



Public Works & Transportation Meeting Agenda

Committee Chair: Erika Pierce

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, June 9, 2025

10:00 AM

Committee Room

Joint with B&A and ITC

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.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2025-217](#) **BOND ACT(Amended)-WD103-County Water District #1-Alternate Water Supply**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of TEN MILLION (\$10,000,000) DOLLARS to finance Capital Project WD103 - County Water District #1 - Alternate Water Supply.

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

Joint with B&A

Guest: Department of Environmental Facilities

Commissioner Vincent Kopicki

2. [2025-218](#) **BOND ACT(Amended)-SY009-Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of TWO MILLION, ONE HUNDRED THOUSAND (\$2,100,000) DOLLARS to finance a component of Capital Project SY009 - Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades.

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

Joint with B&A

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

3. [2025-226](#) **BOND ACT-SPK12-Peekskill WWTP Mechanical Sludge Handling Upgrades**

A BOND ACT authorizing the issuance of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS in bonds of Westchester County to finance Capital Project SPK12 - Peekskill Wastewater Treatment Plant Mechanical Sludge Handling Upgrades.

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

Joint with B&A

Guests: Department of Environmental Facilities

Commissioner Vincent Kopicki

4. [2025-225](#) **BOND ACT-BPL26-2925-Flood Mitigation**

A BOND ACT authorizing the issuance of ONE MILLION, TWO HUNDRED FIFTY THOUSAND (\$1,250,000) DOLLARS in bonds of Westchester County to finance a component of Capital Project BPL26 - Flood Mitigation.

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

Joint with B&A

Guests: Planning Department

Assistant Commissioner David Kvinge

Associate Environmental Planner Obed Varughese

5. [2025-235](#) **BOND ACT-BEL04-Purchase of Voting Equipment II**

A BOND ACT authorizing the issuance of SEVEN MILLION, EIGHT HUNDRED THOUSAND (\$7,800,000) DOLLARS in bonds of Westchester County to finance Capital Project BEL04 - Purchasing of Voting Equipment II.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND INFORMATION TECHNOLOGY & CYBERSECURITY

Joint with B&A and ITC
Guests: Board of Elections
Commissioner Tajian Nelson
Deputy Commissioner Christine Sculti

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



Kenneth W. Jenkins
Westchester County Executive

May 13, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an amended bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of \$10,000,000 to finance the following capital project, subject to pending approval from the Office of the Comptroller of the State of New York ("State Comptroller"):

WD103 – County Water District #1 – Alternate Water Supply ("WD103").

The proposed Amended Bond Act, in the total amount of \$16,000,000, which includes \$6,000,000 in previously authorized bonds of the County, is necessary to finance the cost of design and construction management of an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers, and ancillary or related work and incidental expenses thereof, all for the use and benefit of Water District No. 1. This connection will supply raw water, via a new transmission main, to a new treatment facility which will be located along the routing of the new main and prior to connection to the southern portion of the existing Kensico-Bronx Pipeline.

The Department of Environmental Facilities ("Department") has advised that the alternate water supply connection will need to be completed by 2030 which is the date that the New York City Department of Environmental Protection will begin planned shutdowns of the Catskill Aqueduct in order to support its CAT-431 project to restore the aqueduct. This compressed timeframe has resulted in increased costs for completion of this project.

Your Honorable Board will recall that, by Act No. 209-2024, your Honorable Board found, after holding a public hearing, that the project was in the public's best interest at a maximum estimated cost of \$105,000,000. Further, by Act No. 210-2024, your Honorable Board authorized that the Chairman of your Honorable Board execute all instruments and take all actions reasonable, necessary and appropriate to petition the State Comptroller pursuant to Section 268 of Article 5-A of the New York State County Law for an order approving the County's issuance of bonds up to \$105,000,000 for the maximum estimated cost of the project. Subsequently, the Chairman of your Honorable Board submitted a verified application to the State Comptroller for such approval. Currently, the verified application is being reviewed by the State Comptroller.

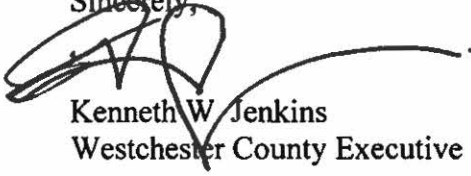
It should be further noted that your Honorable Board has previously authorized the County to issue bonds for WD103 as follows: Bond Act No. 211-2024 in the amount of \$6,000,000, which partially financed the cost of design and construction management of an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers. No obligations have been issued under Bond Act No. 211-2024. Accordingly, it is now requested that Bond Act No. 211-

2024 be amended to increase the amount authorized by \$10,000,000 for a total authorized amount, as amended, of \$16,000,000, subject to the approval of the State Comptroller.

Following bond authorization and approval of the State Comptroller, design is anticipated to take twenty-four (24) months to complete and will be performed by consultants. It is anticipated that construction will take approximately forty (40) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction funding.

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

Sincerely,



Kenneth W. Jenkins
Westchester County Executive

KWJ/VK/LAC

**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 \$16,000,000, which includes \$6,000,000 in previously authorized bonds of the County, to finance capital project WD103 - County Water District #1 – Alternate Water Supply. The Amended Bond Act, which was prepared by Norton Rose Fulbright is necessary to finance the cost of design and construction management of an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers, subject to pending approval of the Office of the New York State Comptroller (“State Comptroller”).

Your Committee is advised that the proposed Amended Bond Act, in the total amount of \$16,000,000, which includes \$6,000,000 in previously authorized bonds of the County, is necessary to finance the cost of design and construction management of an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers, and ancillary or related work and incidental expenses thereof, all for the use and benefit of Water District No. 1. This connection will supply raw water, via a new transmission main, to a new treatment facility which will be located along the routing of the new main and prior to connection to the southern portion of the existing Kensico-Bronx Pipeline.

The Department of Environmental Facilities (“Department”) has advised that the alternate water supply connection will need to be completed by 2030 which is the date that the New York City Department of Environmental Protection will begin planned shutdowns of the Catskill Aqueduct in order to support its CAT-431 project to restore the aqueduct. This compressed timeframe has resulted in increased costs for completion of this project.

Your Honorable Board will recall that, by Act No. 209-2024, your Honorable Board found, after holding a public hearing, that the project was in the public’s best interest at a maximum estimated cost of \$105,000,000. Further, by Act No. 210-2024, your Honorable Board authorized that the Chairman of your Honorable Board execute all instruments and take all actions reasonable, necessary and appropriate to petition the State Comptroller pursuant to Section 268 of Article 5-A of the New York State County Law for an order approving the County’s issuance of bonds up to \$105,000,000 for the maximum estimated cost of the project. Subsequently, the Chairman of your

Honorable Board submitted a verified application to the State Comptroller for such approval. Your Committee is advised that, currently, the verified application is being reviewed by the State Comptroller.

It should be further noted that your Honorable Board has previously authorized the County to issue bonds for WD103 as follows: Bond Act No. 211-2024 in the amount of \$6,000,000, which partially financed the cost of design and construction management of an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers. No obligations have been issued under Bond Act No. 211-2024. Accordingly, it is now requested that Bond Act No. 211-2024 be amended to increase the amount authorized by \$10,000,000 for a total authorized amount, as amended, of \$16,000,000, subject to the approval of the State Comptroller.

Following bond authorization and approval of the State Comptroller, design is anticipated to take twenty-four (24) months to complete and will be performed by consultants. It is anticipated that construction will take approximately forty (40) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction funding.

The Department of Planning has advised your Committee that based on its review, WD103 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). Therefore, no 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 your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee has carefully considered the Amended Bond Act and recommends approval of same, subject to the approval of the State Comptroller.

Dated: _____, 2025
White Plains, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WD103

☐ 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 \$ 16,000,000 PPU 5 Anticipated Interest Rate 2.96%

Anticipated Annual Cost (Principal and Interest): \$ 3,493,125

Total Debt Service (Annual Cost x Term): \$ 17,465,625

Finance Department: Interest rates from May 9, 2025 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 174

Prepared by: Jazmin Logan

Title: Environmental Project Director

Department: Environmental Facilities

Date: 5/12/25

5/13/25
Reviewed By: 

Budget Director

Date: 5/13/25

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 10, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WD103 COUNTY WATER DISTRICT #1 - ALTERNATE WATER SUPPLY**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
12-10-2024 (Unique ID: 2767)

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 and construction management. However, funds for construction management will not be expended unless funding for construction is approved, which will be subject to further environmental review as may be required by SEQR.

DSK/mvc

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
Jazmin Logan, Environmental Project Director - Capital Programs (DEF)
Robert Zambardino, Program Coordinator – Capital Programs (DEF)
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 2025

BOND ACT DATED _____, 2025.

A BOND ACT AMENDING AND SUPERSEDING ACT NO. 211-2024, WHICH AUTHORIZED THE ISSUANCE OF \$6,000,000 BONDS TO PAY THE COSTS OF DESIGN AND CONSTRUCTION MANAGEMENT FOR AN ALTERNATE WATER SUPPLY CONNECTION TO THE DELAWARE AQUEDUCT AT SHAFT 23 IN THE CITY OF YONKERS, FOR THE USE AND BENEFIT OF COUNTY WATER DISTRICT NO. 1, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$16,000,000, AN INCREASE OF \$10,000,000.

WHEREAS, pursuant to Act No. 211-2024, dated October 21, 2024, the Board previously authorized the issuance of \$6,000,000 bonds to finance the cost of design and construction management of an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers, and ancillary or related work and incidental expenses thereof, all for the use and benefit of County Water District No. 1; and

WHEREAS, no obligations have been issued under Act No. 211-2024; and

WHEREAS, it has now been determined that the estimated maximum cost of the aforesaid class of objects or purposes thereof is now \$16,000,000, an increase of \$10,000,000, and

WHEREAS, it is now desired to authorize a total of \$16,000,000 bonds to pay for such revised cost, an increase of \$10,000,000 over the \$6,000,000 previously authorized under Act No. 211-2024; and

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, except for required proceedings to be completed in compliance with Section 268 of the County Law, all conditions precedent to the financing of the capital project hereinafter

described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such improvement;
NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the design and construction management costs for the for an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers, and ancillary or related work and incidental expenses thereof, all for the use and benefit of County Water District No. 1, a class of objects or purposes, there are hereby authorized to be issued \$16,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Capital Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$16,000,000, and that the plan for the financing thereof is by the issuance of the \$16,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall

be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not provided for by the assessment of benefited properties in County Water District No. 1, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount

in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the Commissioner's sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary

to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators, provided, however, that no such bonds or notes shall be issued prior to the determination that the aforesaid class of objects or purposes is in the public interest and the consent of the State Comptroller is obtained as required by Section 268 of the County Law.

Section 12. All other matters, except as provided herein, relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This bond act amends and supersedes Act No. 211-2024, dated October 21, 2024, except to the extent that any liabilities or indebtedness shall have been contracted, and encumbrances made or actions taken thereunder.

Section 16. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 17. No obligations authorized hereby shall be issued until the County shall complete proceedings under Section 268 of the County Law, and shall have determined, after a public hearing held thereunder, that the undertaking of the improvements to County Water District No. 1 contemplated hereby is in the public interest. No expenditure for aforesaid specific object or purpose or purposes shall be made unless the State Comptroller has consented thereto as required by Section 268 of the County Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2025

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

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

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

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

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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

Newspaper and/or Other News Media

Date Given

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

Designated Location(s) of Posted Notices

Date of Posting

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025 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. _____-2025

BOND ACT DATED _____, 2025.

A BOND ACT AMENDING AND SUPERSEDING ACT NO. 211-2024, WHICH AUTHORIZED THE ISSUANCE OF \$6,000,000 BONDS TO PAY THE COSTS OF DESIGN AND CONSTRUCTION MANAGEMENT FOR AN ALTERNATE WATER SUPPLY CONNECTION TO THE DELAWARE AQUEDUCT AT SHAFT 23 IN THE CITY OF YONKERS, FOR THE USE AND BENEFIT OF COUNTY WATER DISTRICT NO. 1, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$16,000,000, AN INCREASE OF \$10,000,000.

class of objects or purposes:	design and construction management costs for the for an alternate water supply connection to the Delaware Aqueduct at Shaft 23 in the City of Yonkers, and ancillary or related work and incidental expenses thereof
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period of probable usefulness:	five years
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amount of obligations to be issued:	\$16,000,000
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Dated: _____, 2025
White Plains, New York

Clerk of the County Board of Legislators of the County of
Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* WD103	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2025
Fact Sheet Year:* 2025	Project Title:* COUNTY WATER DISTRICT #1 - ALTERNATE WATER SUPPLY	Legislative District ID: 5, 17, 16, 15, 14, 13,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2767

Overall Project Description

This is a multi-phased project that first provided for the installation of two Ultraviolet (UV) facilities at the northern portion the 48" Kensico Bronx Pipeline (KBP) in County Water District (CWD) #1 and now will provide for an alternate water supply connection at the southern end of the KBP. This project is being coordinated with WD105.

- | | | |
|---|--|--|
| <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	2025	2026	2027	2028	2029	Under Review
Gross	97,082	16,857	10,000	0	70,225	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	97,082	16,857	10,000	0	70,225	0	0	0

Expended/Obligated Amount (in thousands) as of : 10,817

Current Bond Description: This request will provide the design and construction management funding for an alternate water supply connection to the New York City Department of Environment Protection (NYCDEP) Delaware Aqueduct at Shaft 23, located in the City of Yonkers. This connection will supply raw water, via a new transmission main, to a new treatment facility which will be located along the routing of the new main and prior to connecting to the southern portion of the existing KBP.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	10,000,000
Cash:	0
Total:	\$ 10,000,000

SEQR Classification:

TYPE II

Amount Requested:

10,000,000

Comments:

NYCDEP has announced that they will be conducting a series of shutdowns of the Delaware Aqueduct for maintenance. The southern connection portion funding of this project needs to be expedited in order to provide an alternate water source for the KB pipeline when the Delaware Aqueduct water supply is unavailable.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2003	200,000	STUDY OF ALTERNATE SUPPLY FROM HILLVIEW RESERVOIR, CITY OF MT, VERNON AND YONKERS TO STUDY
2014	9,219,000	DESIGN & CONSTRUCTION OF ULTRA-VIOLET TREATMENT FACILITIES
2016	1,438,000	ADDITIONAL CONSTRUCTION COSTS
2020	1,000,000	COST ESCALATION
2021	5,000,000	DESIGN AND CONSTRUCTION MANAGEMENT OF SOUTHERN CONNECTION.
2025	10,000,000	DESIGN AND CONSTRUCTION MANAGEMENT OF SOUTHERN CONNECTION

Total Appropriation History:

26,857,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
11	3	200,000	178,891	COUNTY DISTRICT #1 FEASABILITY STUY
14	187	0	0	ALTERNATE WATER SUPPLY FOR COUNTY WATER DISTRICT NO. 1 FOR UVL TREATED WATER
15	65	9,219,000	9,188,329	COUNTY WATER DISTRICT NO. 1 IMPROVEMENTS
24	211	6,000,000	0	DESIGN & CONST ALTERNATE WATER SUPPLY TO DELAWARE AQUEDUCT

Total Financing History:

15,419,000

Recommended By:**Department of Planning**

MLLL

Date

12-10-2024

Department of Public Works

RJB4

Date

12-13-2024

Budget Department

DEV9

Date

12-13-2024

Requesting Department

JCL1

Date

12-13-2024

COUNTY WATER DISTRICT #1 - ALTERNATE WATER SUPPLY (WD103)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	97,082	16,857	10,817	10,000		70,225			
Non County Share									
Total	97,082	16,857	10,817	10,000		70,225			

Project Description

This is a multi-phased project that has provided for the installation of two Ultraviolet (UV) facilities at the northern portion of the 48 inch Kensico-Bronx pipeline (KBP) for County Water District #1. This project will also provide for an alternate water supply connection at the southern end of the KBP. This project is being coordinated with WD105.

Current Year Description

The current year request funds Phase II design and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	10,000,000			10,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2003	200,000	Study of alternate supply from Hillview Reservoir, City of Mt, Vernon and Yonkers to study	COMPLETE
2014	9,219,000	Design & Construction of Ultra-Violet Treatment Facilities	DESIGN
2016	1,438,000	Additional construction costs	DESIGN
2020	1,000,000	Cost escalation	DESIGN
2021	5,000,000	Design and construction management of southern connection.	DESIGN
Total	16,857,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	15,419,000	9,365,403	6,053,597
Funds Revenue	1,438,000	1,438,000	
Total	16,857,000	10,803,403	6,053,597

COUNTY WATER DISTRICT #1 - ALTERNATE WATER SUPPLY (WD103)

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
3 11	200,000	11/19/15	164,723	21,109
		11/19/15	13,277	
		11/19/15	891	
		11/30/23		
		11/30/23		
187 14				
65 15	9,219,000	12/15/16	1,440,364	30,671
		12/15/17	5,567,592	
		12/15/17	922,588	
		12/15/17	12,063	
		12/10/18	955,659	
		12/10/19	149,870	
		12/10/19	11,093	
		11/30/23	128,937	
		11/30/23	163	
211 24	6,000,000			6,000,000
Total	15,419,000		9,367,220	6,051,780



Kenneth W. Jenkins
County Executive

May 9, 2025

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 additional bonds in the amount of \$2,100,000 to finance a component of the following capital project:

SY009 – Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades ("SY009").

The Amended Bond Act, in the total amount of \$29,291,000, which includes \$27,191,000 in previously authorized bonds of the County, would fund design, construction management, and construction associated with odor control and HVAC upgrades at the Yonkers Joint Water Resource Recovery Facility (YJWRRF). Work will include various improvements related to HVAC and odor control, including upgrades to the HVAC mechanical equipment in accordance with a redesign which was completed to accommodate future electrical power distribution equipment for a separate Department of Environmental Facilities (the "Department") project (SY028) currently in design phase.

The Department has advised that prior HVAC and odor control studies of the YJWRRF recommended replacement and upgrade of various HVAC and odor control equipment and related systems which were installed in 1979 and have been operated beyond their useful life.

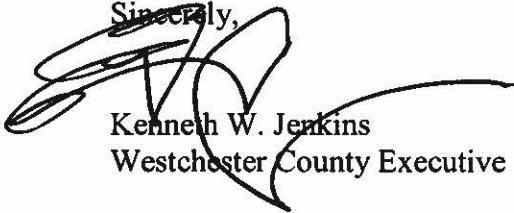
Following bonding authorization, construction will be scheduled and is estimated to take six (6) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding in connection with prior phases of SY009 as follows: Bond Act No. 49-2018 in the amount of \$5,000,000 which funded construction and construction management associated with odor control and HVAC upgrades (Phase IV); Bond Act No. 132-2020, which amended Bond Act No. 49-2018 to increase the initial amount authorized thereunder by \$7,191,000 to a new total amount authorized of \$12,191,000 and revised the scope of the project to include additional construction services; and Bond Act No. 51-2022, which further amended Bond Act No. 49-2018, as amended by Bond Act No. 132-2020, to increase the amount authorized thereunder by \$15,000,000, to a new total amount authorized of \$27,191,000 and revised the scope of the project to add design, construction management, and construction services for the additional phase of the project. The bonds authorized by Bond Act No. 51-2022 have not been sold.

Accordingly, authority of your Honorable Board is now requested to further amend Bond Act No. 49-2018, as amended by Bond Act No. 132-2020 and Bond Act No. 51-2022, in order to further increase the amount authorized thereunder by \$2,100,000, to a new total amount authorized of \$29,291,000 and to revise the scope of the project to include design, construction management and construction associated with upgrades to the HVAC mechanical equipment in accordance with the aforementioned redesign.

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 'KWJ', is written over the word 'Sincerely,' and extends across the name and title of the signatory.

Kenneth W. Jenkins
Westchester County Executive

KWJ/VK/JL/jpg/nn

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of an amended bond act (the “Amended Bond Act”) in the total amount of \$29,291,000, which includes \$27,191,000 in previously authorized bonds of the County of Westchester (“County”), to finance a component of Capital Project SY009 – Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades (“SY009”).

The Amended Bond Act, which was prepared by the law firm of Norton Rose Fulbright US, LLP, will fund design, construction management, and construction associated with odor control and HVAC upgrades at the Yonkers Joint Water Resource Recovery Facility (YJWRRF). Work will include various improvements related to HVAC and odor control, including upgrades to the HVAC mechanical equipment in accordance with a redesign which was completed to accommodate future electrical power distribution equipment for a separate Department of Environmental Facilities (the “Department”) project (SY028) currently in design phase.

The Department has advised your Committee that prior HVAC and odor control studies of the YJWRRF recommended replacement and upgrade of various HVAC and odor control equipment and related systems which were installed in 1979 and have been operated beyond their useful life.

Your Committee is advised that following bonding authorization, construction will be scheduled and is estimated to take six (6) months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that your Honorable Board has previously authorized bonding in connection with prior phases of SY009 as follows: Bond Act No. 49-2018 in the amount of \$5,000,000 which funded construction and construction management associated with odor control and HVAC upgrades (Phase IV); Bond Act No. 132-2020, which amended Bond Act No. 49-2018 to increase the initial amount authorized thereunder by \$7,191,000 to a new total amount authorized of \$12,191,000 and revised the scope of the project to include additional construction services; and Bond Act No. 51-2022, which further amended Bond Act No. 49-2018, as amended by Bond Act No. 132-2020, to increase the amount authorized thereunder by \$15,000,000, to a new total amount authorized of \$27,191,000 and revised the scope of the

project to add design, construction management, and construction services for the additional phase of the project. The bonds authorized by Bond Act No. 51-2022 have not been sold. Accordingly, authority of your Honorable Board is now requested to further amend Bond Act No. 49-2018, as amended by Bond Act No. 132-2020 and Bond Act No. 51-2022, in order to further increase the amount authorized thereunder by \$2,100,000, to a new total amount authorized of \$29,291,000 and to revise the scope of the project to include design, construction management and construction associated with upgrades to the HVAC mechanical equipment in accordance with the aforementioned redesign.

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 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: _____, 2025
White Plains, New York

COMMITTEE ON

k/jpg/4/24/2025

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SY009

☐ 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 \$ 29,291,000 PPU 30 Anticipated Interest Rate 4.12%

Anticipated Annual Cost (Principal and Interest): \$ 1,614,001

Total Debt Service (Annual Cost x Term): \$ 48,420,030

Finance Department: Interest rates from May 9, 2025 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 318

Prepared by: Jazmin Logan

Title: Environmental Project Director

Department: Environmental Facilities

Date: 5/12/25

Reviewed By: 


WJL/25
EP 5/13/25

Date:

Budget Director

5/13/25

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

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

DATE: April 23, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SY009 Yonkers Joint Treatment Plant Odor Control and HVAC Upgrades**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
04/21/2025 (Unique ID: 2915)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

COMMENTS: None.

DSK/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Melissa-Jean Rotini, Assistant Commissioner, Department of Environmental Facilities
Jazmin Logan, Environmental Project Director - Capital Programs
Robert Zambardino, Program Coordinator – Capital Programs
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 2025

BOND ACT DATED _____, 2025.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND SUPERSEDING BOND ACT NO. 51-2022, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$29,291,000, AN INCREASE OF \$2,100,000, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF HVAC UPGRADES AND ODOR CONTROL IMPROVEMENTS AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY, CONSTITUTING PHASE IV OF SUCH IMPROVEMENTS, FOR THE BENEFIT OF THE COUNTY'S SOUTH YONKERS, BRONX VALLEY, CENTRAL YONKERS, HUTCHINSON VALLEY, NORTH YONKERS, SAW MILL AND UPPER BRONX SANITARY SEWER DISTRICTS.

WHEREAS, pursuant to Act No. 49-2018, dated May 7, 2018 (the "2018 Bond Act"), the Board previously authorized the issuance of \$5,000,000 bonds to pay the construction management and construction costs of heating, ventilation, cooling and air conditioning upgrades and odor control improvements at the Yonkers Joint Wastewater Treatment Plant (now known as the Yonkers Joint Water Resource Recovery Facility), constituting Phase IV of such improvements, for the benefit of the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts; and

WHEREAS, pursuant to Act No. 132-2020, dated August 3, 2020 (the "2020 Bond Act"), the Board amended Act No. 49-2018 to increase the estimated maximum cost of the aforementioned project and the amount of bonds authorized to \$12,191,000 an increase of \$7,191,000; and

WHEREAS, pursuant to Act No. 51-2022, dated May 9, 2022 (such act together with the 2018 Bond Act and the 2020 Bond Act, the "Prior Bond Acts"), the Board further increased the estimated maximum cost of said project and the amount of bonds authorized to \$27,191,000, an increase of \$15,000,000; and

WHEREAS, no obligations have been issued under the Prior Bond Acts; and

WHEREAS, it has now been determined it would be beneficial to increase the estimated maximum cost of said project and the amount of bonds authorized to \$29,291,000, an increase of \$2,100,000; and

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

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

Section 1. For the class of objects or purposes of paying the cost of design, construction management and construction of heating, ventilation, cooling and air conditioning (HVAC) upgrades and odor control improvements at the Yonkers Joint Water Resource Recovery Facility, constituting Phase IV of such improvements, including incidental expenses in connection therewith, for the benefit of the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts, in and for the County of Westchester, New York, and which may include, but is not limited to, replacement of the odor control and heating, ventilation, cooling and air conditioning systems in the Dissolved Air Flotation building; repairs and upgrades to the sludge loading bay, including the concrete slab and ventilation duct registers; replacement of the scrubbers serving the primary settling tanks,

replacement of the grit tank wash down system, installation of new bar screens, turbo blowers and waste gas flare equipment, there are hereby authorized to be issued \$29,291,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$29,291,000, and that the plan for the financing thereof is by the issuance of the \$29,291,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill and Upper Bronx Sanitary Sewer Districts, or other sources, there shall annually be levied on

all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations, as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said

Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said

bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance and, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This bond act amends and supersedes the Prior Bond Acts, except to the extent that any liabilities or indebtedness shall have been contracted, and encumbrances made or actions taken thereunder.

Section 16. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2025

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

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

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

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

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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

Newspaper and/or other news media

Date given

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

Designated Location(s) of Posted Notices

Date of Posting

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025 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. _____-2025

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND SUPERSEDING BOND ACT NO. 51-2022, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$29,291,000, AN INCREASE OF \$2,100,000, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF HVAC UPGRADES AND ODOR CONTROL IMPROVEMENTS AT THE YONKERS JOINT WATER RESOURCE RECOVERY FACILITY, CONSTITUTING PHASE IV OF SUCH IMPROVEMENTS, FOR THE BENEFIT OF THE COUNTY'S SOUTH YONKERS, BRONX VALLEY, CENTRAL YONKERS, HUTCHINSON VALLEY, NORTH YONKERS, SAW MILL AND UPPER BRONX SANITARY SEWER DISTRICTS.

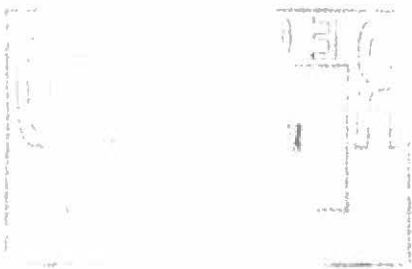
Class of object or purpose:	design, construction management and construction costs of heating, ventilation, cooling and air conditioning upgrades and odor control improvements at the Yonkers Joint Water Resource Recovery Facility, including incidental expenses in connection therewith, and which may include replacement of the odor control and heating, ventilation, cooling and air conditioning systems in the Dissolved Air Flotation building; repairs and upgrades to the sludge loading bay, including the concrete slab and ventilation duct registers; replacement of the scrubbers serving the primary settling tanks, replacement of the grit tank wash down system, installation of new bar screens, turbo blowers and waste gas flare equipment
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period of probable usefulness:	thirty years
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amount of obligations to be issued:	\$29,291,000
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Dated: _____, 2025
White Plains, New York

Clerk of the County Board of
Legislators of the County of Westchester, New York



CAPITAL PROJECT FACT SHEET

Project ID:* SY009	<input type="checkbox"/> CBA	Fact Sheet Date:* 04-09-2025
Fact Sheet Year:* 2025	Project Title:* YONKERS JOINT TREATMENT PLANT ODOR CONTROL AND HVAC UPGRADES	Legislative District ID: 2, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 5, 3,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2915

Overall Project Description

This multi-phased project funds the replacement of the heating, ventilation and air conditioning equipment, as well as odor control equipment and gas flaring system, at the Yonkers Joint Wastewater Resource Recovery Facility installed in 1979.

- | | | |
|---|---|--|
| <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	2025	2026	2027	2028	2029	Under Review
Gross	78,685	78,685	0	0	0	0	0	0
Less Non-County Shares	6,203	6,203	0	0	0	0	0	0
Net	72,482	72,482	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 51,419

Current Bond Description: This bond authorization request will fund the Design, Construction Management, and Construction for the Yonkers Joint (YJ) Water Resource Recovery Facility (WRRF) Odor Control and HVAC Upgrades. Work will include various improvements related to HVAC and Odor Control including the upgrades of the HVAC mechanical equipment in accordance with a redesign which was completed to accommodate future electrical power distribution equipment in a separate DEF project (SY028) currently in design phase.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,100,000
Cash:	0
Total:	\$ 2,100,000

SEQR Classification:

TYPE II

Amount Requested:

2,100,000

Comments:

This HVAC upgrades will lower energy consumption, reduce maintenance requirements, and lower power costs.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2004	825,000	DESIGN SCREEN AND GRIT BUILDING PHASE I
2005	2,550,000	CONSTRUCTION FOR ABOVE
2007	6,260,000	ADDITIONAL DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION HVAC AND ODOR CONTROL PHASE I
2008	1,475,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR REPLACEMENT/REHABILITATION OF THE BLOWER AND ADMIN BUILDING PHASE II
2010	151,000	ADDITIONAL DESIGN AND CONSTRUCTION MANAGEMENT - PHASE II
2013	8,274,000	ADDITIONAL WORK ON PHASE II
2014	8,500,000	CONSTRUCTION FOR THE PRIMARY & SECONDARY END OF PLANT - PHASE III
2016	5,650,000	ADDITIONAL FUNDING FOR CONSTRUCTION AND ADDITIONAL WORK - PHASE IV
2020	5,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2022	15,000,000	ADDITIONAL ODOR CONTROL MEASURES
2024	25,000,000	FUNDS PHASE IVB CONSTRUCTION

Total Appropriation History:

78,685,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
04	126	0	0	D&C YONKERS WWTP HVAC EQUIP. REPLACE.
08	189	9,635,000	6,664,514	DESIGN & CON. MGT. - YJTP REPLACE HVAC
08	E-189	-2,191,000	-2,191,000	
11	183	5,142,580	5,142,580	YONKERS JOINT WASTEWATER TREATMENT PLANT HEATING, VENTILATION, COOLING, AND A/C IMPREOVEMENTS
13E	131	0	0	YONKERS JOINT TREATMENT PLANT - ODOR CONTROL AND HVAC UPGRADES
16	209	9,150,000	8,852,806	YONKERS JOINT TREATMENT PLANT ODOR CONTROL HVAC UPGRADES DESIGN, CONTS, PASE III LEED
18	49	0	0	ODOR CONTROL & HVAC UPGRADES AT YONKERS JOINT WASTEWATER TREATMENT PLANT
20	132	0	0	CONSTRUCTION ASSOCIATED WITH ODOR CONTROL AND HVAC UPGRADES AT YJWTP
22	51	27,191,000	0	CONSTRUCTION ASSOCIATED WITH ODOR CONTROL AND HVAC UPGRADES AT YJWTP

Total Financing History:

48,927,580

Recommended By:

Department of Planning
MLLL

Date
04-21-2025

Department of Public Works
RJB4

Date
04-23-2025

Budget Department
DEV9

Date
04-23-2025

Requesting Department
JCL1

Date
04-23-2025

YONKERS JOINT TREATMENT PLANT ODOR CONTROL AND HVAC UPGRADES (SY009)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	78,685	78,685	51,419						
Non County Share	(6,203)	(6,203)							
Total	72,482	72,482	51,419						

Project Description

This multi-phased project funds the replacement of the heating, ventilation and air conditioning equipment, as well as odor control equipment and gas flaring system, at the Yonkers Joint Wastewater Resource Recovery Facility installed in 1979.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2004	825,000	Design Screen and Grit building Phase I	COMPLETE
2005	2,550,000	Construction for above	COMPLETE
2007	6,260,000	Additional design, construction management and construction HVAC and odor control Phase I	COMPLETE
2008	1,475,000	Design and construction management for replacement/rehabilitation of the Blower and Admin Building Phase II	COMPLETE
2010	151,000	Additional design and construction management - Phase II	COMPLETE
2013	8,274,000	Additional work on Phase II	CONSTRUCTION
2014	8,500,000	Construction for the Primary & Secondary End of Plant - Phase III	CONSTRUCTION
2016	5,650,000	Additional funding for construction and additional work - Phase IV	CONSTRUCTION
2020	5,000,000	Design, construction and construction management	CONSTRUCTION
2022	15,000,000	Additional odor control measures	CONSTRUCTION
2024	25,000,000	Funds Phase IVB construction	\$6,203,000 NCS; \$18,797,000 AWAITING BOND AUTHORIZATION
Total	78,685,000		

YONKERS JOINT TREATMENT PLANT ODOR CONTROL AND HVAC UPGRADES (SY009)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	72,482,000	23,258,573	49,223,427
State Funds	6,203,000	1,594,750	4,608,250
Total	78,685,000	24,853,323	53,831,677

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
126 04				
189 08	9,635,000	12/02/10	470,000	2,970,486
		12/02/10	(470,000)	
		11/30/11	757,096	
		11/30/11	12,904	
		10/24/12	1,312,682	
		10/24/12	45,318	
		10/24/12	12,115	
		08/01/13	4,524,398	
183 11	5,142,580	12/01/16	6,863,000	
		11/09/17	(6,863,000)	
		11/09/17	5,142,580	
131 13	3,037,000	12/01/16	153,000	3,037,000
		11/09/17	(153,000)	
209 16	9,150,000	07/19/18	7,620,000	297,194
			(373,000)	
		11/30/23	1,465,276	
		11/30/23	140,530	
49 18				
E-189 08	(2,191,000)			(2,191,000)
132 20				
51 22	27,191,000			27,191,000
Total	51,964,580		20,659,900	31,304,680

WESTCHESTER COUNTY

Kenneth W. Jenkins
Westchester County Executive

May 21, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,500,000 to finance the following capital project:

SPK12 – Peekskill Wastewater Treatment Plant Mechanical Sludge Handling Upgrades ("SPK12").

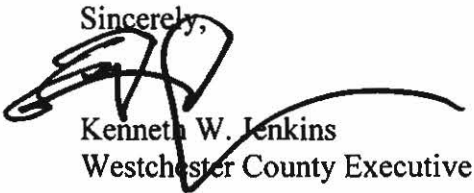
The Bond Act, in the amount of \$1,500,000, would finance the costs of design and construction management for the replacement of plant components not related to odor control at the Peekskill Water Resource Recovery Facility, including the replacement of all sludge collection mechanisms in primary and final tanks, underground PVC overhead piping and valves, sludge chopper pumps and primary and final tank grease skimmers, as well as incidental expenses.

The Department of Environmental Facilities ("Department") has advised that primary sludge pump components have recently been experiencing failures, requiring costly interim repairs. The primary sludge pumps and associated controls have reached the end of their useful lives and replacement is necessary to ensure process reliability and environmentally compliant operation.

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

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

Sincerely,



Kenneth W. Jenkins
Westchester County Executive

**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 \$1,500,000 to finance capital project SPK12 – Peekskill Wastewater Treatment Plant Mechanical Sludge Handling Upgrades (“SPK12”). The Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance the costs of design and construction management for the replacement of plant components not related to odor control at the Peekskill Water Resource Recovery Facility, including the replacement of all sludge collection mechanisms in primary and final tanks, underground PVC overhead piping and valves, sludge chopper pumps and primary and final tank grease skimmers, as well as incidental expenses.

The Department of Environmental Facilities (“Department”) has advised that primary sludge pump components have recently been experiencing failures, requiring costly interim repairs. The primary sludge pumps and associated controls have reached the end of their useful lives and replacement is necessary to ensure process reliability and environmentally compliant operation.

It is anticipated that the design work will be completed by a consultant. Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is estimated that construction will take twenty-four 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, SPK12 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

c mg 4-23-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SPK12

☐ 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 \$ 1,500,000 PPU 5 Anticipated Interest Rate 2.96%

Anticipated Annual Cost (Principal and Interest): \$ 327,481

Total Debt Service (Annual Cost x Term): \$ 1,637,405

Finance Department: Interest rate from May 9, 2025 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 16

Prepared by: Jazmin Logan

Title: Environmental Project Director

Department: Environmental Facilities

Date: 5/14/25


Reviewed By: 

5/14/25
5/14/25
Date:

Budget Director

5/14/25

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: May 7, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPK12 Peekskill Wastewater Treatment Plant Mechanical, Sludge Handling
Upgrades**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
04/10/2025 (Unique ID: 2911)

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 and construction management. However, funds for construction management will not be expended unless funding for construction is approved, which will be subject to further environmental review as may be required by SEQR.

DSK/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Maximilian Zorn, Assistant County Attorney
Dianne Vanadia, Associate Budget Director
Jazmin Logan, Environmental Project Director - Capital Programs (DEF)
Robert Zambardino, Program Coordinator – Capital Programs (DEF)
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. _____ - 2025

BOND ACT DATED _____, 2025.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR THE REPLACEMENT OF PLANT COMPONENTS NOT RELATED TO ODOR CONTROL AT THE PEEK PEEKSKILL WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE PEEKSKILL SANITARY SEWER DISTRICT IN SAID COUNTY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the design and construction management costs for the replacement of plant components not related to odor control at the Peekskill Water Resource Recovery Facility, in and for said County, including the replacement of all sludge collection mechanisms in primary and final tanks, underground PVC overhead piping and valves, sludge chopper pumps and primary and final tank grease skimmers, incidental expenses in connection with such project, a class of objects or purposes, there are hereby authorized to be issued \$1,500,000

bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$1,500,000, and that the plan for the financing thereof is by the issuance of the \$1,500,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Peekskill Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations, as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile

of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of said Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and

collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2025

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

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

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

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

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the
Public Officers Law.

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

Newspaper and/or Other News Media

Date Given

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

Designated Location(s) of Posted Notices

Date of Posting

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

Clerk of the County Board of Legislators
of the County of Westchester, New York

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2025 and approved by the County Executive on _____, 2025 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. _____-2025

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR THE REPLACEMENT OF PLANT COMPONENTS NOT RELATED TO ODOR CONTROL AT THE PEEK PEEKSKILL WATER RESOURCE RECOVERY FACILITY, IN AND FOR THE PEEKSKILL SANITARY SEWER DISTRICT IN SAID COUNTY.

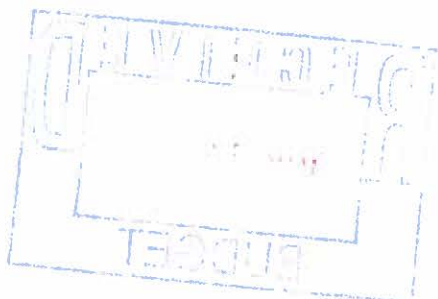
object or purpose: design and construction management costs for the replacement of plant components not related to odor control at the Peekskill Water Resource Recovery Facility

period of probable usefulness: five (5) years

amount of obligations to be issued: \$1,500,000

Dated: _____, 2025
White Plains, New York

Clerk of the County Board of Legislators of the County of Westchester, New York



CAPITAL PROJECT FACT SHEET

Project ID:* SPK12	<input type="checkbox"/> CBA	Fact Sheet Date:* 04-03-2025
Fact Sheet Year:* 2025	Project Title:* PEEKSKILL WASTEWATER TREATMENT PLANT MECHANICAL, SLUDGE HANDLING UPGRADES	Legislative District ID: 1, 9, 4,
Category* SEWER AND WATER DISTRICTS	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2911

Overall Project Description

This project funds the replacement of plant components not related to Odor Control, such as: the replacement of all sludge collection mechanisms in primary and final tanks, underground PVC sodium Hypochlorite new overhead piping and valves, new sludge chopper pumps and new primary and final tank grease skimmers.

- | | | |
|--|--|--|
| <input 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	2025	2026	2027	2028	2029	Under Review
Gross	12,180	12,180	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	12,180	12,180	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 6,887

Current Bond Description: This bond authorization request will fund the Design and Construction Management of the replacement of plant components not related to Odor Control. This work includes replacement of the sludge collection mechanisms and all related ancillary equipment for the primary tanks at the Peekskill Water Resource Recovery Facility.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,500,000
Cash:	0
Total:	\$ 1,500,000

SEQR Classification:

TYPE II

Amount Requested:

1,500,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2008	300,000	DESIGN AND CONSTRUCTION MANAGEMENT - SKIMMER REPLACEMENT
2009	675,000	DESIGN, CONSTRUCTION MANAGEMENT FOR REPLACEMENT OF ALL SLUDGE COLLECTION MECHANISMS
2010	1,725,000	CONSTRUCTION FOR REPLACEMENT OF GREASE SKIMMERS AND ALL SLUDGE COLLECTION MECHANISMS
2013	6,300,000	ADDITIONAL CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2022	3,180,000	CONSTRUCTION

Total Appropriation History:

12,180,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
08	205	0	0	DESIGN/CONSTR. MGT.: REPL. GREASE SKIMMERS-PKSKILL WWTP
11	115	0	0	
13	132	9,000,000	6,224,898	PEEKSKILL WASTEWATER TREATMENT PLANT MECHANICAL, SLUDGE HANDLING UPGRADE
13	132	-2,113,110	0	

Total Financing History:

6,886,890

Recommended By:**Department of Planning**

MLLL

Date

04-10-2025

Department of Public Works

RJB4

Date

04-23-2025

Budget Department

DEV9

Date

04-23-2025

Requesting Department

JCL1

Date

04-23-2025

PEEKSKILL WASTEWATER TREATMENT PLANT MECHANICAL, SLUDGE HANDLING UPGRADES (SPK12)

User Department : Environmental Facilities

Managing Department(s) : Environmental Facilities ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	12,180	12,180	6,887						
Non County Share									
Total	12,180	12,180	6,887						

Project Description

This project funds the replacement of plant components not related to Odor Control, such as: the replacement of all sludge collection mechanisms in primary and final tanks, underground PVC sodium Hypochlorite new overhead piping and valves, new sludge chopper pumps and new primary and final tank grease skimmers.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2008	300,000	Design and construction management - Skimmer replacement	COMPLETE
2009	675,000	Design, construction management for replacement of all sludge collection mechanisms	COMPLETE
2010	1,725,000	Construction for replacement of grease skimmers and all sludge collection mechanisms	COMPLETE
2013	6,300,000	Additional construction and construction management	COMPLETE
2022	3,180,000	Construction	AWAITING BOND AUTHORIZATION
Total	12,180,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	12,180,000	6,224,898	5,955,102
Total	12,180,000	6,224,898	5,955,102


PEEKSKILL WASTEWATER TREATMENT PLANT MECHANICAL, SLUDGE HANDLING UPGRADES (SPK12)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
205	08				
115	11				
132	13	9,000,000	07/10/14	6,100,000	2,775,102
			08/02/15	(6,100,000)	
			08/02/15	6,100,000	
			11/30/23	124,740	
			11/30/23	157	
Total		9,000,000		6,224,898	2,775,102

May 15, 2025

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

FROM: Kenneth W. Jenkins
County Executive 

RE: Message Requesting Immediate Consideration: **Bond Act – BPL26 (2925) – Flood Mitigation.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators May 19, 2025 Agenda.

Transmitted herewith for your review and approval is a bond act (the “Bond Act”) which, if adopted by your Honorable Board, would authorize the County of Westchester (the “County”) to issue up to \$1,250,000.00 in bonds of the County to finance a component of capital project BPL26.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for May 19, 2025 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



Kenneth W. Jenkins
County Executive

May 13, 2025

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act") which, if adopted by your Honorable Board, would authorize the County of Westchester (the "County") to issue up to \$1,250,000.00 in bonds of the County to finance a component of capital project BPL26 - Flood Mitigation ("BPL26").

The Bond Act, in the amount of \$1,250,000.00, would fund the County's share of additional costs associated with design of this flood mitigation project contemplated in the United States Army Corps of Engineers' ("USACE") General Reevaluation Report ("GRR") in the Village of Mamaroneck for the Mamaroneck and Sheldrake Rivers Basin. In 2009, the County entered into an agreement with the New York State Department of Environmental Conservation ("DEC"), whereby the County would partially fund USACE's design of the Mamaroneck and Sheldrake Rivers Flood Risk Reduction Project (the "Agreement"). Under the Agreement the estimated design cost of the project was \$6,651,000.00, of which \$500,000.00 was 100% federally funded. The remaining cost of \$6,151,000.00 was to be apportioned between a Federal share (75%) and a non-Federal share (25%). The County and DEC were each to pay half of the non-Federal share, or approximately \$768,875.00 each. Your Honorable Board approved Bond Act 79-2009 authorizing the issuance of \$900,000.00 to fund the County's share of the project's design.

In 2021, the Agreement was amended in order to increase the County share from \$768,875.00 by \$62,648.33 for a new total amount of \$831,523.33 (the "First Amendment"). DEC recently informed the County that the project's design is ongoing, the cost has exceeded the estimated amount as set for the in the First Amendment, and that in order to complete the project the County share will increase by \$1,187,500.00 for a new total amount of \$2,019,023.33. Your Honorable Board will note that the bonding request is \$1,250,000.00 to include additional County costs for staff hours and administration of the project.

In 2011 your Honorable Board enacted the Westchester County Storm Water Management Law ("SWML") to assist municipalities with storm water management (flood mitigation). See Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML

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

Telephone: (914)995-2900

E-mail: ceo@westchestercountyny.gov

provides for the evaluation of flooding within the County through preparation of watershed “reconnaissance plans”, and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

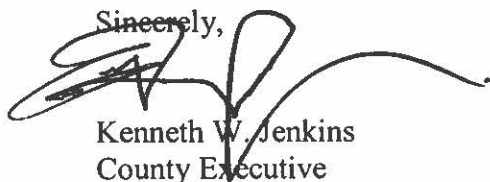
By Act No. 134-2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed.

It should be noted that since BPL26 is a “general fund” project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County’s Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2025 Capital Budget to reflect the specific location of this project component.

The Department of Planning has advised that the Planning Board has previously reviewed BPL26 and issued a report, and that since there are no substantial changes to the physical planning aspects of this project, no further action by the Planning Board is necessary at this time.

Based upon the foregoing, I recommend the adoption of the aforementioned Bond Act.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ken Jenkins', with a long horizontal flourish extending to the right.

Kenneth W. Jenkins
County Executive

KWJ/BL/MLLL/cmc
Attachments

**THE HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the “Bond Act”), which if adopted, would authorize the County of Westchester (the “County”) to issue up to \$1,250,000.00 in bonds to finance a component of capital project BPL26 - Flood Mitigation (“BPL26”).

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield & Wood LLP, in the amount of \$1,250,000.00, would fund the County’s share of additional costs associated with design of this flood mitigation project contemplated in the United States Army Corps of Engineers’ (“USACE”) General Reevaluation Report (“GRR”) in the Village of Mamaroneck for the Mamaroneck and Sheldrake Rivers Basin. In 2009, the County entered into an agreement with the New York State Department of Environmental Conservation (“DEC”), whereby the County would partially fund USACE’s design of the Mamaroneck and Sheldrake Rivers Flood Risk Reduction Project (the “Agreement”). Under the Agreement the estimated design cost of the project was \$6,651,000.00, of which \$500,000.00 was 100% federally funded. The remaining cost of \$6,151,000.00 was to be apportioned between a Federal share (75%) and a non-Federal share (25%). The County and DEC were each to pay half of the non-Federal share, or approximately \$768,875.00 each. Your Honorable Board approved Bond Act 79-2009 authorizing the issuance of \$900,000.00 to fund the County’s share of the project’s design.

Your Committee is advised that in 2021, the Agreement was amended in order to increase the County share from \$768,875.00 by \$62,648.33 for a new total amount of \$831,523.33 (the “First Amendment”). DEC recently informed the County that the project’s design is ongoing, the cost has exceeded the estimated amount as set for the in the First Amendment, and that in order to complete the project the County share will increase by \$1,187,500.00 for a new total amount of \$2,019,023.33. Your Honorable Board will note that the bonding request is \$1,250,000.00 to include additional County costs for staff hours and administration of the project.

Your Committee is further advised that this Honorable Board enacted the Westchester County Storm Water Management Law ("SWML") in 2011 to assist municipalities with storm water management (flood mitigation). *See* Laws of Westchester County Chapter 241, Article III-A, Sections 241.252-241.260. The SWML provides for the evaluation of flooding within the County through preparation of watershed "reconnaissance plans", and the SWML authorizes County cooperation with municipalities, including funding assistance, to improve storm water management and reduce flooding.

By Act No. 134-2014, your Honorable Board approved the Stormwater Reconnaissance Plan for the Coastal Long Island Sound Watershed.

It should be noted that since BPL26 is a "general fund" project, specific components are subject to a Capital Budget Amendment. Section 1 of the Bond Act authorizes an amendment to the County's Capital Budget to the extent the project scope is inconsistent with any details set forth in the current Capital Budget. Accordingly, the Bond Act, in addition to authorizing the issuance of bonds for this project, will also amend the 2025 Capital Budget to reflect the specific location of this project component. Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which have financed prior components of this project as set forth in the attached fact sheet.

The Department of Planning has advised your Committee that based on its review, the above referenced capital project has been classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQRA documentation and concurs with this conclusion.

In addition, the Department of Planning has further advised your Committee that the Planning Board has previously reviewed BPL26 and issued a report, and that since there are no substantial changes to the physical planning aspects of this project, no further action by the Planning Board is necessary at this time.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Bond Act.

Dated: _____, 2025

White Plains, New York


COMMITTEE ON

cmc 5-12-25

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BPL26</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	
		<input type="checkbox"/> Capital Budget Amendment	
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 1,250,000	PPU 5	Anticipated Interest Rate 2.93%
Anticipated Annual Cost (Principal and Interest):		\$ 272,669	
Total Debt Service (Annual Cost x Term):		\$ 1,363,345	
Finance Department: Interest rates from May 15, 2025 Bond Buyer - ASBA			
SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service) To Be Completed by Submitting Department and Reviewed by Budget			
Potential Related Expenses (Annual): \$ -			
Potential Related Revenues (Annual): \$ -			
Anticipated savings to County and/or impact of department operations (describe in detail for current and next four years):			
SECTION D - EMPLOYMENT As per federal guidelines, each \$92,000 of appropriation funds one FTE Job			
Number of Full Time Equivalent (FTE) Jobs Funded:		14	
Prepared by: <u>Dianne Vanadia</u>		<div style="text-align: right;">Reviewed By: <u><i>Dianne Vanadia</i></u> <i>for</i> Associate Budget Director Budget Director</div> <div style="text-align: right;">Date: <u><i>5/15/25</i></u></div>	
Title: <u>Associate Budget Director</u>			
Department: <u>Budget</u>			
Date: <u>5/15/25</u>			

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

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

DATE: April 23, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL26 FLOOD MITIGATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
04/22/2025 (Unique ID: 2925)

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/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Blanca P. Lopez, Commissioner of Planning
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal 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 A PORTION OF THE COUNTY'S SHARE OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING A FLOOD MITIGATION PROJECT IN THE VILLAGE OF MAMARONECK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 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, an Intermunicipal Agreement between the County and the Village of Mamaroneck, 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 a portion of the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and

estimates necessary for the planning of a flood mitigation project by the US Army Corps of Engineers in the Village of Mamaroneck, 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 total estimated maximum cost of said specific object or purpose, 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.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$1,250,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2nd) 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 \$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 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.

* * *

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 A PORTION OF THE COUNTY'S SHARE OF THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING A FLOOD MITIGATION PROJECT IN THE VILLAGE OF MAMARONECK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on _____, 20_____)

object or purpose: to finance a portion of the County's share of the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the planning of a flood mitigation project by the US Army Corps of Engineers in the Village of Mamaroneck, 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

3986344.1 048034 LEG

CAPITAL PROJECT FACT SHEET

Project ID:* BPL26	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 04-18-2025
Fact Sheet Year:* 2025	Project Title:* FLOOD MITIGATION	Legislative District ID: 7
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 2925

Overall Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County, as well as provide funding for watershed analyses and project development plans prepared by the County or in partnership with state and federal agencies. This is a general fund, specific projects are subject to a Capital Budget Amendment.

- | | | |
|--|---|--|
| <input type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input checked="" type="checkbox"/> Other(FLOOD MITIGATION) | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2025	2026	2027	2028	2029	Under Review
Gross	155,750	76,500	44,250	5,000	5,000	5,000	0	20,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	155,750	76,500	44,250	5,000	5,000	5,000	0	20,000

Expended/Obligated Amount (in thousands) as of : 13,361

Current Bond Description: Current request is for additional \$1,250,000 in funding for the County's share of the design of a flood mitigation project by the US Army Corps of Engineers (USACE) in the Village of Mamaroneck. The project is still in design and requires additional funding to complete the design phase.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

1,250,000

Comments:

The County entered into an initial design agreement in 2009 with the NYSDEC for the USACE project and provided \$768,875 towards the project, funded through BA 79-2009 (\$900,000). The agreement was amended in 2021 to increase the County share by \$62,648.33 to a total of \$831,523.33. The current request will fund the current increased cost share (\$1,187,500) as well as administrative costs (\$62,500) for County staff time associated with the project.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2009	5,400,000	MAMARONECK AND SHELDRAKE RIVERS BASIN FLOOD DAMAGE REDUCTION STUDY; FOUR LOCAL MUNICIPAL FLOOD PROJECTS
2012	5,000,000	FLOOD MITIGATION PROJECTS TO BE DETERMINED
2013	5,000,000	FLOOD RELATED PROJECTS
2015	150,000	DESIGN OF A COUNTYWIDE SYSTEM OF STREAM AND STORM GAUGES
2016	5,000,000	CONTINUATION OF THIS PROJECT
2021	200,000	DESIGN AND INSTALLATION OF A MAINTENANCE GATE AT SPRAIN BROOK, YONKERS
2022	11,000,000	THE US ARMY CORPS OF ENGINEERS' PROJECT IN THE VILLAGE OF MAMARONECK/SHELDRAKE AND MAMARONECK RIVERS
2023	17,500,000	\$10,300,000 CONTINUATION OF THIS PROJECT; \$7,000,000 FOR MAMARONECK/SHELDRAKE RIVERS, AND \$200,000 FOR CITY OF YONKERS SCOTTI FIELD FLOOD PROJECT
2024	27,250,000	CONTINUATION OF THIS PROJECT
2025	44,250,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

120,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
17	11	2,974,875	2,502,239	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY (AMMENDED)
18	171	0	0	FUNDING FOR AN ENGINEERING STUDY TO DEVELOP A SOLUTION FOR FLOODING IN RYE BROOK, AVON CIRCLE AREA
19	107	300,000	188,960	INITIAL DESIGN OF PROJECT TO MITIGATE FLOODING ALONG THE HUTCHINSON RIVER
19	247	0	0	RECONSTRUCT THE HILLSIDE AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK
21	171	350,000	62,236	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	221,546	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)
22	85	130,000	0	FLOOD MITIGATION-DOBBS FERRY (UNIQUES ID# 1948)
22	92	2,200,000	0	FLOOD MITIGATION-MAMARONECK (UNIQUE ID# 1857)
22	54	1,200,000	0	FLOOD MITIGATION-PEEKSKILL (UNIQUES ID# 1999)
22	95	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953)
23	23	2,500,000	533,219	RECONSTRUCT HILLSIDE AVENUE BRIDGE, VILLAGE OF MAMARONECK (UNIQUE ID#2001)
23	196	150,000	0	FLOOD MITIGATION (ID 2235)
23	198	3,870,000	0	FLOODING IN RYE BROOK, AVON CIRCLE AREA - (ID 2236)
23	206	121,250	0	FLOOD MITIGATION - HARRISON AVE YONKERS (ID 2324)
23	208	128,750	0	FLOOD MITIGATION - CLUNIE AVE YONKERS (ID 2326)
24	81	2,000,000	0	FLOOD MITIGATION STUDY - ID 2448
24	30	0	0	FLOOD MITIGATION-BRIARCLIFF MANOR (UNIQUE ID# 1953) (RECIND BOND ACT 95-22)
24	186	450,000	0	HARTSDALE BROOK AREA STUDY

Total Financing History:

19,986,499

Recommended By:

Department of Planning

MLLL

Date

04-22-2025

Department of Public Works

RJB4

Date

04-23-2025

Budget Department

DEV9

Date

04-23-2025

Requesting Department

MLLL

Date

04-23-2025

FLOOD MITIGATION (BPL26)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	155,750	76,500	13,347	44,250	5,000	5,000	5,000		20,000
Non County Share									
Total	155,750	76,500	13,347	44,250	5,000	5,000	5,000		20,000

Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County, as well as provide funding for watershed analyses and project development plans prepared by the County or in partnership with state and federal agencies. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	44,250,000			44,250,000

Impact on Operating Budget

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

FLOOD MITIGATION (BPL26)

Appropriation History

Year	Amount	Description	Status
2009	5,400,000	Mamaroneck and Sheldrake Rivers basin flood damage reduction study; Four local municipal flood projects	COMPLETE
2012	5,000,000	Flood Mitigation Projects to be Determined	\$850,000 DESIGN; \$4,150,000 CONSTRUCTION
2013	5,000,000	Flood related projects	\$1,500,000 COMPLETE; \$3,350,000 CONSTRUCTION; \$150,000 DESIGN
2015	150,000	Design of a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	\$3,113,500 DESIGN; \$1,886,500 CONSTRUCTION; \$863,500 AWAITING BOND AUTHORIZATION
2021	200,000	Design and installation of a maintenance gate at Sprain Brook, Yonkers	AWAITING BOND AUTHORIZATION
2022	11,000,000	The US Army Corps of Engineers' project in the Village of Mamaroneck/Sheldrake and Mamaroneck rivers	AWAITING BOND AUTHORIZATION
2023	17,500,000	\$10,300,000 continuation of this project; \$7,000,000 for Mamaroneck/Sheldrake Rivers, and \$200,000 for City of Yonkers Scotti Field flood project	AWAITING BOND AUTHORIZATION
2024	27,250,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	76,500,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	76,500,000	6,891,825	69,608,175
Total	76,500,000	6,891,825	69,608,175

FLOOD MITIGATION (BPL26)

Bonds Authorized

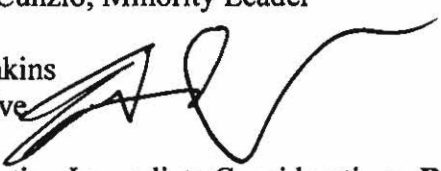
Bond Act		Amount	Date Sold	Amount Sold	Balance
79	09	900,000	12/02/10	358,000	499
			12/02/10	(358,000)	
			11/30/11	522,141	
			11/30/11	77,859	
			11/19/15	250,434	
			11/19/15	48,566	
			11/19/15	501	
140	09	2,441,625	10/24/12	740,494	
			10/24/12	75,506	
			10/24/12	6,240	
			12/10/13	852,989	
			12/10/13	104,011	
			12/10/13	2,925	
			11/19/15	334,212	
			11/19/15	64,813	
			11/19/15	669	
			12/15/16	259,766	
11	17	2,974,875	12/15/17	31,948	472,636
			12/15/17	5,866	
			12/15/17	50	
			12/15/17	29,606	
			12/15/17	5,436	
			12/15/17	46	
			12/10/18	660,625	
			12/10/19	959,846	
			12/10/19	189,546	
			12/10/19	117,641	
171	18		12/10/19	23,231	
			04/30/20	478,398	
107	19	300,000	12/01/21	123,508	111,040
			11/30/23	59,583	
			11/30/23	5,869	
247	19				

FLOOD MITIGATION (BPL26)

171	21	350,000	11/30/23	56,656	287,764
			11/30/23	5,581	
175	21	270,000	11/30/23	201,681	48,454
			11/30/23	19,866	
85	22	130,000			130,000
92	22	2,200,000			2,200,000
95	22				
54	22	1,200,000			1,200,000
23	23	2,500,000	11/30/23	485,406	1,966,781
			11/30/23	47,813	
196	23	150,000			150,000
198	23	3,870,000			3,870,000
206	23	121,250			121,250
208	23	128,750			128,750
30	24				
81	24	2,000,000			2,000,000
186	24	450,000			450,000
Total		19,986,500		6,849,326	13,137,174

May 29, 2025

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

FROM: Kenneth W. Jenkins
County Executive 

RE: Message Requesting Immediate Consideration: **Bond Act – BEL04 –
Purchase of Voting Equipment II.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators June 2, 2025 Agenda.

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$7,800,000 to finance the following capital project: BEL04.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for June 2, 2025 "blue sheet" calendar.

Thank you for your prompt attention to this matter.



Kenneth W. Jenkins
Westchester County Executive

May 28, 2025

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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$7,800,000 to finance the following capital project:

BEL04 – Purchase of Voting Equipment II ("BEL04").

The County Board of Elections (the "BOE") has advised that this project funds the purchase of various equipment necessary to hold elections in the County. The Bond Act, in the amount of \$7,800,000, would fund the replacement of the scanner portion of 1,100 voting machines as well as the replacement of 600 voting pads.

The BOE has advised that following bonding authorization, the equipment will be purchased and installed within a matter of weeks.

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

Sincerely,

A handwritten signature in black ink, appearing to be "KWJ", with a long, sweeping horizontal line extending to the right.

Kenneth W. Jenkins
Westchester County Executive

KWJ/TMN/DAC/jpg/nn

**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 \$7,800,000 to finance capital project BEL04 – Purchase of Voting Equipment II ("BEL04").

The County Board of Elections (the "BOE") has advised that this project funds the purchase of various equipment necessary to hold elections in the County. The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will fund the replacement of the scanner portion of 1,100 voting machines as well as the replacement of 600 voting pads.

Following bonding authorization, the equipment will be purchased and installed within a matter of weeks.

The Department of Planning has advised your Committee that based on its review, RB04F may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the 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 #: BEL04

☐ **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 \$ 7,800,000 **PPU** 5 **Anticipated Interest Rate** 2.87%

Anticipated Annual Cost (Principal and Interest): \$ 1,698,394

Total Debt Service (Annual Cost x Term): \$ 8,491,970

Finance Department: Interest rates from May 28, 2025 Bond Buyer - ASBA

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 85

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 5/28/25

Reviewed By:


Handwritten: @slabla DV 5/28/25

Budget Director

Date:

Handwritten: 5/28/25

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

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

DATE: May 21, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BEL04 PURCHASE OF VOTING EQUIPMENT II**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 5/14/2025 (Unique ID: 2931)

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/oav

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$7,800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF VOTING EQUIPMENT SYSTEMS FOR THE BOARD OF ELECTIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$7,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,800,000 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, \$7,800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the replacement of voting equipment systems for the Board of Elections, including, but not limited to, ballot optical scanning equipment and polling pads, 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 \$7,800,000. The plan of financing includes the issuance of \$7,800,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, 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 class of objects or purposes, within the limitations of Section 11.00 a. 32 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 objects or purposes 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 \$7,800,000. 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 \$7,800,000 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 immediately upon approval by the County Executive.

* * *

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 \$7,800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF VOTING EQUIPMENT SYSTEMS FOR THE BOARD OF ELECTIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$7,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,800,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

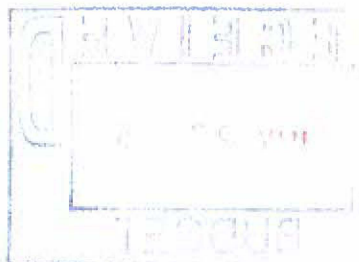
object or purpose: to finance the cost of the replacement of voting equipment systems for the Board of Elections, including, but not limited to, ballot optical scanning equipment and polling pads, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued

and period of probable usefulness: \$7,800,000; five (5) years

Dated: _____, 20____
White Plains, New York

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



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CAPITAL PROJECT FACT SHEET

Project ID:* BEL04 Fact Sheet Year:* 2025 Category* BUILDINGS, LAND & MISCELLANEOUS	<input type="checkbox"/> CBA Project Title:* PURCHASE OF VOTING EQUIPMENT II Department:* BOARD OF ELECTIONS	Fact Sheet Date:* 05-06-2025 Legislative District ID: CP Unique ID: 2931
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Overall Project Description

This project funds the purchase of equipment systems for the provision of elections.

- | | | |
|--|--|---|
| <input type="checkbox"/> Best Management Practices | <input 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	2025	2026	2027	2028	2029	Under Review
Gross	12,500	2,500	10,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	12,500	2,500	10,000	0	0	0	0	0

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

Current Bond Description: TO FUND THE REPLACEMENT OF SCANNER PORTION OF 1,100 VOTING MACHINES AND THE REPLACEMENT OF 600 POLLING PADS

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	7,800,000
Cash:	0
Total:	\$ 7,800,000

SEQR Classification:

TYPE II

Amount Requested:

7,800,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2024	2,500,000	FUNDS THE ACQUISITION OF A NEW ELECTRONIC POLL BOOK SYSTEM FOR UP TO 2,200 DEVICES
2025	10,000,000	1,000 REPLACEMENT BALLOT OPTICAL SCANNING MACHINES

Total Appropriation History:

12,500,000

Total Financing History:

0

Recommended By:

Department of Planning
SEDR

Date
05-14-2025

Department of Public Works
RJB4

Date
05-14-2025

Budget Department
DEV9

Date
05-14-2025

Requesting Department
LXM2

Date
05-14-2025

PURCHASE OF VOTING EQUIPMENT II (BEL04)

User Department : Board of Elections

Managing Department(s) : Board of Elections ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	12,500	2,500		10,000					
Non County Share									
Total	12,500	2,500		10,000					

Project Description

This project funds the purchase of equipment systems for the provision of elections.

Current Year Description

The current year request funds the acquisition of approximately 1,000 replacement ballot optical scanning machines.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2025	10,000,000			10,000,000

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
2024	2,500,000	Funds the acquisition of a new electronic poll book system for up to 2,200 devices	AWAITING BOND AUTHORIZATION
Total	2,500,000		

Prior Appropriations

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