



# Westchester County Board of Legislators

## Public Works & Transportation

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

### Meeting Agenda

Committee Chair: Vedat Gashi

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Monday, January 11, 2021

10:01 AM

Committee Room

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## CALL TO ORDER

Meeting joint with the Committees on Budget & Appropriations and Environment & Health.

## MINUTES APPROVAL

### I. ITEMS FOR DISCUSSION

[2021-2](#)

**BOND ACT-SLI04-Mam'k WRRF BNR Media & Aeration Equip. Replace.**

A BOND ACT authorizing the issuance of SEVEN MILLION (\$7,000,000) DOLLARS in bonds of Westchester County to finance Capital Project SLI04 - Mamaroneck WRRF BNR Media and Aeration Equipment Replacement for 2021 (formerly MT#13048)

Joint with the Committee on B&A.

GUEST: Commissioner Kopicki, Deputy Commissioner Federici and CJ Gelardo - DEF

[2021-9](#)

**BOND ACT-SY085-Sewer System Rehab-Yonkers Jt. Plant Districts**

A BOND ACT authorizing the issuance of ONE MILLION, THREE HUNDRED SIXTY-SEVEN THOUSAND (\$1,367,000) DOLLARS in bonds of Westchester County to finance Capital Project SY085 - Sewer System Rehabilitation - Yonkers Jt. Plant Districts (formerly MT#13084)

Joint with the Committee on B&A.

GUEST: Commissioner Kopicki, Deputy Commissioner Federici and CJ Gelardo - DEF

[2021-61](#)      **BOND ACT - Port Chester Waste Water Treatment Plant Electrical & HVAC Upgrade (SPC03 & SPC09)**

A Superseding BOND ACT authorizing the issuance of additional bonds and to consolidate the total amount authorized for both projects into a single total aggregate bonding amount of THIRTY FOUR MILLION, TWO HUNDRED THOUSAND (\$34,200,000) DOLLARS to finance Capital Project SPC03 - Port Chester Waste Water Treatment Plant Electrical System Upgrade and SPC09 - Port Chester Waste Water Treatment Plant HVAC Systems Upgrade for 2021.

Joint with the Committee on B&A.

GUEST: Commissioner Kopicki, Deputy Commissioner Federici and CJ Gelardo - DEF

[2021-62](#)      **BOND ACT-Sewer Design (SBV95, SM095, SNR95, SNY95, SPK95)**

A BOND ACT authorizing the issuance of bonds of Westchester County in the total aggregate amount of FIVE MILLION, EIGHT HUNDRED THOUSAND (\$5,800,000) DOLLARS to finance the following 5 Capital Projects for 2021: SBV95 - Pumping Station Rehabilitation Program-Bronx Valley SSD, SM095-Pumping Station Rehabilitation Program-Mamaroneck SSD, SNR95-Pumping Station Rehabilitation Program-New Rochelle SSD, SNY95-Pumping Station Rehabilitation Program-North Yonkers SSD and SPK95-Pumping Station Rehabilitation Program - Peekskill SSD.

Joint with the Committee on B&A.

GUEST: Commissioner Kopicki, Deputy Commissioner Federici and CJ Gelardo - DEF

[2021-1](#)      **CBA-A042C-Storm Water Management Program**

AN ACT amending the 2020 County Capital Budget Appropriations for Capital Project A042C - Storm Water Management Program. (Formerly MT#13116)

Joint with the Committees on B&A and E&H.

GUEST: Commissioner Greechan- DPW/T

[2021-3](#)      **BOND ACT-A042C-Storm Water Management Program**

A BOND ACT authorizing the issuance of THREE MILLION, SEVEN HUNDRED FIFTY THOUSAND (\$3,750,000) DOLLARS in bonds of Westchester County to finance costs of construction for the Outfall No. 7 Storm Drain Replacement project at the Westchester County Airport. (Formerly MT#13117)

Joint with the Committees on B&A and E&H.

GUEST: Commissioner Greechan- DPW/T

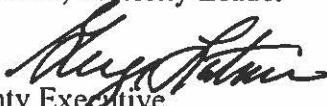
## II. OTHER BUSINESS

**III. RECEIVE & FILE**

**ADJOURNMENT**

October 19, 2020

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – SLI04 –  
Mamaroneck WRRF BNR Media & Aeration Equipment  
Replacement.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 19, 2020 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 \$7,000,000 for capital project SLI04..

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 19, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

October 14, 2020

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 (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the amount of \$7,000,000 to finance the following capital project for 2021:

SLI04 – Mamaroneck WRRF BNR Media and Aeration Equipment Replacement ("SLI04").

The Bond Act, in the total amount of \$7,000,000, would fund the staged purchase of integrated fixed film activated sludge ("IFAS") media for all 6 aeration tanks and the installation of the media in Tank Nos. 2 and 5, including modifications to the tank walls and sieves in Tank Nos. 2 and 5, in order to prevent damage to the media.

The Department of Environmental Facilities (the "Department") has advised that this equipment is vital to removing biological nitrogen from the Long Island Sound, which the Department is required to do under U.S. Environmental Protection Agency Consent Order No. CO -20080730-65.

It should be noted that in a departure from the County's past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2021 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2021.

Design is currently underway using consultants and is scheduled to be completed in January 2021. Construction is estimated to take 18 months and will begin after award and execution of construction contracts.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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 read "George Latimer", written in a cursive style.

George Latimer  
County Executive

GL/VK/CJG/jpg

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

Your Committee is in receipt of a bond act (the “Bond Act”) in the total amount of \$7,000,000, which, if adopted by your Honorable Board, would authorize the County of Westchester (“County”), to finance Capital Project SLI04 - Mamaroneck WRRF BNR Media and Aeration Equipment Replacement (“SLI04”) for 2021. The Bond Act, which was prepared by the law firm of Norton Rose Fulbright US, LLP, will fund the staged purchase of integrated fixed film activated sludge (“IFAS”) media for all 6 aeration tanks and the installation of the media in Tank Nos. 2 and 5, including modifications to the tank walls and sieves in Tank Nos. 2 and 5 in order to prevent damage to the media.

The Department of Environmental Facilities (the “Department”) has advised your Committee that this equipment is vital to removing biological nitrogen from the Long Island Sound, which the Department is required to do under U.S. Environmental Protection Agency Consent Order No. CO -20080730-65.

Your Committee is advised that in a departure from the County’s past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2021 Capital Budget. It is the County’s goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2021

Your Committee is advised that design is currently underway using consultants and is scheduled to be completed in January 2021. Construction is estimated to take 18 months and will begin after award and execution of construction contracts.

The Planning Department 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 SEQR documentation and concurs with this conclusion.

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.

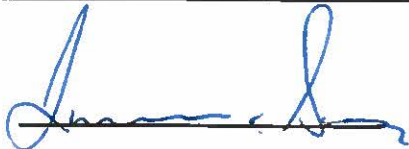
Dated: \_\_\_\_\_, 2020  
White Plains, New York

**COMMITTEE ON**


k/jpg/10/09/2020



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>SLI04</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED		
<b>SECTION A - CAPITAL BUDGET IMPACT</b> 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		
<b>SECTION B - BONDING AUTHORIZATIONS</b> To Be Completed by Finance				
Total Principal	\$ 7,000,000	PPU 30	Anticipated Interest Rate	1.56%
Anticipated Annual Cost (Principal and Interest):	\$ 292,227			
Total Debt Service (Annual Cost x Term):	\$ 8,766,810			
Finance Department:	Interest rates from October 7, 2020 Bond Buyer - ASBA			
<b>SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)</b> 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):				
<hr/> <hr/>				
<b>SECTION D - EMPLOYMENT</b> As per federal guidelines, each \$92,000 of appropriation funds one FTE Job				
Number of Full Time Equivalent (FTE) Jobs Funded:	76			
<b>SECTION E - EXPECTED DESIGN WORK PROVIDER</b>				
<input type="checkbox"/> County Staff	<input checked="" type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable		
Prepared by:	<u>CJ Gelardo</u>	Reviewed By:		
Title:	<u>Capital Program Coordinator</u>	Budget Director		
Department:	<u>Environmental Facilities</u>	Date:	<u>10/15/20</u>	
Date:	<u>10/15/20</u>			

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SLI04 Mamaroneck WRRF BNR Media and Aeration Equipment Replacement**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 10-01-2020 (Unique ID: 1573)

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

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

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. \_\_\_\_\_ - 2020

BOND ACT DATED \_\_\_\_\_, 2020.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF THE ACQUISITION AND INSTALLATION OF INTEGRATED FIXED FILM ACTIVATED SLUDGE MEDIA FOR AERATION TANKS, AND RELATED WORK, AT THE MAMARONECK WASTEWATER TREATMENT PLANT FOR THE BENEFIT OF THE BLIND BROOK, PORT CHESTER, MAMARONECK VALLEY AND NEW ROCHELLE SANITARY SEWER DISTRICTS.

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 other 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 allocable to the County's Blind Brook, Port Chester, Mamaroneck Valley And New Rochelle Sanitary Sewer Districts; 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 cost of the acquisition and installation of integrated fixed film activated sludge (IFAS) media for aeration tanks and related work, for biological nitrogen removal at the Mamaroneck Wastewater Treatment Plant for the benefit of the Blind Brook, Port Chester, Mamaroneck Valley And New Rochelle Sanitary Sewer Districts, in and for the County of Westchester, New York, including incidental expenses in connection therewith, which is a class of

objects or purposes, there are hereby authorized to be issued \$7,000,000 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 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 \$7,000,000, and that the plan for the financing thereof is by the issuance of the \$7,000,000 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 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 Blind Brook, Port Chester, Mamaroneck Valley And New Rochelle Sanitary Sewer Districts, as allocated by the County, 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, 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, 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 and Administrative Officer of the County 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: \_\_\_\_\_, 2020

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 \_\_\_\_\_, 2020, 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, [please check one below]

\_\_\_\_\_ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

\_\_\_\_\_ (2) due to the COVID-19 pandemic, said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Executive Order 202.1, as amended.

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 \_\_\_\_\_, 2020.

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

(CORPORATE  
SEAL)

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> SLI04	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-04-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> MAMARONECK WRRF BNR MEDIA AND AERATION EQUIPMENT REPLACEMENT	<b>Legislative District ID:</b> 3, 11, 10, 7, 6, 5,
<b>Category*</b> SEWER AND WATER DISTRICTS	<b>Department:*</b> ENVIRONMENTAL FACILITIES	<b>CP Unique ID:</b> 1573

**Overall Project Description**

This project will fund the replacement of the Biological Nitrogen Removal (BNR) and Integrated Fixed-Film Activated Sludge (IFAS) media, process blowers, and mixers in the aeration tanks and related work.

- |   |  |  |
|---|--|--|
| <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 checked="" type="checkbox"/> Other(CONSENT ORDER) |  |

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	20,500	0	7,000	13,500	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	20,500	0	7,000	13,500	0	0	0	0

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

**Current Bond Description:** This request will fund the staged purchase of integrated fixed film activated sludge (IFAS) media for all 6 aeration tanks and the installation of the media in Tank Nos. 2 and 5, including modifications to the tank walls and sieves in Tank Nos. 2 and 5 in order to prevent damage to the media.

**Financing Plan for Current Request:**

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

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
7,000,000

**Comments:**

This equipment is vital to removing biological nitrogen from the Long Island Sound, which the Department is required to do under Consent Order CO -20080730-65.

**Energy Efficiencies:**

**Total Financing History:**  
0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
10-01-2020

**Department of Public Works**  
RJB4

**Date**  
10-02-2020

**Budget Department**  
GKGA

**Date**  
10-05-2020

**Requesting Department**  
CJGA

**Date**  
10-05-2020

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 2020 and approved by the County Executive on \_\_\_\_\_, 2020 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 and Administrative Officer 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. \_\_\_\_\_-2020

A BOND ACT AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF THE ACQUISITION AND INSTALLATION OF INTEGRATED FIXED FILM ACTIVATED SLUDGE MEDIA FOR AERATION TANKS, AND RELATED WORK, AT THE MAMARONECK WASTEWATER TREATMENT PLANT FOR THE BENEFIT OF THE BLIND BROOK, PORT CHESTER, MAMARONECK VALLEY AND NEW ROCHELLE SANITARY SEWER DISTRICTS.

Class of objects or purposes: the acquisition and installation of integrated fixed film activated sludge (IFAS) media for aeration tanks, and related work, for biological nitrogen removal at the Mamaroneck Wastewater Treatment Plant

period of probable usefulness: thirty years

amount of obligations to be issued: \$7,000,000

Dated: \_\_\_\_\_, 2020  
White Plains, New York

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

## MAMARONECK WRRF BNR MEDIA AND AERATION EQUIPMENT REPLACEMENT ( SLI04 )

**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	2021	2022	2023	2024	2025	Under Review
Gross	20,500			7,000	13,500				
Non County Share									
<b>Total</b>	<b>20,500</b>			<b>7,000</b>	<b>13,500</b>				

### **Project Description**

This project will fund the replacement of the Biological Nitrogen Removal (BNR) and Integrated Fixed-Film Activated Sludge (IFAS) media, process blowers, and mixers in the aeration tanks and related work.

### **Current Year Description**

The current request funds construction.

### **Current Year Financing Plan**

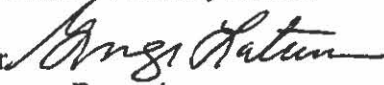
Year	Bonds	Cash	Non County Shares	Total
2021	7,000,000			7,000,000

### **Impact on Operating Budget**

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

November 6, 2020

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – SY085 –  
Sewer System Rehab., Yonkers Jt. Plant Districts.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 9, 2020 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 \$1,367,000 to finance the following capital project: SY085.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 9, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.





George Latimer  
County Executive

November 6, 2020

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 \$1,367,000 to finance the following capital project:

SY085 – Sewer System Rehabilitation – Yonkers Jt. Plant Districts ("SY085").

The Bond Act, in the amount of \$1,367,000 would finance the cost of additional relining of various County-owned sewer lines, including investigation, cleaning, repair and root removal incidental thereto, in furtherance of the Capacity, Management, Operation and Maintenance ("CMOM") program, and including incidental expenses in connection therewith.

The Department of Environmental Facilities ("Department") has advised that this request is necessary to replace the Bond Act 79-2010 authorization, which has expired. The Department has further advised that the CMOM program is required by State and Federal regulations to prevent sewage discharges into the environment.

The Department has advised that the design for this component of SY085 was completed by consultants and the Department is ready to go out for bid, subject to approval of financing by your Honorable Board. It is estimated that construction will take twelve 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 bonds to finance prior components of SY085 as indicated in the annexed fact sheet.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Sincerely,

George Latimer  
County Executive

Office of the County Executive  
Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

Telephone: (914) 995-2900 E-mail: [ceo@westchestergov.com](mailto:ceo@westchestergov.com)

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$1,367,000 to finance capital project SY085 – Sewer System Rehabilitation – Yonkers Jt. Plant Districts (“SY085”). The Bond Act, which was prepared by the law firm Norton Rose Fulbright, LLP, will finance the cost of additional relining of various County-owned sewer lines, including investigation, cleaning, repair and root removal incidental thereto, in furtherance of the Capacity, Management, Operation and Maintenance (“CMOM”) program, and including incidental expenses in connection therewith.

The Department of Environmental Facilities (“Department”) has advised that this request is necessary to replace the Bond Act 79-2010 authorization, which has expired. The Department has further advised that the CMOM program is required by State and Federal regulations to prevent sewage discharges into the environment.

The Department has advised that the design for this component of SY085 was completed by consultants and the Department is ready to go out for bid, subject to approval of financing by your Honorable Board. It is estimated that construction will take twelve 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 bonds to finance prior components of SY085 as indicated in the annexed fact sheet.

The Planning Department 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 SEQR documentation and concurs with this conclusion.

It should be noted that your Honorable Board has previously authorized bonds to finance prior components of SY085 as indicated in the annexed fact sheet.

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 #: SY085

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    \$                    1,367,000            PPU    15            Anticipated Interest Rate    1.04%

Anticipated Annual Cost (Principal and Interest):                    \$    99,255

Total Debt Service (Annual Cost x Term):                    \$    1,488,825

Finance Department:            Interest rates from October 27, 2020 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

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by:                    CJ Gelardo, P.E.

Title:                    Capital Program Coordinator

Department:                    Environmental Facilities


Date:                    11/4/20

Reviewed By: 

Budget Director

Date: 11/4/20

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: September 25, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SY085 Sewer System Rehabilitation – Yonkers JT. Plant Districts**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-11-2020 (Unique ID: 1488)

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

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

**COMMENTS:** None

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. \_\_\_\_\_ - 2020

BOND ACT DATED \_\_\_\_\_, 2020.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,367,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY ADDITIONAL COSTS OF THE RELINING OF VARIOUS COUNTY-OWNED SEWER LINES FOR THE JOINT 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 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 other 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, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For the class of objects or purposes of paying additional costs of the relining of various County-owned sewer lines, including investigation, cleaning, repair and root removal incidental thereto, in furtherance of the Capacity, Management, Operation and Maintenance Program, and including incidental expenses in connection therewith, in and for the County, there are hereby authorized to be issued \$1,367,000 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 Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$1,367,000, and that the plan for the financing thereof is by the issuance of the \$1,367,000 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 fifteen 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 his or her 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.

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(b)(1) 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: \_\_\_\_\_, 2020

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 \_\_\_\_\_, 2020, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be 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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clerk and Administrative Officer 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 \_\_\_\_\_, 2020 and approved by the County Executive on \_\_\_\_\_, 2020 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. \_\_\_\_\_-2020

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,367,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY ADDITIONAL COSTS OF THE RELINING OF VARIOUS COUNTY-OWNED SEWER LINES FOR THE JOINT 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 SAID COUNTY.

class of objects or purposes:                    financing additional costs of the relining of various County-owned sewer lines, including investigation, cleaning, repair and root removal incidental thereto, in furtherance of the Capacity, Management, Operation and Maintenance Program, including incidental expenses therewith, for the joint benefit of the County's South Yonkers, Bronx Valley, Central Yonkers, Hutchinson Valley, North Yonkers, Saw Mill And Upper Bronx Sanitary Sewer Districts

period of probable usefulness:                fifteen years

amount of obligations to be issued:        \$1,367,000

Dated: \_\_\_\_\_, 2020  
White Plains, New York

\_\_\_\_\_  
Clerk and Administrative Officer of the County Board of Legislators of the County of Westchester, New York

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SY085

CBA

**Fact Sheet Date:\***  
08-31-2020

**Fact Sheet Year:\***  
2020

**Project Title:\***  
SEWER SYSTEM REHABILITATION -  
YONKERS JT. PLANT DISTRICTS

**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:**  
1488

**Overall Project Description**

This project will fund rehabilitation of county sanitary sewer lines and manholes as identified in the Sanitary Sewer Evaluation Survey.

- |  |  |  |
|--|--|--|
| <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	2020	2021	2022	2023	2024	Under Review
<b>Gross</b>	31,300	31,300	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	31,300	31,300	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 18,928

**Current Bond Description:** Additional construction funding for sewer repair work under the federally required Capacity, Management, Operation, and Maintenance program (CMOM). Work may include, inspection, relining, replacement, and root removal of County sewers and manholes in the Yonkers Joint Sewer Districts.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	1,367,000
Cash:	<u>0</u>
<b>Total:</b>	<b>\$ 1,367,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
1,367,000

**Comments:**

**Energy Efficiencies:**  
NONE



**Appropriation History:**

Year	Amount	Description
1995	4,100,000	COUNTY-OWNED SEWERS - NEPPERHAN AVE
1996	5,000,000	SAW MILL MANHOLD AND LINE REPAIR; BRIARCLIFF TRUNK SEWER REPAIRS; SAW MILL TRUNK AND WEST LAKE SEWER REPAIRS
2007	3,450,000	REPAIR OF TRUNK LINE AT GREYSTONE PROPERTY
2010	6,250,000	REHABILITATION OF THE NORTH YONKERS & HUTCHINSON VALLEY TRUNK LINES, CMOM PHASE I & II AND THE ROBERTS AVENUE REGULATOR;
2012	5,000,000	CONSTRUCTION OF EROSION STABILIZATION LOCATIONS, PHASE I & II OF CMOM DEFICIENCIES AND HUTCHINSON VALLEY TRUNK REPAIRS
2013	3,500,000	ADDITIONAL REPAIRS AND REHAB
2014	4,000,000	ADDITIONAL FUNDING FOR CONSTRUCTION

**Total Appropriation History:**

31,300,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
03	9	2,000,000	2,000,000	SEWER REHAB - YONKERS JOINT
04	193	2,000,000	2,000,000	REHAB. SAW MILL SANITARY SEWER DISTRICT
07	124	3,450,000	1,653,344	REHAB. SEWER LINES IN NO. YONKERS SSD
10	78	1,250,000	1,250,000	DESIGN/CONSTR MGT. -EMERG. REPAIR PORTION OF NO. YONKERS TRUNK SEWER
10	79	2,550,000	0	DESIGN/CONSTR MGT. -PERM. SLOPE STABILIZ'N NO. YONKERS TRUNK SEWER
14	10	500,000	500,000	RECONSTRUCTION OF COUNTY-OWNED SANITARY SEWER LINES AND MANHOLES
16	67	6,800,000	0	SS EVAL SURVEY & CAPACITY ASSURANCE,MGT, OPERATION, REHAB WORK SAW MILL VALLEY
19	222	2,500,000	0	RELINING OF VARIOUS CITY-OWNED SEWER LINES - YONKERS JOINT TREATMENT PLANT
94	85	350,000	350,000	SAW MILL SEWER TRUNK EXTENSION(YJTP)
94	84	150,000	150,000	NEPPERHAN SEWER LN - YONKERS(DESIGN)
94	29	0	0	NEPPERHAN AVE SEWER LINE(DESIGN)
95	189	3,300,000	3,300,000	YONKERS JOINT-DESIGN&CONSTRUCT/REHAB SEWER LINES

**Total Financing History:**

24,850,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-11-2020

**Department of Public Works**  
RJB4

**Date**  
09-15-2020

**Budget Department**  
GKGA

**Date**  
09-18-2020

**Requesting Department**  
CJGA

**Date**  
09-18-2020

## SEWER SYSTEM REHABILITATION - YONKERS JT. PLANT DISTRICTS ( SY085 )

**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	2020	2021	2022	2023	2024	Under Review
Gross	31,300	31,300	18,928						
Non County Share			(985)						
<b>Total</b>	<b>31,300</b>	<b>31,300</b>	<b>17,943</b>						

### Project Description

This project will fund rehabilitation of county sanitary sewer lines and manholes as identified in the Sanitary Sewer Evaluation Survey.

### 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, as well as, the appropriation of Cash to Capital.

### Appropriation History

Year	Amount	Description	Status
1995	4,100,000	County-owned sewers - Nepperhan Ave	COMPLETE
1996	5,000,000	Saw Mill manhold and line repair; Briarcliff Trunk sewer repairs; Saw Mill Trunk and West Lake Sewer repairs	COMPLETE
2007	3,450,000	Repair of trunk line at Greystone Property	IN PROGRESS
2010	6,250,000	Rehabilitation of the North Yonkers & Hutchinson Valley Trunk lines, CMOM Phase I & II and the Roberts Avenue Regulator;	\$2,550,000 - DESIGN; \$1,250,000 - emergency repair - COMPLETE; \$500,000 - additional work at Greystone - COMPLETE; \$1,950,000 - AWAITING BOND AUTHORIZATION
2012	5,000,000	Construction of Erosion Stabilization Locations, Phase I & II of CMOM Deficiencies and Hutchinson Valley Trunk Repairs	Stabilization - DESIGN; Phase I and II CMOM, Hutchinson Valley Trunk repairs and Roberts Ave Regulator - CONSTRUCTION
2013	3,500,000	Additional repairs and rehab	\$1,800,000 - CONSTRUCTION; \$1,700,000 - AWAITING BOND AUTHORIZATION.
2014	4,000,000	Additional funding for construction	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>31,300,000</b>		

**SEWER SYSTEM REHABILITATION - YONKERS JT. PLANT DISTRICTS  
( SY085 )**

**Prior Appropriations**

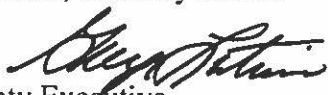
	Appropriated	Collected	Uncollected
Bond Proceeds	30,000,000	11,176,026	18,823,974
Funds Revenue	1,300,000	1,300,000	
Others		985,013	(985,013)
<b>Total</b>	<b>31,300,000</b>	<b>13,461,039</b>	<b>17,838,961</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
29 94				
85 94	350,000	11/15/97	350,000	
84 94	150,000	11/15/97	150,000	
189 95	3,300,000	03/02/00		
		03/08/01	3,300,000	
9 03	2,000,000	07/22/04	1,986,080	
		12/02/10	13,920	
		12/02/10	(13,920)	
		11/30/11	13,691	
		11/30/11	229	
193 04	2,000,000	04/25/07		
		11/15/07	2,000,000	
124 07	3,450,000	11/30/11	1,080,980	1,796,656
		11/30/11	19,020	
		10/24/12	279,356	
		10/24/12	9,644	
		10/24/12	2,578	
		12/10/13	223,381	
		12/10/13	37,619	
		12/10/13	766	
78 10	1,250,000	12/02/10	1,250,000	
		12/02/10	(1,250,000)	
		11/30/11	1,229,478	
		11/30/11	20,522	
79 10	2,550,000			2,550,000
10 14	500,000	11/19/15	461,780	
		11/19/15	37,220	
		11/19/15	1,000	
67 16	6,800,000			6,800,000
222 19	2,500,000			2,500,000
<b>Total</b>	<b>24,850,000</b>		<b>11,203,344</b>	<b>13,646,656</b>

October 19, 2020

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Superseding Bond Act  
for 2 Capital Projects – Sewer Rehabilitation.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 19, 2020 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 total aggregate amount of \$34,200,000 for two capital projects.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 19, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

October 9, 2020

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 superseding Bond Act (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to: 1) issue additional bonds to finance two (2) capital projects for 2021 as set forth in the table below; and 2) consolidate the total amount authorized for both projects into a single total aggregate bonding amount of \$34,200,000.

Capital Project	Original Bond Act No.	Original Amount Authorized for Planning	Amount of Bonds Sold	Additional Amount Requested for Construction	New Total Amount
SPC03 Port Chester Waste Water Treatment Plant Electrical System Upgrade (1469)	68-2014	\$2,150,000	\$0	\$19,750,000	\$21,900,000
SPC09 Port Chester Waste Water Treatment Plant HVAC Systems Upgrade (1472)	91-2014	\$2,300,000	\$0	\$10,000,000	\$12,300,000
<b>Total</b>		\$4,450,000		\$29,750,000	\$34,200,000

The Bond Act, in the total aggregate amount of \$34,200,000, will fund the cost of design, construction and construction management associated with the replacement and upgrade of the electrical systems at the Port Chester Waste Water Treatment Plant, including but not be limited to, replacement of switch gears, panel boards, motor control centers, emergency generators and any other related ancillary equipment. The Bond Act will also fund the cost of design, construction and construction management associated with the replacement of heating, ventilation and air conditioning (HVAC) equipment at the Plant, as well as the odor control system, and all associated ancillary systems.

The Department of Environmental Facilities (the "Department") has advised that most of the electrical equipment at the plant was installed during the plant expansion project in 1987. Because the expected life span of most electrical distribution equipment is 20 to 30 years, the majority of the electrical equipment is now reaching the end of its useful life and must be replaced and upgraded. The Department has further advised that the HVAC equipment and odor control systems at the Plant are also reaching the end of their useful life. A prior study identified that some HVAC units (supply and exhaust fans, heating coils and pneumatic controls) are inoperable, while others are irreparable and obsolete. The Department recommends that this equipment be replaced to provide for a more energy efficient, reliable and maintenance-free operation. It should be noted that both projects will be bid together as one construction contract.

Design is currently underway using consultants and is expected to be completed in the 1<sup>st</sup> quarter of 2021. Construction is estimated to take 36 months and shall begin after award and execution of the construction contracts.

It should be noted that in a departure from the County's past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2021 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2021. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Sincerely,



George Latimer  
County Executive

GL/VK/CJG/jpg

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

Your Committee is in receipt of a superseding bond act (the “Bond Act”) which, if approved by your Honorable Board, would authorize the County of Westchester (“County”) to:

1) issue additional bonds to finance two (2) capital projects for 2021 as set forth in the table below; and 2) consolidate the total amount authorized for both projects into a single total aggregate bonding amount of \$34,200,000.

<b>Capital Project</b>	<b>Original Bond Act No.</b>	<b>Original Amount Authorized for Planning</b>	<b>Amount of Bonds Sold</b>	<b>Additional Amount Requested for Construction</b>	<b>New Total Amount</b>
SPC03 Port Chester Waste Water Treatment Plant Electrical System Upgrade (1469)	68-2014	\$2,150,000	\$0	\$19,750,000	\$21,900,000
SPC09 Port Chester Waste Water Treatment Plant HVAC Systems Upgrade (1472)	91-2014	\$2,300,000	\$0	\$10,000,000	\$12,300,000
<b>Total</b>		<b>\$4,450,000</b>		<b>\$29,750,000</b>	<b>\$34,200,000</b>

Your Committee is advised that the Bond Act, in the total aggregate amount of \$34,200,000, prepared by the law firm of Norton Rose Fulbright, will fund the cost of design, construction and construction management associated with the replacement and upgrade of the electrical systems at the Port Chester Waste Water Treatment Plant, including but not be limited to, replacement of switch gears, panel boards, motor control centers, emergency generators and any other related ancillary equipment. The Bond Act will also fund the cost of design, construction and construction management associated with the replacement of heating, ventilation and air conditioning (HVAC) equipment at the Plant, as well as the odor control system, and all associated ancillary systems.

The Department of Environmental Facilities (the “Department”) has advised your Committee that most of the electrical equipment at the plant was installed during the plant



expansion project in 1987. Because the expected life span of most electrical distribution equipment is 20 to 30 years, the majority of the equipment is now reaching the end of its useful life and must be replaced and upgraded. The Department has further advised that the HVAC equipment and odor control systems at the Plant are also reaching the end of their useful life. A prior study identified that some HVAC units (supply and exhaust fans, heating coils and pneumatic controls) are inoperable, while others are irreparable and obsolete. The Department recommends that this equipment be replaced to provide for a more energy efficient, reliable and maintenance-free operation. Your Committee notes that both projects will be bid together as one construction contract.

Your Committee is advised that design is currently underway using consultants and is expected to be completed in the 1<sup>st</sup> quarter of 2021. Construction is estimated to take 36 months and shall begin after award and execution of the construction contracts. It is anticipated that the work will be completed using consultants.

Your Committee is advised that in a departure from the County's past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2021 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2021.

Your Committee is further advised that that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department 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 SEQR documentation and concurs with this conclusion.

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: \_\_\_\_\_, 2020  
White Plains, New York

**COMMITTEE ON**

k/jpg/10/01/2020

# FISCAL IMPACT STATEMENT

**PROJECT CLASS:** Sewer Rehab - LFL 4  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

Capital IDs: SPC03; SPC09

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

**Total Principal**    \$            34,200,000      **PPU**    30      **Anticipated Interest Rate**    1.56%

**Anticipated Annual Cost (Principal and Interest):**            \$    1,427,740

**Total Debt Service (Annual Cost x Term):**                        \$    42,832,200

**Finance Department:**      Interest rates from October 7, 2020 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:**                        371

## SECTION E - EXPECTED DESIGN WORK PROVIDER

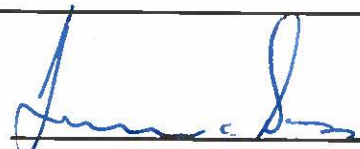
County Staff       Consultant       Not Applicable

**Prepared by:**            CJ Gelardo

**Title:**                    Capital Program Coordinator

**Department:**            Environmental Facilities


**Date:**                    10/13/20

**Reviewed By:** 

**Budget Director**

**Date:**                    10/14/20

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SPC03 Port Chester Waste Water Treatment Plant – Electrical System Upgrade**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-25-2020 (Unique ID: 1469)

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


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

**COMMENTS:** A separate request is being under capital project SPC09 (ID 1472) for additional work at the same facility. The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SPC09 Port Chester Waste Water Treatment Plant HVAC Systems Upgrade**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-25-2020 (Unique ID: 1472)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
  - **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:** A separate request is being under capital project SPC03 (ID 1469) for additional work at the same facility. The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. \_\_\_\_\_ - 2020

BOND ACT DATED \_\_\_\_\_, 2020.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AUTHORIZING THE ISSUANCE OF \$34,200,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT, AND CONSTRUCTION COSTS OF THE REPLACEMENT AND UPGRADING OF THE ELECTRICAL SYSTEM AND REPLACEMENT OF THE HEATING, VENTILATING AND AIR CONDITIONING SYSTEM AT THE PORT CHESTER WASTEWATER TREATMENT PLANT, FOR THE BENEFIT OF THE PORT CHESTER SANITARY SEWER DISTRICT, AND SUPERSEDING BOND ACTS NO. 68-2014 AND 91-2014.

WHEREAS, this Board has previously authorized the issuance of \$2,150,000 bonds to finance the design and construction management costs of the replacement and upgrading of the electrical system at the Port Chester Wastewater Treatment Plant, a class of objects or purposes, pursuant to Bond Act No. 68-2014;

WHEREAS, this Board has also previously authorized the issuance of \$2,300,000 bonds to finance the design and construction management costs of the replacement of heating, ventilating and air conditioning equipment at the Port Chester Wastewater Treatment Plant, a class of objects or purposes, pursuant to Bond Act No. 91-2014;

WHEREAS, no obligations have been issued under Bond Acts No. 68-2014 and 91-2014;

WHEREAS, it has now been determined that (i) it would be beneficial to combine the class of objects or purposes described in Bond Acts No. 68-2014 and 91-2014 and to include construction costs for the replacement and upgrading of the electrical system and replacement of the heating, ventilating and air conditioning system at the Port Chester Wastewater Treatment Plant, (ii) the period of probable usefulness of the class of objects or purposes described in Bond Act No. 68-2014 and 91-2014 should be increased to thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law, and (iii) the estimated maximum cost thereof should be increased to \$34,200,000;

WHEREAS, \$34,200,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes;

WHEREAS, the plan for the financing of the estimated maximum cost of such capital purpose, 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, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Port Chester Sanitary Sewer District, which are specially benefitted by said class of objects or purpose; and

WHEREAS, it is now desired to authorize the financing of such capital purpose; 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. There are hereby authorized to be issued \$34,200,000 bonds of the County of Westchester to finance the design, construction management and construction costs for the replacement and upgrading of the electrical system and replacement of the heating, ventilating and air conditioning system at the Port Chester Wastewater Treatment Plant, including incidental expenses in connection therewith, which is a class of objects or purposes, in and for the benefit of the Port Chester Sanitary Sewer District. 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 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 \$34,200,000, and that the plan for the financing thereof is by the

issuance of the \$34,200,000 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 County's Port Chester 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 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 his or her 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 specific object or purpose 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, 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 and Administrative Officer

of the County 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: \_\_\_\_\_, 2020

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

I, the undersigned Clerk and Administrative Officer of the County 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 \_\_\_\_\_, 2020, 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, [please check one below]

\_\_\_\_\_ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

\_\_\_\_\_ (2) due to the COVID-19 pandemic, said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Executive Order 202.1, as amended.

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 \_\_\_\_\_, 2020.

---

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

(CORPORATE  
SEAL)

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SPC03

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PORT CHESTER WASTE WATER  
TREATMENT PLANT - ELECTRICAL  
SYSTEM UPGRADE

**Legislative District ID:**  
6,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1469

**Overall Project Description**

This project will fund the replacement and upgrade of the plant electrical systems, including but not be limited to, replacement of switch gears, panelboards, motor control centers, emergency generators and any other related ancillary equipment reaching the end of its useful life.

- |  |   |  |
|--|---|--|
| <input 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	21,900	9,900	12,000	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	21,900	9,900	12,000	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 1,982

<b>Current Bond Description:</b> Construction funding for the replacement and upgrade of the plant electrical systems, including but not be limited to replacement of switch gears, panelboards, motor control centers, emergency generators and any other related ancillary equipment.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 0
Bonds/Notes:	19,750,000
Cash:	0
<b>Total:</b>	<b>\$ 19,750,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
19,750,000

**Comments:**

This project will be combined and split coded with the plant-wide HVAC Upgrade under capital project SPC09. Performing the design of both the Electrical and HVAC Upgrades together using one Consultant provides for better coordination and cost savings during construction.

**Energy Efficiencies:**

UPDATED ELECTRICAL EQUIPMENT WILL CONSUME LESS ENERGY.



**Appropriation History:**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2013	2,150,000	DESIGN AND CONSTRUCTION MANAGEMENT OF PLANT ELECTRICAL SYSTEM UPGRADES
2015	7,750,000	CONSTRUCTION

**Total Appropriation History:**

9,900,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
14	68	2,150,000	0	PORT CHESTER WWTP - ELECTRICAL SYSTEM UPGRADE

**Total Financing History:**

2,150,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

09-25-2020

**Department of Public Works**

RJB4

**Date**

09-27-2020

**Budget Department**

GKGA

**Date**

09-29-2020

**Requesting Department**

CJGA

**Date**

09-29-2020

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SPC09

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PORT CHESTER WASTE WATER  
TREATMENT PLANT HVAC  
SYSTEMS UPGRADE

**Legislative District ID:**  
6,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1472

**Overall Project Description**

This project will provide funding for the replacement of heating, ventilation, air conditioning equipment and all associated ancillary systems, equipment; odor control systems and all associated ancillary systems.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	12,400	12,400	0	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	12,400	12,400	0	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 1,578

**Current Bond Description:** Construction funding for the replacement of heating, ventilation and air conditioning (HVAC) equipment, as well as the odor control system, and all associated ancillary systems at the Port Chester WWTP.

**Financing Plan for Current Request:**

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

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
10,000,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2007	200,000	STUDY FOR REPLACEMENT OF HVAC EQUIPMENT
2014	2,200,000	DESIGN AND CONSTRUCTION MANAGEMENT
2020	10,000,000	CONSTRUCTION

**Total Appropriation History:**  
12,400,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
08	5	11,000	11,000	EVAL. STUDY FOR IMPROVEMENTS TO PT. CHESTER JTP
14	91	2,300,000	0	
14	90	89,000	0	

**Total Financing History:**

2,400,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-25-2020

**Department of Public Works**  
RJB4

**Date**  
09-27-2020

**Budget Department**  
GKGA

**Date**  
09-29-2020

**Requesting Department**  
CJGA

**Date**  
09-29-2020

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 2020 and approved by the County Executive on \_\_\_\_\_, 2020 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 and Administrative Officer of the County 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. \_\_\_\_\_-2020

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AUTHORIZING THE ISSUANCE OF \$34,200,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT, AND CONSTRUCTION COSTS OF THE REPLACEMENT AND UPGRADING OF THE ELECTRICAL SYSTEM AND REPLACEMENT OF THE HEATING, VENTILATING AND AIR CONDITIONING SYSTEM AT THE PORT CHESTER WASTEWATER TREATMENT PLANT, FOR THE BENEFIT OF THE PORT CHESTER SANITARY SEWER DISTRICT, AND SUPERSEDING BOND ACTS NO. 68-2014 AND 91-2014.

Class of objects or purposes: to pay the design, construction management and construction costs for the replacement and upgrading of the electrical system and replacement of the heating, ventilating and air conditioning system at the Port Chester Wastewater Treatment Plant, which is a class of objects or purposes, in and for the benefit of the Port Chester Sanitary Sewer District

period of probable usefulness: thirty years

amount of obligations to be issued: \$34,200,000

Dated: \_\_\_\_\_, 2020  
White Plains, New York

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

## PORT CHESTER WASTE WATER TREATMENT PLANT - ELECTRICAL SYSTEM UPGRADE ( SPC03 )

**User Department :** Environmental Facilities  
**Managing Department(s) :** Environmental Facilities ; Public Works ;  
**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	2021	2022	2023	2024	2025	Under Review
Gross	21,900	9,900	1,982	12,000					
Non County Share									
<b>Total</b>	<b>21,900</b>	<b>9,900</b>	<b>1,982</b>	<b>12,000</b>					

### Project Description

This project will fund the replacement and upgrade of the plant electrical system, and include replacement of electrical switch gear, panelboards, motor control centers, emergency generators and any other ancillary equipment reaching the end of its useful life.

### Current Year Description

The current request funds construction.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	12,000,000			12,000,000

### Impact on Operating Budget

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

### Appropriation History

Year	Amount	Description	Status
2013	2,150,000	Design and construction management of plant electrical system upgrades	DESIGN
2015	7,750,000	Construction	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>9,900,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,900,000		9,900,000
<b>Total</b>	<b>9,900,000</b>		<b>9,900,000</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
68 14	2,150,000			2,150,000
<b>Total</b>	<b>2,150,000</b>			<b>2,150,000</b>

## PORT CHESTER WASTE WATER TREATMENT PLANT HVAC SYSTEMS UPGRADE ( SPC09 )

**User Department :** Environmental Facilities  
**Managing Department(s) :** Environmental Facilities ; Public Works ;  
**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	2021	2022	2023	2024	2025	Under Review
Gross	12,400	12,400	1,578						
Non County Share									
<b>Total</b>	<b>12,400</b>	<b>12,400</b>	<b>1,578</b>						

### **Project Description**

This project will provide funding for the replacement of heating, ventilation, air conditioning equipment and all associated ancillary systems. equipment; odor control systems and all associated ancillary systems.

### **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
2007	200,000	Study for replacement of HVAC equipment	COMPLETE
2014	2,200,000	Design and construction management	DESIGN
2020	10,000,000	Construction	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>12,400,000</b>		

### **Prior Appropriations**

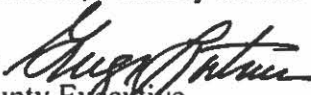
	Appropriated	Collected	Uncollected
Bond Proceeds	12,400,000	11,000	12,389,000
<b>Total</b>	<b>12,400,000</b>	<b>11,000</b>	<b>12,389,000</b>

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
5 08	11,000	12/02/10	11,000	
		12/02/10	(11,000)	
		11/30/11	10,819	
		11/30/11	181	
90 14	89,000			89,000
91 14	2,300,000			2,300,000
<b>Total</b>	<b>2,400,000</b>		<b>11,000</b>	<b>2,389,000</b>

October 19, 2020

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act for 5 Capital Projects – Sewer Design.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 19, 2020 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 total aggregate amount of \$5,800,000.00 for five capital projects.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 19, 2020 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

October 9, 2020

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 (the "Bond Act") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the total aggregate amount of \$5,800,000.00, to finance the following five (5) capital projects for 2021:

<b>Capital Project</b>	<b>Bonds to be Authorized</b>	<b>Pumping Station</b>	<b>District to be Assessed</b>
SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD ("SBV95")	\$1,500,000	Jackson Avenue	Bronx Valley Sanitary Sewer District
SM095 – Pumping Station Rehabilitation Program – Mamaroneck SSD ("SM095")	\$1,000,000	Saxon Woods	Mamaroneck Sanitary Sewer District
SNR95 – Pumping Station Rehabilitation Program – New Rochelle SSD ("SNR95")	\$800,000	Fifth Avenue	New Rochelle Sanitary Sewer District
SNY95 – Pumping Station Rehabilitation Program – North Yonkers SSD ("SNY95")	\$1,500,000	Alexander Street and Irvington	North Yonkers Sanitary Sewer District
SPK95 – Pumping Station Rehabilitation Program – Peekskill SSD ("SPK95")	\$1,000,000	Water Street	Peekskill Sanitary Sewer District

The Bond Act, in the total aggregate amount of \$5,800,000.00, would authorize the County to issue bonds to finance design and construction management associated with the rehabilitation of the above referenced pumping stations. Work will include, but shall not be limited to, the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs. In addition, Flood Hazard Mitigation will also be addressed at the Alexander Street, Jackson Avenue and Water Street Pumping Stations as

Office of the County Executive

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

Email: CE@westchestergov.com  
Telephone: (914)995-2900

westchestergov.com



recommended in a prior Vulnerability Assessment Study, including the installation of water tight hatches, raising vents, and sealing building penetrations.

It should be noted that in a departure from the County's past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2021 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2021. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department has advised that based on its review, the referenced capital projects have been classified as a "Type II" actions pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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

Sincerely,



George Latimer  
County Executive

GL/HG/RA/jpg

Reference SBV95, SM095, SNR95,  
SNY95, SPK95

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the “Bond Act”) in the total aggregate amount of \$5,800,000, to authorize the County of Westchester (the “County”) to finance the following five (5) capital projects for 2021:

<b>Capital Project</b>	<b>Bonds to be Authorized</b>	<b>Pumping Station</b>	<b>District to be Assessed</b>
SBV95 – Pumping Station Rehabilitation Program – Bronx Valley SSD (“SBV95”)	\$1,500,000	Jackson Avenue	Bronx Valley Sanitary Sewer District
SM095 – Pumping Station Rehabilitation Program – Mamaroneck SSD (“SM095”)	\$1,000,000	Saxon Woods	Mamaroneck Sanitary Sewer District
SNR95 – Pumping Station Rehabilitation Program – New Rochelle SSD (“SNR95”)	\$800,000	Fifth Avenue	New Rochelle Sanitary Sewer District
SNY95 – Pumping Station Rehabilitation Program – North Yonkers SSD (“SNY95”)	\$1,500,000	Alexander Street and Irvington	North Yonkers Sanitary Sewer District
SPK95 – Pumping Station Rehabilitation Program – Peekskill SSD (“SPK95”)	\$1,000,000	Water Street	Peekskill Sanitary Sewer District

Your Committee is advised that the Bond Act, prepared by the law firm of Norton Rose Fulbright, would authorize the County to issue bonds in the total aggregate amount of \$5,800,000, to finance design and construction management associated with the rehabilitation of the above referenced pumping stations. Work will include, but shall not be limited to, the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs. In addition, Flood Hazard Mitigation will also be addressed at the Alexander Street, Jackson Avenue and Water Street Pumping Stations as recommended in a prior Vulnerability Assessment Study, including the installation of water tight hatches, raising vents, and sealing building penetrations.

Your Committee is advised that in a departure from the County's past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2021 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2021. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department 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 SEQR documentation and concurs with this conclusion.

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: \_\_\_\_\_, 2020  
White Plains, New York

**COMMITTEE ON**

k/jpg/10-06-2020

# FISCAL IMPACT STATEMENT

**PROJECT CLASS:** Sewer Design - LFL 62  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

Capital IDs: SBV95; SM095; SNR95; SNY95; SPK95

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

**Total Principal**    \$            5,800,000      **PPU**    5      **Anticipated Interest Rate**    0.31%

**Anticipated Annual Cost (Principal and Interest):**            \$    1,172,493

**Total Debt Service (Annual Cost x Term):**                    \$    5,862,465

**Finance Department:**      Interest rates from October 7, 2020 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:**                    63

## SECTION E - EXPECTED DESIGN WORK PROVIDER

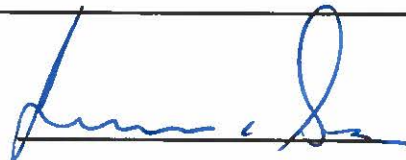
County Staff       Consultant       Not Applicable

**Prepared by:**            CJ Gelardo

**Title:**                    Capital Program Coordinator


**Department:**            Environmental Facilities

**Date:**                    10/13/20

**Reviewed By:**   
**Budget Director**

**Date:**                    10/14/20

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SBV95 Pumping Station Rehabilitation Program – Bronx Valley SSD**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-18-2020 (Unique ID: 1465)

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


- **617.5(c)(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:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SM095 Pumping Station Rehabilitation Program – Mamaroneck SSD**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-18-2020 (Unique ID: 1467)

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


- **617.5(c)(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:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SNR95 Pumping Station Rehabilitation Program – New Rochelle SSD**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-18-2020 (Unique ID: 1468)

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


- **617.5(c)(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:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SNY95 Pumping Station Rehabilitation Program – North Yonkers SSD**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-18-2020 (Unique ID: 1533)

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

- **617.5(c)(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:** None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner



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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SPK95 Pumping Station Rehabilitation Program – Peekskill SSD**

---

**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-18-2020 (Unique ID: 1508)

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

- **617.5(c)(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:** A separate request was made under capital project SPK20 in 2012 for additional work at the same facility. The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/dvw

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Director  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

REFERENCE SBV95, SM095, SNR95, SNY95, SPK95

ACT NO. \_\_\_\_\_ - 2020

BOND ACT DATED \_\_\_\_\_, 2020.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$5,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN THE BRONX VALLEY SANITARY SEWER DISTRICT (\$1,500,000), SAXON WOODS PUMPING STATION IN THE MAMARONECK SANITARY SEWER DISTRICT (\$1,000,000), FIFTH AVENUE PUMPING STATION IN THE NEW ROCHELLE SANITARY SEWER DISTRICT (\$800,000), ALEXANDER STREET AND IRVINGTON PUMPING STATIONS IN THE NORTH YONKERS SANITARY SEWER DISTRICT (\$1,500,000), AND WATER STREET PUMPING STATION IN THE PEEKSKILL SANITARY SEWER DISTRICT (\$1,000,000).

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, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For the specific objects or purposes of paying the design and construction management costs of the rehabilitation of the (i) Jackson Avenue Pumping Station in the Bronx Valley Sanitary Sewer District, (ii) Saxon Woods Pumping Station in the Mamaroneck Sanitary Sewer District, (iii) Fifth Avenue Pumping Station in the New Rochelle Sanitary Sewer District, (iv)

Alexander Street and Irvington Pumping Stations in the North Yonkers Sanitary Sewer District, and (v) Water Street Pumping Station in the Peekskill Sanitary Sewer District, each such specific object or purpose as described in Exhibit A constituting a "Project" herein, there are hereby authorized to be issued bonds of said County pursuant to the provisions of the Local Finance Law in the amounts described in Exhibit A for each respective Project. Bonds may not be issued to finance any Project in an amount that exceeds the amount specified in Exhibit A for such Project. To the extent that the details of the Projects set forth in this 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 each Project is as described in Exhibit A, and that the plan for the financing of each Project is by the issuance of 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 each Project 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 paid from the assessment of properties assessable for the respective

Project in the respective district described in Exhibit A, 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 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 Projects 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.

**EXHIBIT A**

**Bonds may not be issued to finance any Project in an amount that exceeds the amount specified below for such Project.**

<b>Project ID</b>	<b>Project Description</b>	<b>Estimated Maximum Cost and Bonds Authorized</b>	<b>District to be Assessed for such Project</b>
SBV95	Design and construction management for the rehabilitation of the Jackson Avenue Pumping Station, including the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems, and the installation of water tight flood doors, stop logs, and hatches, sealing building penetrations, raising the vents and blowers, and other flood hazard mitigation measures.	\$1,500,000	Bronx Valley Sanitary Sewer District
SM095	Design and construction management for the rehabilitation of the Saxon Woods Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems.	\$1,000,000	Mamaroneck Sanitary Sewer District
SNR95	Design and construction management for the rehabilitation of the Fifth Avenue Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems.	\$800,000	New Rochelle Sanitary Sewer District
SNY95	Design and Construction Management for the rehabilitation of the Alexander Street and Irvington Pumping Station, including the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems and the installation of water tight hatches, raising vents, sealing building penetrations and other flood hazard mitigation measures.	\$1,500,000	North Yonkers Sanitary Sewer District
SPK95	Design and construction management for the rehabilitation of the Water Street Pumping Station, including the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems and the installation of a flood wall around the electrical equipment, water tight flood doors, and stop logs, sealing building penetrations, enclosing the wet well, and other flood mitigation measures.	\$1,000,000	Peekskill Sanitary Sewer District



The foregoing Bond Act, including Exhibit A thereto, 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: \_\_\_\_\_, 2020

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 \_\_\_\_\_, 2020, 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, [please check one below]

\_\_\_\_\_ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, or

\_\_\_\_\_ (2) due to the COVID-19 pandemic, said meeting was held remotely by conference call, video conference, or other similar means in accordance with the requirements set forth in Executive Order 202.1, as amended.

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 \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clerk and Administrative Officer of the County Board of Legislators  
of the County of Westchester, New York

(CORPORATE  
SEAL)

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SBV95

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PUMPING STATION  
REHABILITATION PROGRAM -  
BRONX VALLEY SSD

**Legislative District ID:**  
8, 15, 13, 12, 10,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1465

**Overall Project Description**

This project will fund the rehabilitation and/or upgrade of sewage pumping stations.

- |  |   |  |
|--|---|--|
| <input 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	15,500	0	1,500	0	5,500	1,500	0	7,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	15,500	0	1,500	0	5,500	1,500	0	7,000

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

<b>Current Bond Description:</b> Design and Construction Management for the rehabilitation of the Jackson Avenue Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs. Flood Hazard Mitigation will also be addressed as recommended in a prior Vulnerability Assessment Study; this includes the installation of water tight flood doors, stop logs, and hatches; sealing building penetrations; and raising the vents and blowers.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 0
Bonds/Notes:	1,500,000
Cash:	0
<b>Total:</b>	<b>\$ 1,500,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
1,500,000

**Comments:**

**Energy Efficiencies:**

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

**Total Financing History:**  
0

**Recommended By:**

**Department of Planning**

WBB4

**Date**

09-18-2020

**Department of Public Works**

RJB4

**Date**

09-18-2020

**Budget Department**

GKGA

**Date**

09-21-2020

**Requesting Department**

CJGA

**Date**

09-21-2020

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SM095

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PUMPING STATION  
REHABILITATION PROGRAM -  
MAMARONECK SSD

**Legislative District ID:**  
3, 7, 6, 5,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1467

**Overall Project Description**

This project will fund the rehabilitation and/or upgrade of the following sewage pump stations: Fenimore Road, Weaver St, Saxon Woods, Glen Oaks, West Basin, Edgewater Point, East Basin, and Cove Rd.

- |  |   |  |
|--|---|--|
| <input 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	73.050	1,200	1,000	10,000	4,850	0	6,000	50,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	73.050	1,200	1,000	10,000	4,850	0	6,000	50,000

**Expended/Obligated Amount (in thousands) as of :** 12

**Current Bond Description:** Design and Construction Management for the rehabilitation of the Saxon Woods Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs.

**Financing Plan for Current Request:**

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

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
1,000,000

**Comments:**

**Energy Efficiencies:**

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

**Appropriation History:**

Year	Amount	Description
2017	1,200,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR FENIMORE RD AND WEAVER ST.

**Total Appropriation History:**  
1,200,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
17	115	1,200,000	0	DESIGN CONTRUCTION MANAGEMENT OF REHABILITATION FENIMORE RD AND WEAVER ST PUMPING

**Total Financing History:**

1,200,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-18-2020

**Department of Public Works**  
RJB4

**Date**  
09-18-2020

**Budget Department**  
GKGA

**Date**  
09-21-2020

**Requesting Department**  
CJGA

**Date**  
09-21-2020

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SNR95

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PUMPING STATION  
REHABILITATION PROGRAM - NEW  
ROCHELLE SSD

**Legislative District ID:**  
7, 11, 10,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1468

**Overall Project Description**

This project will fund the rehabilitation and/or upgrade of sewage pumping stations within the New Rochelle District.

- |  |   |  |
|--|---|--|
| <input 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	18,725	350	800	4,000	1,250	5,000	1,325	6,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	18,725	350	800	4,000	1,250	5,000	1,325	6,000

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

<b>Current Bond Description:</b> Design and Construction Management for the rehabilitation of the Fifth Avenue Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 0
Bonds/Notes:	800,000
Cash:	0
<b>Total:</b>	<b>\$ 800,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
800,000

**Comments:**

**Energy Efficiencies:**

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

**Appropriation History:**

Year	Amount	Description
2020	350,000	CONSTRUCTION FOR THE REPAIR OF ELECTRICAL FEEDER DUCTBANKS AT GLENN ISLAND PUMPING STATION

**Total Appropriation History:**  
350,000

**Total Financing History:**  
0



**Recommended By:**

**Department of Planning**

WBB4

**Date**

09-18-2020

**Department of Public Works**

RJB4

**Date**

09-18-2020

**Budget Department**

GKGA

**Date**

09-21-2020

**Requesting Department**

CJGA

**Date**

09-21-2020

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SNY95

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PUMPING STATION  
REHABILITATION PROGRAM -  
NORTH YONKERS SSD

**Legislative District ID:**  
8, 16, 15, 12,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1533

**Overall Project Description**

This project will fund the rehabilitation and/or upgrade of the following sewage pumping station(s): Hastings, Dobbs Ferry, Irvington and Alexander St.

- |  |   |  |
|--|---|--|
| <input 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	20,200	5,200	0	6,000	0	9,000	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	20,200	5,200	0	6,000	0	9,000	0	0

**Expended/Obligated Amount (in thousands) as of :** 1,285

**Current Bond Description:** Design and Construction Management for the rehabilitation of the Alexander Street and Irvington Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs. Flood Hazard Mitigation will also be addressed at the Alexander Street Pumping Station, as recommended in a prior Vulnerability Assessment Study, including the installation of water tight hatches; raising vents; and sealing building penetrations.

**Financing Plan for Current Request:**

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

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
1,500,000

**Comments:**

**Energy Efficiencies:**

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

**Appropriation History:**

Year	Amount	Description
2017	900,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR HASTINGS.
2018	800,000	DESIGN AND CONSTRUCTION MANAGEMENT FOR DOBBS FERRY.
2019	3,500,000	CONSTRUCTION AT HASTINGS PUMP STATION

**Total Appropriation History:**  
5,200,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
17	125	900,000		0 REHABILITATION OF HASTINGS PUMPING STATION
19	221	800,000		0 DESIGN AND CONSTRUCTION - DOBBS FERRY PUMPING STATION IN NORTH YONKERS SANITARY SEWER DISTRICT

**Total Financing History:**  
1,700,000

**Recommended By:**

**Department of Planning** **Date**  
WBB4 09-18-2020

**Department of Public Works** **Date**  
RJB4 09-18-2020

**Budget Department** **Date**  
GKGA 09-21-2020

**Requesting Department** **Date**  
CJGA 09-21-2020

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
SPK95

CBA

**Fact Sheet Date:\***  
01-04-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
PUMPING STATION  
REHABILITATION PROGRAM -  
PEEKSKILL SSD

**Legislative District ID:**  
1, 9, 4,

**Category\***  
SEWER AND WATER DISTRICTS

**Department:\***  
ENVIRONMENTAL FACILITIES

**CP Unique ID:**  
1508

**Overall Project Description**

This project will fund the rehabilitation and/or upgrading of the following sewage pumping stations: Water Street and Mill Street.

- |  |  |  |
|--|--|--|
| <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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	11,000	0	1,000	4,000	0	0	0	6,000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	11,000	0	1,000	4,000	0	0	0	6,000

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

**Current Bond Description:** Design and Construction Management for the rehabilitation of the Water Street Pumping Station. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator (if present), control panels, floors, walls, windows, and roofs. Flood Hazard Mitigation will also be addressed as recommended in a prior Vulnerability Assessment Study, including the installation of a flood wall around the electrical equipment, water tight flood doors, and stop logs; sealing building penetrations; and enclosing the wet well.

**Financing Plan for Current Request:**

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

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,000,000

**Comments:**

This project will be combined and split coded with SPK20 to rehabilitate the force main at the same time as the pumping station.

**Energy Efficiencies:**

UPDATED EQUIPMENT AND LIGHTING WILL CONSUME LESS ENERGY.

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-18-2020

**Department of Public Works**  
RJB4

**Date**  
09-18-2020

**Budget Department**  
GKGA

**Date**  
09-21-2020

**Requesting Department**  
CJGA

**Date**  
09-21-2020

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 2020 and approved by the County Executive on \_\_\_\_\_, 2020 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 and Administrative Officer 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. \_\_\_\_\_-2020

A BOND ACT AUTHORIZING THE ISSUANCE OF \$5,800,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS OF THE REHABILITATION OF THE JACKSON AVENUE PUMPING STATION IN THE BRONX VALLEY SANITARY SEWER DISTRICT (\$1,500,000), SAXON WOODS PUMPING STATION IN THE MAMARONECK SANITARY SEWER DISTRICT (\$1,000,000), FIFTH AVENUE PUMPING STATION IN THE NEW ROCHELLE SANITARY SEWER DISTRICT (\$800,000), ALEXANDER STREET AND IRVINGTON PUMPING STATIONS IN THE NORTH YONKERS SANITARY SEWER DISTRICT (\$1,500,000), AND WATER STREET PUMPING STATION IN THE PEEKSKILL SANITARY SEWER DISTRICT (\$1,000,000).

object or purpose: financing design and construction management costs of the rehabilitation of various pumping stations in various County Sanitary Sewer Districts

period of probable usefulness: five (5) years

amount of obligations to be issued: \$5,800,000, for the benefit of:  
Bronx Valley Sanitary Sewer District (\$1,500,000),  
Mamaroneck Sanitary Sewer District (\$1,000,000),  
New Rochelle Sanitary Sewer District (\$800,000),  
North Yonkers Sanitary Sewer District (\$1,500,000),  
Peekskill Sanitary Sewer District (\$1,000,000)

Dated: \_\_\_\_\_, 2020  
White Plains, New York

\_\_\_\_\_  
Clerk and Administrative Officer of the County Board of  
Legislators of the County of Westchester, New York

## PUMPING STATION REHABILITATION PROGRAM - BRONX VALLEY SSD ( SBV95 )

**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.

<b>FIVE YEAR CAPITAL PROGRAM (In thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	15,500			1,500		5,500	1,500		7,000
Non County Share									
<b>Total</b>	<b>15,500</b>			<b>1,500</b>		<b>5,500</b>	<b>1,500</b>		<b>7,000</b>

**Project Description**

This project will fund the rehabilitation and/or upgrade of sewage pumping stations.

**Current Year Description**

The current request funds design and construction management for Jackson Avenue.

<b>Current Year Financing Plan</b>				
Year	Bonds	Cash	Non County Shares	Total
2021	1,500,000			1,500,000

**Impact on Operating Budget**

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

## PUMPING STATION REHABILITATION PROGRAM - MAMARONECK SSD ( SM095 )

**User Department :** Environmental Facilities

**Managing Department(s) :** Environmental Facilities ;

**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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	<b>73,050</b>	<b>1,200</b>	<b>861</b>	<b>1,000</b>	<b>10,000</b>	<b>4,850</b>		<b>6,000</b>	<b>50,000</b>
<b>Non County Share</b>									
<b>Total</b>	<b>73,050</b>	<b>1,200</b>	<b>861</b>	<b>1,000</b>	<b>10,000</b>	<b>4,850</b>		<b>6,000</b>	<b>50,000</b>

### **Project Description**

This project will fund the rehabilitation and/or upgrade of the following sewage pump stations: Fenimore Road, Weaver St, Saxon Woods, Glen Oaks, West Basin, Edgewater Point, East Basin, and Cove Rd.

### **Current Year Description**

The current request funds design and construction management for Saxon Woods.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	1,000,000			1,000,000

### **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
2017	1,200,000	Design and construction management for Fenimore Rd and Weaver St.	DESIGN
<b>Total</b>	<b>1,200,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
<b>Bond Proceeds</b>	<b>1,200,000</b>		<b>1,200,000</b>
<b>Total</b>	<b>1,200,000</b>		<b>1,200,000</b>

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
115 17	1,200,000			1,200,000
<b>Total</b>	<b>1,200,000</b>			<b>1,200,000</b>



## PUMPING STATION REHABILITATION PROGRAM - NEW ROCHELLE SSD ( SNR95 )

**User Department :** Environmental Facilities

**Managing Department(s) :** Environmental Facilities ;

**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	2021	2022	2023	2024	2025	Under Review
Gross	18,725	350		800	4,000	1,250	5,000	1,325	6,000
Non County Share									
<b>Total</b>	<b>18,725</b>	<b>350</b>		<b>800</b>	<b>4,000</b>	<b>1,250</b>	<b>5,000</b>	<b>1,325</b>	<b>6,000</b>

### **Project Description**

This project will fund the rehabilitation and/or upgrade of sewage pumping stations within the New Rochelle District.

### **Current Year Description**

The current request funds design and construction management for the Fifth Avenue Station.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	800,000			800,000

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2020	350,000	Construction for the repair of electrical feeder ductbanks at Glenn Island Pumping Station	CONSTRUCTION
<b>Total</b>	<b>350,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	350,000		350,000
<b>Total</b>	<b>350,000</b>		<b>350,000</b>

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
99 20	350,000			350,000
<b>Total</b>	<b>350,000</b>			<b>350,000</b>

## PUMPING STATION REHABILITATION PROGRAM - NORTH YONKERS SSD ( SNY95 )

**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	2021	2022	2023	2024	2025	Under Review
Gross	20,200	5,200	1,285		6,000		9,000		
Non County Share									
<b>Total</b>	<b>20,200</b>	<b>5,200</b>	<b>1,285</b>		<b>6,000</b>		<b>9,000</b>		

### **Project Description**

This project will fund the rehabilitation and/or upgrade of the following sewage pumping station(s): Hastings, Dobbs Ferry, Irvington and Alexander St.

### **Current Year Description**

There is no current year request.

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2017	900,000	Design and construction management for Hastings.	DESIGN
2018	800,000	Design and construction management for Dobbs Ferry.	DESIGN
2019	3,500,000	Design- Alexander St and Irvington.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>5,200,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	5,200,000		5,200,000
<b>Total</b>	<b>5,200,000</b>		<b>5,200,000</b>

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
125 17	900,000			900,000
221 19	800,000			800,000
<b>Total</b>	<b>1,700,000</b>			<b>1,700,000</b>

**PUMPING STATION REHABILITATION PROGRAM - PEEKSKILL SSD  
( SPK95 )**

**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.

<b>FIVE YEAR CAPITAL PROGRAM (in thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	11,000			1,000	4,000				6,000
Non County Share									
<b>Total</b>	<b>11,000</b>			<b>1,000</b>	<b>4,000</b>				<b>6,000</b>

**Project Description**

This project will fund the rehabilitation and/or upgrading of the following sewage pumping stations: Water Street and Mill Street.

**Current Year Description**

The current request funds design and construction management for the Water Street station.

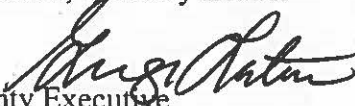
<b>Current Year Financing Plan</b>				
Year	Bonds	Cash	Non County Shares	Total
2021	1,000,000			1,000,000

**Impact on Operating Budget**

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

November 23, 2020

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **CBA & Bond Act – A042C – Storm Water Management Program.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators November 23, 2020 Agenda.

Transmitted herewith for your review and approval is an Act to amend the County of Westchester's (the "County") 2020 Capital Budget (the "Capital Budget Amendment") as well as a related bond act (the "Bond Act") in connection with the following capital project: A042C.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for November 23, 2020 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

November 13, 2020

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act to amend the County of Westchester's (the "County") 2020 Capital Budget (the "Capital Budget Amendment") as well as a related bond act (the "Bond Act") in connection with the following capital project:

A042C – Storm Water Management Program ("A042C").

The proposed Capital Budget Amendment will amend the County's 2020 Capital Budget to increase the County share for this project by \$3,750,000.

The Bond Act, in the amount of \$3,750,000, would finance the cost of construction and construction management associated with the Outfall No. 7 Storm Drain Replacement project at the Westchester County Airport (the "Airport").

The Department of Public Works and Transportation ("Department") has advised that this project is required by a New York State Department of Environmental Conservation Order on Consent for water quality violations at the Airport. The Order on Consent requires that the above-specified work must be completed by March 26, 2021.

Design for this project has been completed using outside consultants. It is estimated that construction will take three (3) months to complete and will begin after award and execution of the construction contracts.

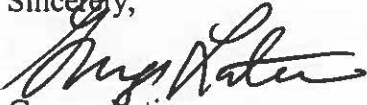
It should be noted that your Honorable Board has previously authorized the County to issue bonds for a prior separate component of this capital project as follows: Bond Act No. 49-2020 in the amount of \$1,000,000, which financed the cost of design of new forebays at Basins A & B, the relocation of inlet piping and the dredging of Basin A at the Airport. These bonds have not been sold.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board Report is herewith attached.

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

Sincerely,



George Latimer  
County Executive

GL/HJG/JA/jpg

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an Act to amend the County of Westchester's (the "County") 2020 Capital Budget (the "Capital Budget Amendment"), as well as a related bond act (the "Bond Act") in the amount of \$3,750,000, to finance a component of capital project A042C – Storm Water Management Program ("A042C").

Your Committee is advised that the Capital Budget Amendment will amend the County's 2020 Capital Budget to increase the County share for this project by \$3,750,000.

Your Committee is advised that the related Bond Act, prepared by the law firm of Harris Beach, PLLC, would finance the cost of construction and construction management associated with the Outfall No. 7 Storm Drain Replacement project at the Westchester County Airport (the "Airport").

The Department of Public Works and Transportation ("Department") has advised that this project is required by a New York State Department of Environmental Conservation Order on Consent for water quality violations at the Airport. The Order on Consent requires that the above-specified work must be completed by March 26, 2021.

Design for this project has been completed using outside consultants. It is estimated that construction will take three (3) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for a prior separate component of this capital project as follows: Bond Act No. 49-2020 in the amount of \$1,000,000, which financed the cost of design of new forebays at Basins A & B, the relocation of inlet piping and the dredging of Basin A at the Airport. These bonds have not been sold.

The Planning Department 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 SEQR documentation and concurs with this conclusion.

In addition, section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board Report is herewith attached.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Capital Budget Amendment as well as the related Bond Act.

Your Committee has carefully considered both the proposed Capital Budget Amendment and the proposed Bond Act and recommends approval of both of said acts, noting that the Capital Budget Amendment must be approved prior to the Bond Act.

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

**COMMITTEE ON**

c/jpg/11-05-2020



# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: A042C

NO FISCAL IMPACT PROJECTED

## SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 3,750,000 PPU 30 Anticipated Interest Rate 1.48%

Anticipated Annual Cost (Principal and Interest): \$ 154,954

Total Debt Service (Annual Cost x Term): \$ 4,648,620

Finance Department: Interest rates from November 5, 2020 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): N/A

Potential Related Revenues (Annual): N/A

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: 40

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: James Antonaccio

Title: Principal Architect

Department: Public Works & Transportation


Date: 11/19/20

Reviewed By: 

Budget Director

Date: 11/19/20

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

FROM: David S. Kvinge, AICP, RLA, CFM   
Director of Environmental Planning

DATE: November 10, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
A042C STORM WATER MANAGEMENT PROGRAM**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 10-29-2020 (Unique ID: 1583)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
  - **617.5(c)(35):** civil or criminal enforcement proceedings, whether administrative or judicial, including a particular course of action specifically required to be undertaken pursuant to a judgment or order, or the exercise of prosecutorial discretion.
- 

**COMMENTS:** This component involves replacement of the stormwater drainage lines associated with SPDES Outfall 7 to prevent perfluorooctanoic acid (PFOA), perfluorooctane sulfonic acid (PFOS), and other contaminants from entering into the drainage system and discharging out into the Rye Lake watershed as required by NYSDEC pursuant to an Order on Consent (CO 3-20180308-44).

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Gideon Grande, Deputy Budget Director  
Lorraine Yazzetta, Associate Budget Analyst  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

**RESOLUTION 20-18**

**WESTCHESTER COUNTY PLANNING BOARD**

**Amendment of Planning Board Report of Capital Project  
A042C Stormwater Management Westchester County Airport**

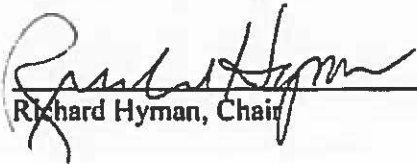
**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending an existing capital project A042C Stormwater Management, Westchester County Airport - to fund the construction and construction management for the Outfall No. 7 Storm Drain Replacement project at Westchester County Airport in the amount of \$3,750,000 of County funding; and

**WHEREAS**, The Department of Public Works and Transportation is advising that this work is a required component of the DEC Order on Consent No. CO 3-20180308-44 for water quality violations at Westchester County Airport; and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010, in that it will preserve and protect natural resources, control and treat stormwater, and mitigate or reduce the impacts of flooding; now, therefore, be it

**RESOLVED**, that the County Planning Board includes the above-described work in its Report on the 2020 Capital Projects Requests to include the above-described project in A042C Stormwater Management at the Westchester County Airport.

Adopted this 4<sup>th</sup> day of November, 2020.

  
Richard Hyman, Chair

An Act amending the 2020 County  
 Capital Budget Appropriations for  
 Capital Project A042C - Storm Water  
 Management Program

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

Section 1. The Capital section of the 2020 County Budget is hereby amended as follows:

	Previous 2020 Appropriation	Change	Revised 2020 Appropriation
I. Appropriation	\$1,750,000	\$3,750,000	\$5,500,000

Section 2. The estimated method of financing in the Capital Section of the 2020 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$1,750,000	\$3,750,000	\$5,500,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$1,750,000</u>	<u>\$3,750,000</u>	<u>\$5,500,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF CONSTRUCTION FOR THE OUTFALL NO. 7 STORM DRAIN REPLACEMENT PROJECT AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted, \_\_\_\_\_, 20\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$3,750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance costs of construction for the Outfall No. 7 Storm Drain Replacement Project at the County Airport; all as set forth in the County's current year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the

financing thereof is \$3,750,000. The plan of financing includes the issuance of \$3,750,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 4 of the Law, is thirty (30) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$3,750,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby

delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property 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 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

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

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

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

\* \* \*

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20\_\_ with the original on file in my office, and that the same is a correct transcript therefrom and of the whole of the said original Act, which was duly adopted by the County Board of Legislators of the County of Westchester on \_\_\_\_\_, 20\_\_ and approved by the County Executive on \_\_\_\_\_, 20\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of \_\_\_\_\_, 20\_\_.

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

(SEAL)



LEGAL NOTICE

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

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

ACT NO. \_\_\_\_\_-20  
BOND ACT AUTHORIZING THE ISSUANCE OF \$3,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF CONSTRUCTION FOR THE OUTFALL NO. 7 STORM DRAIN REPLACEMENT PROJECT AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance costs of construction for the Outfall No. 7 Storm Drain Replacement Project at the County Airport; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued:  
and period of probable usefulness: \$3,750,000; thirty (30) years

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

\_\_\_\_\_  
Clerk and Administrative Officer of the County Board of  
Legislators of the County of Westchester, New York

## CAPITAL PROJECT FACT SHEET

Project ID:* A042C	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 10-09-2020
Fact Sheet Year:* 2020	Project Title:* STORM WATER MANAGEMENT PROGRAM	Legislative District ID: 6,
Category* AIRPORT	Department:* AIRPORT/DOT	CP Unique ID: 1583

**Overall Project Description**

This project provides for the continuation of the Airport's Stormwater Management Program.

- |   |  |  |
|---|--|--|
| <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	2020	2021	2022	2023	2024	Under Review
<b>Gross</b>	14,200	750	1,000	8,700	0	0	0	3,750
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	14,200	750	1,000	8,700	0	0	0	3,750

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

**Current Bond Description:** This request funds construction and construction management for the Outfall No. 7 Storm Drain Replacement project at Westchester County Airport.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	3,750,000
Cash:	0
<b>Total:</b>	<b>\$ 3,750,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

3,750,000

**Comments:**

The Department of Public Works and Transportation is requesting a CBA for the amount listed Under Review. The Department is advising that this work is a required component of the DEC Order on Consent No. CO 3-20180308-44 for water quality violations at Westchester County Airport.

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2015	500,000	DESIGN AND CONSTRUCTION IMPROVEMENTS AT OUTFALL #4
2017	250,000	ADDITIONAL CONSTRUCTION COSTS.
2020	1,000,000	DESIGN OF NEW FOREBAYS AT BOTH BASINS A & B, RELOCATION OF INLET PIPING AND THE DREDGING OF BASIN A

**Total Appropriation History:**

1,750,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
20	49	1,000,000	0	COST OF PLANNING STORM WATER MANAGEMENT IN WESTCHESTER COUNTY AIRPORT

**Total Financing History:**

1,000,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
10-29-2020

**Department of Public Works**  
RJB4

**Date**  
10-29-2020

**Budget Department**  
LMY1

**Date**  
11-04-2020

**Requesting Department**  
GAM4

**Date**  
11-04-2020

## STORM WATER MANAGEMENT PROGRAM ( A042C )

**User Department :** Airport/DOT  
**Managing Department(s) :** Airport/DOT ; Public Works ;  
**Estimated Completion Date:** TBD  
**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

### **FIVE YEAR CAPITAL PROGRAM (In thousands)**

	Est Ult Cost	Appropriated	Exp / Obl	2020	2021	2022	2023	2024	Under Review
Gross	10,450	750		1,000	8,700				
Non County Share					—				
<b>Total</b>	<b>10,450</b>	<b>750</b>		<b>1,000</b>	<b>8,700</b>				

### **Project Description**

This project provides for the continuation of the Airport's Stormwater Management Program.

### **Current Year Description**

The current year request funds design of new forebays at both basins A & B, relocation of inlet piping and the dredging of basin A.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2020	1,000,000			1,000,000

### **Impact on Operating Budget**

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

### **Appropriation History**

Year	Amount	Description	Status
2015	500,000	Design and Construction Improvements at Outfall #4	AWAITING BOND AUTHORIZATION
2017	250,000	Additional construction costs.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>750,000</b>		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	750,000		750,000
<b>Total</b>	<b>750,000</b>		<b>750,000</b>