

(BOND) ACTS 180,181,182,183 - 2024

Reference RB04C, RB04D, RB03Z
Amending Bond Act

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

Your Committee is in receipt of an amended bond act (the "Amending Bond Act") of the County of Westchester ("County"), authorizing an amendment to prior Bond Act No. 23-2021 to remove \$425,000 of the authorization allocable to Capital Project RB04C – Lincoln Avenue Bridge Over Blind Brook, Rye Brook ("RB04C"), \$875,000 allocable to Capital Project RB04D - Park Avenue Viaduct Over Bronx River Parkway, Yonkers ("RB04D"), and \$500,000 allocable to Capital Project RB03Z - Pump House Road Over Peekskill Hollow Brook, Cortlandt ("RB03Z"), to decrease the estimated maximum amount of bonds authorized from \$6,100,000 to \$4,300,000.

The Amending Bond Act, which was prepared by the law firm Hawkins Delafield and Wood, LLP, is required to remove design bonding authorizations related to projects RB04C, RB04D, and RB03Z, so that those authorizations may be included in consolidated bond acts for those projects. The consolidated bond acts will include construction and construction management funding.

The Planning Department has advised that the proposed Amending Bond Act does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 8, 2024, which is on file with the Clerk of the Board of Legislators.

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

Dated:

, 2024

White Plains, New York

Amey Zulu John

M. J. [Signature]

[Signature]

David J. Tubiolo

Manya Pan

Vedat Gulni

[Signature]

[Signature]

Amey Zulu John

[Signature]

Manya Pan

Vedat Gulni

COMMITTEE ON

Budget & Appropriations

Public Works & Transportation

Dated: September 30, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations



Public Works & Transportation



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>BELOW</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	
		<input type="checkbox"/> Capital Budget Amendment	
AMEND BOND ACT 3-2021 TO INCLUDE ONLY BCR61; RB04E, BLR12, BPF40			
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 4,300,000	PPU	5
		Anticipated Interest Rate	2.84%
Anticipated Annual Cost (Principal and Interest):			\$ 945,570
Total Debt Service (Annual Cost x Term):			\$ 4,727,850
Finance Department:	maab 7-31-24		
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:	47		
Prepared by:	<u>Robert Abbamont</u>	Reviewed By:	<u><i>Christina Ruyter</i></u>
Title:	<u>Director of Operations (Capital)</u>		<u>Budget Director</u>
Department:	<u>Public Works/Transportation</u>	<u>08/1/24</u>	
Date:	<u>8/1/24</u>	Date:	<u>8/1/24</u>

REFERENCES BCR6I
RB04E
BLR12
BPF40

ACT NO. 180 - 2024

AMENDING BOND ACT AUTHORIZING THE ISSUANCE OF \$4,300,000 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 CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,300,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted 09/30, 2024).

WHEREAS, this Board has heretofore duly authorized the issuance of \$6,100,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the construction of various capital improvements in and for the County, pursuant to Act No. 23-2021 duly adopted on February 8, 2021; and

WHEREAS, it is now appropriate to authorize the construction of certain of such capital improvements, and this County Board of Legislators has or will increase the amount of bonds to be issued and the appropriations for such certain capital projects pursuant to other Bond Acts adopted by this Board of Legislators; and

WHEREAS, it is necessary to decrease the amount of bonds of the County authorized pursuant to Act No. 23-2021, now therefore

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

SECTION (A) The bond act duly adopted by this Board on February 8, 2021, entitled:

“ACT NO. 23-2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,100,000 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 CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$6,100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,100,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

are hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,300,000 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

CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$4,300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,300,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 09/30 , 2024)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$4,300,000 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 construction of various capital improvements in and for the County, including the Department of Corrections parking structure infrastructure, the rehabilitation of the concrete arch and abutments; waterproofing of the concrete arch; installing new pavement and sidewalks; and, reconstruction of the abutment walls and associated work of the Austin Avenue Bridge over I-87 in Yonkers, possible additions and renovation strategy for the existing Labs & Research facility, and the phase-one restoration of the Michaelian Office Building Parking Garage including rehabilitation of the concrete columns and beams; replacement of the ramps including new waterproofing; replacement of the existing fire alarm system, ventilation system, carbon monoxide detection system; rehabilitation of the electrical vault on levels B2 and B3;

replacement of the existing expansion joint on both sides of Martin Luther King, Jr. Boulevard and associated plaza restoration; replacement of the existing lighting with new LED fixtures in the affected work areas; replacement of any plumbing and drainage piping as required; installation of an iDAS telecommunications system; 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$4,300,000. The plan of financing includes the issuance of \$4,300,000 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 class of objects or purposes for which the 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 \$4,300,000. 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 \$4,300,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

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

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

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

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

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

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

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

SECTION (B) The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

SECTION (C) This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

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

Your Committee is in receipt of an amended bond act (the “Consolidated Bond Act”) of the County of Westchester (“County”), authorizing the issuance of bonds in the total amount of \$2,900,000 to finance Capital Project RB04C – Lincoln Avenue Bridge Over Blind Brook, Rye Brook (“RB04C”).

The Consolidated Bond Act, which was prepared by the law firm of Hawkins, Delafield and Wood, LLP, would finance the cost of design, construction management and construction associated with the rehabilitation of the Lincoln Avenue Bridge in Rye Brook, including the replacement of the concrete deck, painting of all existing steel members and associated work. The proposed Consolidated Bond Act, in the amount of \$2,900,000, represents an increase of \$2,475,000 for construction and construction management costs and includes \$425,000 previously authorized for RB04C under Bond Act No. 23-2021.

The Department of Public Works and Transportation (the “Department”) has advised that this bridge, which has an annual daily traffic count (“AADT”) of 4,240, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2023 the New York State Department of Transportation gave the bridge a condition rating of 4.56 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.

Design is currently being undertaken by consultants and is expected to be completed by the end of the third quarter of 2024. It is estimated that construction will take twelve (12) 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 to finance RB04C as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, RB04C may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Consolidated Bond Act. Your Committee recommends the adoption of the proposed Consolidated Bond Act.

Dated: September 30th, 2024
White Plains, New York

James J. Kelly, John J. ...
[Signature]
[Signature]
David J. Tubiolo
Nancy & Ben WOP
Debra Rubin
[Signature]

[Signature]
James J. Kelly, John J. ...
[Signature]
Nancy & Ben WOP
Debra Rubin

COMMITTEE ON

CJPG 6-21-24

Budget & Appropriations

Public Works & Transportation

Dated: September 30, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations



Public Works & Transportation




FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>RB04C</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED			
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget					
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND			
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment		
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance					
Total Principal	\$ 2,900,000	PPU	20	Anticipated Interest Rate	3.17%
Anticipated Annual Cost (Principal and Interest):			\$	267,666	
Total Debt Service (Annual Cost x Term):			\$	5,353,323	
Finance Department:	maab 8-1-24				
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:	32				
Prepared by:	<u>Robert Abbamont</u>	Reviewed By:	<u><i>Christina Rangel</i></u>		
Title:	<u>Director of Operations (Capital)</u>		<u>08/11/24</u>	Budget Director	
Department:	<u>Public Works/Transportation</u>	Date:	<u>8/11/24</u>		
Date:	<u>8/1/24</u>				

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

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

DATE: July 1, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB04C Lincoln Avenue Bridge Over Blind Brook, Rye Brook (BIN 3348490)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-31-2024 (Unique ID: 2558)

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

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

COMMENTS: None.

DSK/dvw

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

30 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 September 30, 2024 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
September 25, 2024

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

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


Designated Location(s)
of posted notice

Date of Posting
September 25, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 1, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

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

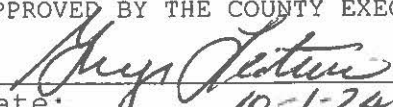
NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 10-1-24

ACT NO. 181 -2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,900,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF LINCOLN AVENUE BRIDGE OVER BLIND BROOK, IN RYE BROOK, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,900,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,900,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 09/30 , 2024)

WHEREAS, this Board has heretofore duly authorized the issuance of \$425,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the rehabilitation of Lincoln Avenue bridge over Blind Brook, in Rye Brook (the "Project"), pursuant to Act No. 23-2021 duly adopted on February 8, 2021; and

WHEREAS, it is now appropriate to authorize the Project, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the

provisions of other laws applicable thereto, \$2,900,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction for the rehabilitation of Lincoln Avenue bridge over Blind Brook, in Rye Brook, including rehabilitation of the existing structure including the replacement of the concrete deck, painting of all existing steel members and associated work; all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$2,900,000. The plan of financing includes the issuance of \$2,900,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) 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 \$2,900,000. 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 \$2,900,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

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

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

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

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

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

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

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*
RB04C

CBA

Fact Sheet Date:*
05-21-2024

Fact Sheet Year:*
2024

Project Title:*
LINCOLN AVENUE BRIDGE OVER
BLIND BROOK, RYE BROOK (BIN
3348490)

Legislative District ID:
6,

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
2558

Overall Project Description

This project funds the rehabilitation of the existing structure.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	2,900	2,900	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,900	2,900	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 205

Current Bond Description: Funding is requested for construction and construction management associated with rehabilitation of the existing structure including the replacement of the concrete deck, painting of all existing steel members and associated work.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	2,475,000
Cash:	0
Total:	\$ 2,475,000

SEQR Classification:
TYPE II

Amount Requested:
2,475,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:
Bridge Condition Rating: 4.56 (2023); AADT: 4,240

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	2,900,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:
2,900,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	23	425,000		0 LINCOLN AVENUE BRIDGE OVER BLIND BROOK, RYE BROOK (BIN 3348490)

Total Financing History:

425,000

Recommended By:

Department of Planning

MLLL

Date

05-31-2024

Department of Public Works

RJB4

Date

05-31-2024

Budget Department

DEV9

Date

06-13-2024

Requesting Department

RJB4

Date

06-13-2024

LINCOLN AVENUE BRIDGE OVER BLIND BROOK, RYE BROOK (BIN 3348490) (RB04C)

User Department : Public Works
Managing Department(s) : Public Works ;
Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	2,900	2,900	205						
Non County Share									
Total	2,900	2,900	205						

Project Description

This project funds the rehabilitation of the existing structure.

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
2021	2,900,000	Design, construction and construction management	\$425,000 DESIGN ; \$2,475,000 AWAITING BOND AUTHORIZATION
Total	2,900,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,900,000		2,900,000
Total	2,900,000		2,900,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
23 21	425,000			425,000
Total	425,000			425,000

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

Your Committee is in receipt of an amended bond act (the “Consolidated Bond Act”) of the County of Westchester (“County”), authorizing the issuance of bonds in the total amount of \$4,750,000 to finance Capital Project RB04D – Park Avenue Viaduct Over Bronx River Parkway, Yonkers (“RB04D”) (“RB04D”).

The Consolidated Bond Act, which was prepared by the law firm of Hawkins, Delafield and Wood, LLP, would finance the cost of design, construction management and construction associated with the rehabilitation of the Park Avenue Viaduct in Yonkers, including rehabilitation of the concrete arch and abutments; waterproofing of the concrete arch; installation of new pavement and sidewalks and associated work. The proposed Consolidated Bond Act, in the amount of \$4,750,000, represents an increase of \$3,875,000 for construction and construction management costs and includes \$875,000 previously authorized for RB04D under Bond Act No. 23-2021.

The Department of Public Works and Transportation (the “Department”) has advised that this bridge, which has an annual daily traffic count (“AADT”) of 2,710, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2023 the New York State Department of Transportation gave the bridge a condition rating of 3.97 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.

Design is currently being undertaken by consultants and is expected to be completed by the end of the third quarter of 2024. It is estimated that construction will take eighteen (18) 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 to finance RB04D as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, RB04D may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your

Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Consolidated Bond Act. Your Committee recommends the adoption of the proposed Consolidated Bond Act.

Dated: September 30th, 2024
White Plains, New York

Handwritten signatures:
Anthony Zullo John
[Signature]
[Signature]
David L. Tubiolo
Nancy & Ben
Vedat Gedli
[Signature]

Handwritten signatures:
[Signature]
Anthony Zullo John
[Signature]
Nancy & Ben
Vedat Gedli

COMMITTEE ON

C:JPG 6-21-24

Budget & Appropriations

Public Works & Transportation

Dated: September 30, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations

A handwritten signature in black ink, appearing to be "Mitti", written in a cursive style.

Public Works & Transportation


A handwritten signature in black ink, appearing to be "Mitti", written in a cursive style.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>RB04D</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$ 4,750,000	PPU	20
		Anticipated Interest Rate	3.17%
Anticipated Annual Cost (Principal and Interest):			\$ 320,255
Total Debt Service (Annual Cost x Term):			\$ 6,405,109
Finance Department:	maab 8-01-24		
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:	52		
Prepared by:	<u>Robert Abbamont</u>	Reviewed By:	<u><i>Christine Parys</i></u>
Title:	<u>Director of Operations (Capital)</u>		Budget Director
Department:	<u>Public Works/Transportation</u>		
Date:	<u>8/1/24</u>	Date:	<u>8/1/24</u>

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

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

DATE: July 1, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB04D PARK AVENUE VIADUCT OVER BRONX RIVER PARKWAY,
YONKERS (BIN 3348850)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-31-2024 (Unique ID: 2487)

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

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

COMMENTS: None.

DSK/dvw

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

30 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 September 30, 2024 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
September 25, 2024

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

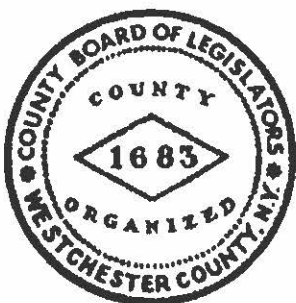
I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:


Designated Location(s)
of posted notice

Date of Posting
September 25, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 1, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

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

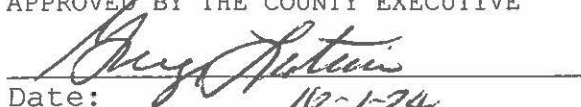
NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 10-1-24

ACT NO. 182 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF THE PARK AVENUE VIADUCT OVER THE BRONX RIVER PARKWAY, IN YONKERS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,750,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted 09/30 , 2024)

WHEREAS, this Board has heretofore duly authorized the issuance of \$875,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the rehabilitation of the Park Avenue Viaduct over the Bronx River Parkway, in Yonkers (the "Project"), pursuant to Act No. 23-2021 duly adopted on February 8, 2021; and

WHEREAS, it is now appropriate to authorize the Project, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$4,750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction for the rehabilitation of the concrete arch and abutments; waterproofing of the concrete arch; installing new pavement 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$4,750,000. The plan of financing includes the issuance of \$4,750,000 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 and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) 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

\$4,750,000. 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 \$4,750,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

* * *

CAPITAL PROJECT FACT SHEET

Project ID:* RB04D	<input type="checkbox"/> CBA	Fact Sheet Date:* 03-05-2024
Fact Sheet Year:* 2024	Project Title:* PARK AVENUE VIADUCT OVER BRONX RIVER PARKWAY, YONKERS (BIN 3348850)	Legislative District ID: 15,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2487

Overall Project Description

This project funds the rehabilitation of the existing structure.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	4,750	4,750	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,750	4,750	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 310

Current Bond Description: Funding is requested for construction and construction management associated with the rehabilitation of the concrete arch and abutments; waterproofing of the concrete arch; installing new pavement and sidewalks; and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	3,875,000
Cash:	0
Total:	\$ 3,875,000

SEQR Classification:

TYPE II

Amount Requested:

3,875,000

Expected Design Work Provider:

- County Staff
 Consultant
 Not Applicable

Comments:

Bridge Condition Rating: 3.97 (2023); AADT: 2,710

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	4,750,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

4,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	23	875,000		0 PARK AVENUE VIADUCT OVER BRONX RIVER PARKWAY, YONKERS (BIN 3348850)

Total Financing History:

875,000

Recommended By:

Department of Planning	Date
MLLL	05-31-2024

Department of Public Works	Date
RJB4	05-31-2024

Budget Department	Date
DEV9	06-13-2024

Requesting Department	Date
RJB4	06-13-2024

**PARK AVENUE VIADUCT OVER BRONX RIVER PARKWAY, YONKERS (BIN 3348850)
(RB04D)**

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	2024	2025	2026	2027	2028	Under Review
Gross	4,750	4,750	310						
Non County Share									
Total	4,750	4,750	310						

Project Description

This project funds the rehabilitation of the existing structure.

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
2021	4,750,000	Design, construction and construction management	\$875,000 DESIGN ; \$3,875,000 AWAITING BOND AUTHORIZATION
Total	4,750,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,750,000		4,750,000
Total	4,750,000		4,750,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
23 21	875,000			875,000
Total	875,000			875,000

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

Your Committee is in receipt of an amended bond act (the “Consolidated Bond Act”) of the County of Westchester (“County”), authorizing the issuance of bonds in the total amount of \$3,970,000 to finance Capital Project RB03Z – Pump House Road Over Peekskill Hollow Brook, Cortlandt (“RB03Z”) (“RB03Z”).

The Consolidated Bond Act, which was prepared by the law firm of Hawkins, Delafield and Wood, LLP, would finance the cost of design, construction management and construction associated with the rehabilitation of the Pump House Road Bridge in Cortlandt, including replacement of the existing asphalt wearing surface and waterproofing; structural deck rehabilitation; a new elastomeric concrete joint system; new elastomeric bearings; rehabilitation of the undermined footing area, concrete wingwalls, and railing system; and associated work. The proposed Consolidated Bond Act, in the amount of \$3,970,000, represents an increase of \$3,470,000 for construction and construction management costs and includes \$500,000 previously authorized for RB03Z under Bond Act No. 23-2021.

The Department of Public Works and Transportation (the “Department”) has advised that this bridge, which has an annual daily traffic count (“AADT”) of 1,618, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2022 the New York State Department of Transportation gave the bridge a condition rating of 4.69 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.

Design is currently being undertaken by consultants and is expected to be completed by the end of the third quarter of 2024. It is estimated that construction will take twelve (12) 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 to finance RB03Z as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, RB03Z may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Consolidated Bond Act. Your Committee recommends the adoption of the proposed Consolidated Bond Act.

Dated: September 30th, 2024
White Plains, New York

Henry Zelen Johnson w/o/p
Linda (WOP)
Ty W
Dorvil Jubirto
(w/o prejudice)
Nancy Bar
Vedat Gashi
Jul A
(w/o prejudice)

Linda (WOP)
Henry Zelen Johnson w/o/p
Ty W
Nancy Bar
Vedat Gashi

COMMITTEE ON

CJPG 6-21-24

Budget & Appropriations

Public Works &
Transportation

Dated: September 30, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations

Handwritten signature in cursive script, appearing to read "M. Miti".

Public Works & Transportation

Handwritten signature in cursive script, appearing to read "M. Miti".

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB03Z

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	\$	3,970,000	PPU	20	Anticipated Interest Rate	3.17%
Anticipated Annual Cost (Principal and Interest):	\$	195,524				
Total Debt Service (Annual Cost x Term):	\$	3,910,488				
Finance Department:		maab 8-01-24				

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: 43

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation


Date: 8/1/24

Reviewed By: DV8/1/24

Christina Tappin
Budget Director

Date: 8/1/24

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

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

DATE: July 1, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB03Z PUMP HOUSE ROAD OVER PEEKSKILL HOLLOW BROOK,
CORTLANDT (BIN 3348430)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
06-14-2024 (Unique ID: 2557)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
 - **617.5(c)(5):** repaving of existing highways not involving the addition of new travel lanes.
-

COMMENTS: The work in the stream channel will be limited to the immediate vicinity of the bridge to rectify and protect the existing infrastructure.

DSK/dvw

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

30 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 September 30, 2024 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
September 25, 2024

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

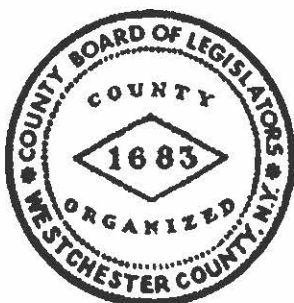
I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting
September 25, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 1, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

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

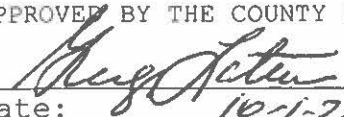
NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 10-1-24

ACT NO. 183 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,970,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF PUMP HOUSE ROAD BRIDGE OVER PEEKSKILL HOLLOW BROOK, IN THE TOWN OF CORTLANDT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,970,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,970,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.
(Adopted 09/30 , 2024)

WHEREAS, this Board has heretofore duly authorized the issuance of \$500,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the rehabilitation of Pump House Road bridge over Peekskill Hollow Brook, in the Town of Cortlandt (the "Project"), pursuant to Act No. 23-2021 duly adopted on February 8, 2021; and

WHEREAS, it is now appropriate to authorize the Project, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$3,970,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction for the rehabilitation of Pump House Road bridge over Peekskill Hollow Brook, in the Town of Cortlandt, including replacement of the existing asphalt wearing surface and waterproofing; structural deck rehabilitation; a new elastomeric concrete joint system; new elastomeric bearings; rehabilitation of the undermined footing area, concrete wingwalls, and railing system; and associated work, as well as the work in the stream channel will include cofferdams, new rip-rap, and rehabilitation of scour locations; 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 \$3,970,000. The plan of financing includes the issuance of \$3,970,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) 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 \$3,970,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$3,970,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

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

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

of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

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

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

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

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

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

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

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*
RB03Z

CBA

Fact Sheet Date:*
05-21-2024

Fact Sheet Year:*
2024

Project Title:*
PUMP HOUSE ROAD OVER
PEEKSKILL HOLLOW BROOK,
CORTLANDT (BIN 3348430)

Legislative District ID:
1.

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
2557

Overall Project Description

This project shall fund the removal and replacement of the existing asphalt wearing surface and waterproofing, structural deck rehabilitation, replacement of the existing joint system with a new elastomeric concrete joint system, existing bearings to be replaced with new elastomeric bearings, rehabilitation of undermined footing areas and concrete wingwalls, railing system to be strengthened as necessary and associated work. Stream channel work to include cofferdams, new rip-rap and rehabilitation of scour locations. The existing structure was built in 1930 and is 57' long by 30' 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	2024	2025	2026	2027	2028	Under Review
Gross	3,970	3,970	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,970	3,970	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 193

Current Bond Description: Funding is requested for construction and construction management associated with the rehabilitation of the bridge, including replacement of the existing asphalt wearing surface and waterproofing; structural deck rehabilitation; a new elastomeric concrete joint system; new elastomeric bearings; rehabilitation of the undermined footing area, concrete wingwalls, and railing system; and associated work. In addition, the work in the stream channel will include cofferdams, new rip-rap, and rehabilitation of scour locations.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	3,470,000
Cash:	0
Total:	\$ 3,470,000

SEQR Classification:
TYPE II

Amount Requested:
3,470,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:
Bridge Condition Rating: 4.69 (2022); AADT: 1,618

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	820,000	DESIGN AND CONSTRUCTION MANAGEMENT
2023	3,150,000	CONSTRUCTION

Total Appropriation History:

3,970,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	23	500,000		0 PUMP HOUSE ROAD OVER PEEKSKILL HOLLOW BROOK, CORTLANDT (BIN 3348430)

Total Financing History:

500,000

Recommended By:

Department of Planning **Date**
MLLL 06-14-2024

Department of Public Works **Date**
RJB4 06-14-2024

Budget Department **Date**
DEV9 06-17-2024

Requesting Department **Date**
RJB4 06-17-2024

**PUMP HOUSE ROAD OVER PEEKSKILL HOLLOW BROOK, CORTLANDT (BIN 3348430)
(RB03Z)**

User Department : Public Works
Managing Department(s) : Public Works ;
Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	3,970	3,970	193						
Non County Share									
Total	3,970	3,970	193						

Project Description

This project shall fund the removal and replacement of the existing asphalt wearing surface and waterproofing, structural deck rehabilitation, replacement of the existing joint system with a new elastomeric concrete joint system, existing bearings to be replaced with new elastomeric bearings, rehabilitation of undermined footing areas and concrete wingwalls, railing system to be strengthened as necessary and associated work. Stream channel work to include cofferdams, new rip-rap and rehabilitation of scour locations. The existing structure was built in 1930 and is 57' long by 30' wide.

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
2021	820,000	Design and construction management	\$500,000 DESIGN ; \$320,000 AWAITING BOND AUTHORIZATION
2023	3,150,000	Construction	AWAITING BOND AUTHORIZATION
Total	3,970,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,970,000		3,970,000
Total	3,970,000		3,970,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
23 21	500,000			500,000
Total	500,000			500,000

30 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 September 30, 2024 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
September 25, 2024

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

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

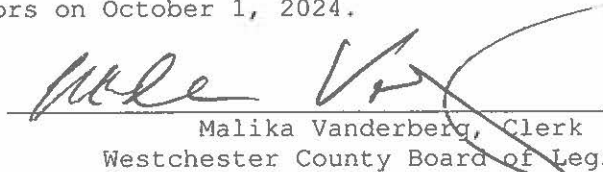
Designated Location(s)
of posted notice

Date of Posting
September 25, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 1, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

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

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


NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 10-1-24

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Acts, (Bond) Act No's. 180, 181, 182, 183 - 2024, 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 Acts, which was duly adopted by the County Board of Legislators, of the County of Westchester on September 30, 2024, and approved by the County Executive on October 1, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 2nd day of October, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

