28,153,590

**Finance Department:**    Interest rates from January 31, 2024 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:**                    265

**Prepared by:**            Michael Swee

**Title:**                    Dir. Of Surface Transportation

**Department:**            DPW&T

**Date:**                    1/31/24


**Reviewed By:** 

**Budget Director**

**Date:**                    2/1/24



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: January 26, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T001Z REPLACE 95 NABI 40-FOOT HYBRID BUSES**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 01-22-2024 (Unique ID: 2414)

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)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials
- 

**COMMENTS:** None

DSK/jfg

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Blanca P. Lopez, Commissioner of Planning  
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

ACT No. \_\_\_\_\_ 2024

An Act amending the 2024 County  
Capital Budget Appropriations for  
Capital Project T001Z Replace 95 NABI  
40-Foot Hybrid Buses

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

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation	\$95,375,000	\$8,625,000	\$104,000,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF  
FINANCING

Bonds and/or Notes	\$24,820,000		\$24,820,000
Non County Shares	\$70,555,000	\$8,625,000	\$79,180,000
Cash	\$0		\$0
Total	\$95,375,000	\$8,625,000	\$104,000,000

Section 3. The ACT shall take effect immediately.

ACT NO. -20 \_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$24,470,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE ACQUISITION OF BUSES FOR THE DEPARTMENT OF TRANSPORTATION; STATING THE ESTIMATED TOTAL COST THEREOF IS \$103,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$79,180,000 OF GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND THE ISSUANCE OF \$24,470,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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; \$24,470,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance a portion of the cost of the purchase of replacement buses for the Department of Transportation, 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 \$103,650,000. The plan of financing includes the expenditure of \$79,180,000 in grant funds expected to be received from the United States of America and the issuance of \$24,470,000 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 class of objects or purposes for which said \$24,470,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.29-a of the Law, is ten (10) 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 \$24,470,000. 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 \$103,650,000 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 not earlier than January 1, 2022 and in accordance with Section 107.71 of the Westchester Charter.

\* \* \*

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_\_\_  
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\_\_\_\_.

The Clerk and Chief Administrative Office of the  
County    Board of Legislators County of  
Westchester, New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$24,470,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PORTION OF THE COST OF THE ACQUISITION OF BUSES FOR THE DEPARTMENT OF TRANSPORTATION; STATING THE ESTIMATED TOTAL COST THEREOF IS \$103,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE EXPENDITURE OF \$79,180,000 OF GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA AND THE ISSUANCE OF \$24,470,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the purchase of replacement buses for the Department of Transportation, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$24,470,000; ten (10) 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

<b>Project ID:*</b> T001Z	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-02-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> REPLACE 95 NABI 40-FOOT HYBRID BUSES	<b>Legislative District ID:</b> ALL
<b>Category*</b> TRANSPORTATION	<b>Department:*</b> AIRPORT/DOT	<b>CP Unique ID:</b> 2414

**Overall Project Description**

This project will fund the procurement of replacement of 95 forty-foot buses. The project also includes appropriation for procurement related services, associated equipment and parts.

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	104,000	95,375	0	0	0	0	0	8,625
<b>Less Non-County Shares</b>	79,180	70,555	0	0	0	0	0	8,625
<b>Net</b>	24,820	24,820	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 200

<b>Current Bond Description:</b> For the purchase of 95 replacement 40-foot buses.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 79,180,000
Bonds/Notes:	24,470,000
Cash:	0
<b>Total:</b>	<b>\$ 103,650,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
24,470,000

**Expected Design Work Provider:**

County Staff                       Consultant                       Not Applicable

**Comments:**  
A capital budget amendment is required to add more non-county funds to the project. The total cost of the project has increased due to updated cost estimates for buses.

**Energy Efficiencies:**  
THE EXISTING MODEL YEAR 2009 HYBRID BUSES WILL BE REPLACED WITH A COMBINATION OF NEW HYBRID AND ALL-ELECTRIC BUSES.

**Appropriation History:**

Year	Amount	Description
2022	350,000	FUNDS PREPARATION OF SPECIFICATIONS AND RELATED SERVICES
2023	95,025,000	PURCHASE OF BUSES

**Total Appropriation History:**  
95,375,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
21	221	350,000	0	REPLACE 95 NABI 40-FOOT HYBRID BUSES

**Total Financing History:**

350,000

**Recommended By:**

**Department of Planning**

MLLL

**Date**

01-22-2024

**Department of Public Works**

RJB4

**Date**

01-22-2024

**Budget Department**

DEV9

**Date**

01-23-2024

**Requesting Department**

MAS9

**Date**

01-24-2024

## REPLACE 95 NABI 40-FOOT HYBRID BUSES ( T001Z )

**User Department :** Airport/DOT  
**Managing Department(s) :** Airport/DOT ; Public Works ;  
**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

<b>FIVE YEAR CAPITAL PROGRAM (in thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	<b>95,375</b>	<b>95,375</b>	<b>200</b>						
<b>Non County Share</b>	<b>(70,555)</b>	<b>(70,555)</b>							
<b>Total</b>	<b>24,820</b>	<b>24,820</b>	<b>200</b>						

**Project Description**

This project will fund the procurement of forty-foot buses. The project also includes appropriation for procurement related services, associated equipment and parts.

**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
2022	350,000	Funds preparation of specifications and related services	DESIGN
2023	95,025,000	Purchase of buses	\$70,555,000 NCS; \$24,470,000 awaiting bond authorization
<b>Total</b>	<b>95,375,000</b>		

**Prior Appropriations**

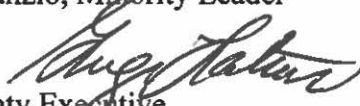
	Appropriated	Collected	Uncollected
Bond Proceeds	24,820,000		24,820,000
Federal Funds	66,795,000		66,795,000
State Funds	3,760,000		3,760,000
<b>Total</b>	<b>95,375,000</b>		<b>95,375,000</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
221 21	350,000			350,000
<b>Total</b>	<b>350,000</b>			<b>350,000</b>

February 1, 2024

TO: Hon. Vedat Gashi, Chair  
Hon. Jose Alvarado, Vice Chair  
Hon. Tyrae Woodson-Samuels, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act (Amended) – RB176 – Westchester Avenue, Port Chester.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 5, 2024 Agenda.

Transmitted herewith for your review and approval is an amended bond act (the “Amended Bond Act”) which, if adopted, would authorize the County of Westchester (the “County”) to issue an additional \$2,650,000 in bonds to finance the following capital project: RB176.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 5, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

# Westchester County

George Latimer  
County Executive

January 29, 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 bond act (the “Amended Bond Act”) which, if adopted, would authorize the County of Westchester (the “County”) to issue an additional \$2,650,000 in bonds to finance the following capital project:

RB176 – Westchester Avenue, CR 112, Port Chester (“RB176”).

The Amended Bond Act, in the total amount of \$3,050,000, which includes \$400,000 in previously authorized bonds of the County, would finance the cost of construction and construction management associated with the rehabilitation of approximately 0.6 miles of roadway from Bowman Avenue to Oak Street. The work will include milling and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work.

The Department of Public Works and Transportation (“Department”) has advised that this project is being divided into two phases to coordinate with a sewer rehabilitation project. The Amended Bond Act will fund the first phase of the project from Bowman Avenue to Oak Street. Once the sewer rehabilitation project is completed, additional funding will be requested for the remaining portion of the work from Oak Street to Main Street.

The Department has further advised that this road, which has an average annual daily traffic count (“AADT”) of 16,223, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2019 was 66 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.

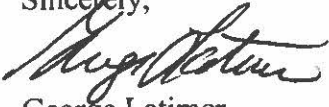
Design is currently underway by in-house staff and is expected to be completed by the 1<sup>st</sup> Quarter of 2024. Following bonding authorization, construction will be scheduled and is anticipated to take six (6) months and will begin after award and execution of the construction contracts.

Your Honorable Board has previously authorized the County to issue bonds associated with this project as follows: Bond Act No. 2020-172 in the amount of \$400,000, which funded design services. No bonds have been issued under Bond Act No. 2020-172. Accordingly, the authority of your Honorable Board is now requested to amend Bond Act No. 2020-172 to increase the initial amount of bonds authorized by \$2,650,000, from \$400,000 to \$3,050,000, to expand the scope of

work to include construction and construction management, and to increase the period of probable usefulness of said bonds.

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is written in a cursive style with a large initial "G".

George Latimer  
County Executive

GL/HJG/RA/jpg

**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 amended bond act (the “Amended Bond Act”) in the total amount of \$3,050,000, which includes \$400,000 in previously authorized bonds of the County, to finance capital project RB176 – Westchester Avenue, CR 112, Port Chester (“RB176”).

The Amended Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood, LLP, will finance the cost of construction and construction management associated with the rehabilitation of approximately 0.6 miles of roadway from Bowman Avenue to Oak Street. The work will include milling and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work.

The Department of Public Works and Transportation (“Department”) has advised that this project is being divided into two phases to coordinate with a sewer rehabilitation project. The Amended Bond Act will fund the first phase of the project from Bowman Avenue to Oak Street. Once the sewer rehabilitation project is completed, additional funding will be requested for the remaining portion of the work from Oak Street to Main Street.

The Department has further advised that this road, which has an average annual daily traffic count (“AADT”) of 16,223, is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2019 was 66 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.

Your Committee is advised that design is currently underway by in-house staff and is expected to be completed by the 1<sup>st</sup> Quarter of 2024. Your Committee is further advised that following bonding authorization, construction will be scheduled and is anticipated to take six (6) months and will begin after award and execution of the construction contracts.

Your Committee notes that your Honorable Board has previously authorized the County to issue bonds associated with this project as follows: Bond Act No. 2020-172 in the amount of \$400,000, which funded design services. No bonds have been issued under Bond Act No. 2020-172. Accordingly, the authority of your Honorable Board is now requested to amend Bond Act No. 2020-172 to increase the initial amount of bonds authorized by \$2,650,000, from \$400,000 to \$3,050,000, to expand the scope of work to include construction and construction management services, and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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.

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**

c:/jpg/1-23-24



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB176

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    \$                    3,050,000            PPU    15            Anticipated Interest Rate    2.71%

Anticipated Annual Cost (Principal and Interest):                    \$    250,355

Total Debt Service (Annual Cost x Term):                    \$    3,755,325

Finance Department:    Interest rates from January 31, 2024 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:                    33

Prepared by:                    Robert Abbamont

Title:                    Director of Operations (Capital)

Department:                    Public Works/Transportation

Date:                    1/31/24


Reviewed By: 

*Dr 1/31/24*

Budget Director

Date:                    1/31/24

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: January 26, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RB176 WESTCHESTER AVENUE, CR 112, PORT CHESTER**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 01-22-2024 (Unique ID: 2409)

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;
- **617.5(c)(5):** repaving of existing highways not involving the addition of new travel lanes;
- **617.5(c)(22):** installation of traffic control devices on existing streets, roads and highways.

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**COMMENTS:** None.

DSK/dvw

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

ACT NO. -20 \_\_\_\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED OCTOBER 5, 2020 TO FINANCE THE COST OF ROADWAY REHABILITATION OF WESTCHESTER AVENUE (CR 112), IN THE VILLAGE OF PORT CHESTER, AT THE MAXIMUM ESTIMATED COST OF \$3,050,000. (Adopted \_\_\_\_\_, 20\_\_\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of \$400,000 bonds to finance the cost of roadway rehabilitation of Westchester Avenue (CR 112), in the Village of Port Chester (the "Project"), pursuant to Act No. 172-2020 duly adopted on October 5, 2020; and

WHEREAS, it is now appropriate to authorize the Project, 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 October 5, 2020, entitled:

"ACT NO. 172-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$400,000 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 IMPROVEMENTS TO WESTCHESTER AVENUE (CR 112) FROM BOWMAN AVENUE TO MAIN STREET,

STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$400,000 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 \$3,050,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF WESTCHESTER AVENUE (CR 112), IN THE VILLAGE OF PORT CHESTER, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,050,000 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, \$3,050,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction for the rehabilitation of approximately 0.6 miles of Westchester Avenue, in the Village of Port Chester from Bowman Avenue to Oak Street, including milling

and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work; 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 \$3,050,000. The plan of financing includes the issuance of \$3,050,000 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 said specific object or purpose, 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 \$3,050,000. 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 \$3,050,000 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 No. -20 \_\_\_\_\_ 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

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on October 5, 2020 and amended on \_\_\_\_\_, 20\_\_\_\_ and approved, as amended, by the County Executive on \_\_\_\_\_, 20\_\_\_\_ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. \_\_\_\_\_-20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,050,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF WESTCHESTER AVENUE (CR 112), IN THE VILLAGE OF PORT CHESTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,050,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on October 5, 2020 and amended on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the design, construction management and construction for the rehabilitation of approximately 0.6 miles of Westchester Avenue, in the Village of Port Chester from Bowman Avenue to Oak Street, including milling and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work; all as set forth in the County’s Current Year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$3,050,000; fifteen (15) 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

3862743.1 046607 LEG

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
RB176

CBA

**Fact Sheet Date:\***  
01-02-2024

**Fact Sheet Year:\***  
2024

**Project Title:\***  
WESTCHESTER AVENUE, CR 112,  
PORT CHESTER

**Legislative District ID:**  
6,

**Category\***  
ROADS & BRIDGES

**Department:\***  
PUBLIC WORKS

**CP Unique ID:**  
2409

**Overall Project Description**

This project will fund the rehabilitation of approximately 0.89 miles of roadway from Bowman Avenue to Main Street. The work will include milling and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work.

- |   |  |  |
|---|--|--|
| <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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	4,300	4,300	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	4,300	4,300	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 307

**Current Bond Description:** Funding is requested for construction and construction management associated with the rehabilitation of approximately 0.6 miles of roadway from Bowman Avenue to Oak Street. The work will include milling and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	2,650,000
Cash:	0
<b>Total:</b>	<b>\$ 2,650,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
2,650,000

**Expected Design Work Provider:**

- County Staff                       Consultant                       Not Applicable

**Comments:**

This project is being divided into two phases to coordinate with a sewer rehabilitation project. Once the sewer rehabilitation project is completed, funding will be requested for the remaining portion of the work from Oak Street to Main Street.

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2020	400,000	DESIGN
2021	3,900,000	CONSTRUCTION AND CONSTRUCTION MANAGEMENT

**Total Appropriation History:**  
4,300,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
20	172	400,000		0 REHAB OF ROADWAY FROM BOWMAN AVE TO MAIN STREET

**Total Financing History:**

400,000

**Recommended By:**

**Department of Planning**

MLLL

**Date**

01-22-2024

**Department of Public Works**

RJB4

**Date**

01-22-2024

**Budget Department**

DEV9

**Date**

01-23-2024

**Requesting Department**

RJB4

**Date**

01-23-2024

**WESTCHESTER AVENUE, CR 112, PORT CHESTER  
( RB176 )**

**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.

<b>FIVE YEAR CAPITAL PROGRAM (in thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	<b>4,300</b>	<b>4,300</b>	<b>307</b>						
<b>Non County Share</b>									
<b>Total</b>	<b>4,300</b>	<b>4,300</b>	<b>307</b>						

**Project Description**

This project will fund the rehabilitation of approximately 0.89 miles of roadway from Bowman Avenue to Main Street. The work will include milling and resurfacing of the roadway, curbing and drainage repairs; new traffic signal loops; new pavement markings and associated work.

**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.

<b>Appropriation History</b>			
Year	Amount	Description	Status
2020	400,000	Design	DESIGN
2021	3,900,000	Construction and construction management	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>4,300,000</b>		

<b>Prior Appropriations</b>			
	Appropriated	Collected	Uncollected
<b>Bond Proceeds</b>	<b>4,300,000</b>		<b>4,300,000</b>
<b>Total</b>	<b>4,300,000</b>		<b>4,300,000</b>

<b>Bonds Authorized</b>				
Bond Act	Amount	Date Sold	Amount Sold	Balance
172 20	400,000			400,000
<b>Total</b>	<b>400,000</b>			<b>400,000</b>