

(BOND) ACT 151 - 2023

Reference RB04J

**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 \$525,000 to finance capital project RB04J – Tuckahoe Road Bridge Over Bronx River Parkway, Yonkers (BIN 3348000) (“RB04J”). The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will finance the cost of design associated with rehabilitation of the existing structure. The project will address the deterioration of the existing arch, asphalt approach resurfacing and waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work.

The Department of Public Works and Transportation (the “Department”) has advised that this bridge, which was built in 1922 and has an annual daily traffic count (“AADT”) of 8,375, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2021 the New York State Department of Transportation gave the bridge a condition rating of 4.33 and the bridge has continued to deteriorate. This rating system, using a scale of 1 (“hazardous”) through 7 (“new”), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Following bonding authorization, design shall be scheduled and is anticipated to take nine (9) months to complete and will be performed by consultant. It is anticipated that construction will take approximately eighteen (18) months and shall begin after award and execution of the construction contracts, subject to your Honorable Board’s approval of construction funding.

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: July 31st, 2023
White Plains, New York

Henry Zille Johnson

Vedat Fathi
Ty Wolf

Nancy Bauer

Carl Pav

Dan Mc

Susa

Colin O'Neil

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Vedat Fathi

Ty Wolf

Nancy Bauer

Carl Pav

SJR

Colin O'Neil

c/jpg/2-17-23

Budget &
Appropriations

Public Works &
Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB04J

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 \$ 525,000 PPU 5 Anticipated Interest Rate 2.81%

Anticipated Annual Cost (Principal and Interest): \$ 115,286

Total Debt Service (Annual Cost x Term): \$ 576,430

Finance Department: Interest rates from June 27, 2023 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: 6

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Public Works and Transportation

Date: 6/29/23

Reviewed By: 


DV 6/29/23

Budget Director

Date: 6/29/23

6/29/23

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

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

DATE: February 22, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB04J Tuckahoe Road Bridge over Bronx River Parkway, Yonkers
(BIN 3348000)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02/10/2023 (Unique ID: 2144)

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: The current request is for design.

DSK/cnm

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

ACT NO. 151 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REHABILITATION OF THE TUCKAHOE ROAD BRIDGE OVER THE BRONX RIVER PARKWAY IN THE CITY OF YONKERS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$525,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 08/07 , 2023)

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, \$525,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of the Tuckahoe Road Bridge over the Bronx River Parkway in the City of Yonkers, including the rehabilitation of the existing structure to address the deterioration of the existing

arch, asphalt approach resurfacing and waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work; all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$525,000. The plan of financing includes the issuance of \$525,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$525,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2nd) of the Law, is five (5) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$525,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$525,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

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

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:* RB04J	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-26-2023
Fact Sheet Year:* 2023	Project Title:* TUCKAHOE ROAD BRIDGE OVER BRONX RIVER PARKWAY, YONKERS (BIN 3348000)	Legislative District ID: 10, 15,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2144

Overall Project Description

This project will fund the rehabilitation of the existing structure. The structure was built in 1922 and is 48' long by 65' wide.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,400	0	900	2,500	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,400	0	900	2,500	0	0	0	0

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

Current Bond Description: Funding is requested for the design associated with rehabilitation of the existing structure. The project will address the deterioration of the existing arch, asphalt approach resurfacing and waterproofing of the top of the concrete arch, roadway slab and sidewalks, and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	525,000
Cash:	0
Total:	\$ 525,000

SEQR Classification:

TYPE II

Amount Requested:

525,000

Comments:

Bridge Condition Rating: 4.33 (2021); AADT: 8,375

Energy Efficiencies:

N/A

Appropriation History:

Year	Amount	Description
2023	900,000	DESIGN AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

900,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
0		0	0	

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
02-10-2023

Department of Public Works
RJB4

Date
02-10-2023

Budget Department
DEV9

Date
02-16-2023

Requesting Department
RJB4

Date
02-16-2023

**TUCKAHOE ROAD BRIDGE OVER BRONX RIVER PARKWAY, YONKERS (BIN 3348000)
(RB04J)**

User Department : Public Works
Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	3,400			900	2,500				
Non County Share									
Total	3,400			900	2,500				

Project Description

This project will fund the rehabilitation of the existing structure. The structure was built in 1922 and is 48' long by 65' wide.

Current Year Description

The current year request funds design and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	900,000			900,000

Impact on Operating Budget

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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
Total				

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on August 7, 2023 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given
August 2, 2023

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

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

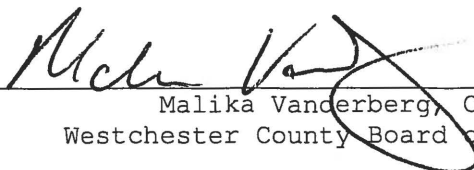
Designated Location(s)
of posted notice

Date of Posting
August 2, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on August 7, 2023.



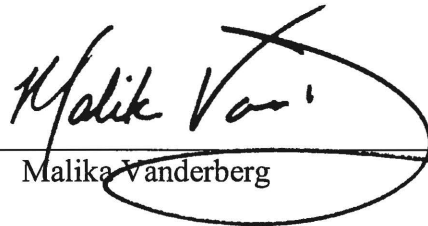


Malika Vanderberg, Clerk
Westchester County Board of Legislators

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 151 - 2023, 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 August 7, 2023, and approved by the County Executive on August 7, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 8th day of August, 2023.



The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

