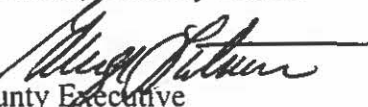


February 17, 2021

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

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Amended Bond Act – SPC38 – Port Chester Water Resource Recovery Facility – Primary Settling Tank Rehab. and Misc. Improvements.**

---

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators February 22, 2021 Agenda.

Transmitted herewith for your review and approval is an amended bond act (the "Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of \$1,500,000 to finance the following capital project: SPC38.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for February 22, 2021 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

February 17, 2021

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

Dear Members of the Board of Legislators:

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

SPC38 – Port Chester Water Resource Recovery Facility – Primary Settling Tank Rehab and Misc. Improvements ("SPC38").

The Amended Bond Act, in the total amount of \$7,400,000, which includes \$5,900,000 in previously authorized bonds of the County, would provide \$1,500,000 in additional construction funding for the rehabilitation of the Primary Settling Tank at the County's Port Chester Water Resource Recovery Facility. Work will include the replacement of the influent channel concrete roof slabs and the primary sludge piping system influent channel span beams; repair of the masonry walls and coping stones; replacement of the fire protection system and related systems, such as the installation of a new fire pump system; influent wet well rehabilitation; replacement of effluent pump piping and valves; and upgrading of all chemical containment areas plant wide.

The Department of Environmental Facilities ("Department") has advised that the structures and equipment to be improved by SPC38 are part of the original facility which was built by the Village of Port Chester in approximately 1962 and were acquired by the County in 1975. Those structures and pieces of equipment have exceeded their useful lives and require replacement.

Design for this project is currently completed. It is estimated that construction will take approximately eighteen (18) months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior components of this project as follows: Bond Act 2-2017 in the amount of \$900,000 which financed the design phase of SPC38; and Bond Act No. 121-2020, which amended Bond Act No. 2-2017 to provide an additional \$5,000,000 in bonds to fund the construction phase of this project, for a total bonding amount of \$5,900,000. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 2-2017, as amended by Bond Act No. 121-2020, be further amended to increase the total amount authorized

Office of the County Executive

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

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

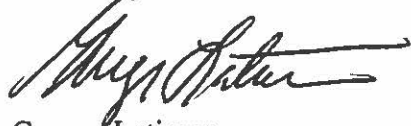
[westchestergov.com](http://westchestergov.com)

by an additional \$1,500,000, for a total authorized amount, as amended, of \$7,400,000. It should be noted that the Amended Bond Act will not change the scope of this project but will only add additional construction funding.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", with a long horizontal flourish extending to the right.

George Latimer  
County Executive

Attachments

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

Your Committee is in receipt of an amended bond act (the “Amended Bond Act”) in the total amount of \$7,400,000, which includes \$5,900,000 in previously authorized bonds of the County of Westchester (“County”), to finance Capital Project SPC38 – Port Chester Water Resource Recovery Facility – Primary Settling Tank Rehab and Misc. Improvements (“SPC38”).

The Amended Bond Act, which was prepared by the law firm Norton Rose Fulbright, will provide \$1,500,000 in additional construction funding for the rehabilitation of the Primary Settling Tank at the County’s Port Chester Water Resource Recovery Facility. Work will include the replacement of the influent channel concrete roof slabs and the primary sludge piping system influent channel span beams; repair of the masonry walls and coping stones; replacement of the fire protection system and related systems, such as the installation of a new fire pump system; influent wet well rehabilitation; replacement of effluent pump piping and valves; and upgrading of all chemical containment areas plant wide.

The Department of Environmental Facilities (“Department”) has advised that the structures and equipment to be improved by SPC38 are part of the original facility which was built by the Village of Port Chester in approximately 1962 and were acquired by the County in 1975. Those structures and pieces of equipment have exceeded their useful lives and require replacement.

Design for this project has been completed. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior components of this project as follows: Bond Act 2-2017 in the amount of \$900,000 which financed the design phase of SPC38; and Bond Act No. 121-2020, which amended Bond Act No. 2-2017 to provide an additional \$5,000,000 in bonds to fund the construction phase of this project, for a total bonding amount of \$5,900,000. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 2-2017, as amended by Bond Act No. 121-2020, be further amended to increase the total amount authorized by an additional \$1,500,000, for a total authorized amount, as amended, of \$7,400,000. It should be noted that the Amended Bond Act will not change the scope of this project but will only add additional 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 Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

**COMMITTEE ON**

C:JPG/2-03-2021

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SPC38

NO FISCAL IMPACT PROJECTED

## SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 7,400,000 PPU 30 Anticipated Interest Rate 1.27%

Anticipated Annual Cost (Principal and Interest): \$ 295,586

Total Debt Service (Annual Cost x Term): \$ 8,867,580

Finance Department: Interest rates from February 9, 2021 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: 80

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: CJ Gelardo

Title: Capital Program Coordinator

Department: Enviornmental Facilities

Date: 2/16/21


Reviewed By: 

Budget Director

Date: 2/17/21

2/17/21

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

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

DATE: February 12, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SPC38 PORT CHESTER WATER RESOURCE RECOVERY FACILITY –  
PRIMARY SETTLING TANK REHAB AND MISC. IMPROVEMENTS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 02/02/2021 (Unique ID: 1617)

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

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

**COMMENTS:** The current request is for an increase in funding for a project previously approved under Bond Act 121-20 with no change in scope.

DSK/dvw

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

REFERENCE SPC38

ACT NO. \_\_\_\_\_ - 2021

BOND ACT DATED \_\_\_\_\_, 2021.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 2-2017 AS AMENDED BY BOND ACT NO. 121-2020, WHICH PROVIDED \$5,900,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF THE REHABILITATION OF THE PRIMARY SETTLING TANK, INCLUDING IMPROVEMENTS TO THE INFLUENT CHANNEL, REPLACEMENT OF THE FIRE PROTECTION SYSTEM, VALVE AND PIPING REPLACEMENTS AND CHEMICAL CONTAINMENT IMPROVEMENTS AT THE PORT CHESTER WATER RESOURCE RECOVERY FACILITY, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$7,400,000 THEREBY PROVIDING AN ADDITIONAL \$1,500,000 BONDS FOR SAID PURPOSE.

WHEREAS, this Board has previously authorized the issuance of \$5,900,000 bonds to finance design, construction management and construction costs for the rehabilitation of the Primary Settling Tank at the County's Port Chester Water Resource Recovery Facility, including the replacement of influent channel span beams; repair of the masonry walls and coping stones, replacement of the fire protection system and related systems such as the installation of a new fire pump system, influent wet well rehabilitation, replacement of effluent pump piping and valves, and upgrading of all chemical containment areas plant wide, and incidental expenses in connection therewith, which is a class of objects or purposes, in and for the benefit of the Port Chester Sanitary Sewer District, pursuant to Bond Act No. 2-2017, as amended by Bond Act No. 121-2020;

WHEREAS, no obligations have been issued under Bond Act No. 2-2017 as amended by Bond Act No. 121-2020;

WHEREAS, it has now been determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$7,400,000, an increase of \$1,500,000, and it is now desired to increase the amount of bonds authorized to \$7,400,000;



WHEREAS, \$7,400,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes;

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Port Chester Sanitary Sewer District, which are specially benefitted by said specific object or purpose; and

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): Bond Act No. 2-2017, as amended by Bond Act No. 121-2020, entitled:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$5,900,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF THE REHABILITATION OF THE PRIMARY SETTLING TANK, INCLUDING IMPROVEMENTS TO THE INFLUENT CHANNEL, REPLACEMENT OF THE FIRE PROTECTION SYSTEM, VALVE AND PIPING REPLACEMENTS AND CHEMICAL CONTAINMENT IMPROVEMENTS AT THE PORT CHESTER WATER RESOURCE RECOVERY FACILITY..

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$7,400,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF THE REHABILITATION OF THE PRIMARY SETTLING TANK, INCLUDING IMPROVEMENTS TO THE INFLUENT CHANNEL, REPLACEMENT OF THE FIRE PROTECTION SYSTEM, VALVE AND PIPING REPLACEMENTS AND CHEMICAL CONTAINMENT IMPROVEMENTS AT THE PORT CHESTER WATER RESOURCE RECOVERY FACILITY.

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

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

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

WHEREAS, it is now desired to authorize the financing of the costs of such capital project allocable to the County's Port Chester Sanitary Sewer District; NOW, THEREFORE,

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

Section 1. There are hereby authorized to be issued \$7,400,000 bonds of the County of Westchester to finance the design, construction management and construction costs for the rehabilitation of the Primary Settling Tank at the County's Port Chester Water Resource Recovery Facility, including the replacement of the influent channel concrete roof slabs and the primary sludge piping system influent channel span beams; repair of the masonry walls and coping stones, replacement of the fire protection system and related systems such as the installation of a new fire pump system, influent wet well rehabilitation, replacement of effluent pump piping and valves, and upgrading of all chemical containment areas plant wide, and incidental expenses in connection therewith, which is a class of objects or purposes, in and for the benefit of the Port Chester Sanitary Sewer District. To the extent that the details of the aforesaid class of objects or purposes set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$7,400,000, and that the plan for the financing thereof is by the issuance of the \$7,400,000 bonds of said County authorized to be issued pursuant to this Bond Act.

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

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

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

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

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

sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

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

Section 10. The Commissioner of Finance is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments

(or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

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

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

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

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

2) The provisions of law which should be complied with at the date of publication of this Bond Act are not substantially complied with,

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

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

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

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

Section (B). The amendments 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 immediately upon approval by the County Executive.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \*

APPROVED BY THE COUNTY EXECUTIVE

\_\_\_\_\_

Date: \_\_\_\_\_, 2021



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

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

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on \_\_\_\_\_, 2021, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that, [please check one below]

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

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

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

Newspaper and/or Other News Media

Date Given

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

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on \_\_\_\_\_, 2021.

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

(CORPORATE  
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 2021 and approved by the County Executive on \_\_\_\_\_, 2021 and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

ACT NO. \_\_\_\_\_-2021

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 2-2017 AS AMENDED BY BOND ACT NO. 121-2020, WHICH PROVIDED \$5,900,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS OF THE REHABILITATION OF THE PRIMARY SETTLING TANK, INCLUDING IMPROVEMENTS TO THE INFLUENT CHANNEL, REPLACEMENT OF THE FIRE PROTECTION SYSTEM, VALVE AND PIPING REPLACEMENTS AND CHEMICAL CONTAINMENT IMPROVEMENTS AT THE PORT CHESTER WATER RESOURCE RECOVERY FACILITY, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$7,400,000 THEREBY PROVIDING AN ADDITIONAL \$1,500,000 BONDS FOR SAID PURPOSE.

Class of objects or purposes: to pay the design, construction management and construction costs of the rehabilitation of the Primary Settling Tank, including improvements to the influent channel, replacement of the fire protection system, valve and piping replacements and chemical containment improvements at the Port Chester Water Resource Recovery Facility.

period of probable usefulness: thirty years

amount of obligations to be issued: \$7,400,000, an increase of \$1,500,000 over the amount previously authorized

Dated: \_\_\_\_\_, 2021  
White Plains, New York

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

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> SPC38	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-14-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> PORT CHESTER WATER RESOURCE RECOVERY FACILITY - PRIMARY SETTLING TANK REHAB AND MISC. IMPROVEMENTS	<b>Legislative District ID:</b> 6
<b>Category*</b> SEWER AND WATER DISTRICTS	<b>Department:*</b> ENVIRONMENTAL FACILITIES	<b>CP Unique ID:</b> 1617

**Overall Project Description**

This project will provide funding for the structural rehabilitation of the Primary Settling Tank involving the replacement of the settling tank influent channel concrete roof slabs and primary sludge piping system influent channel span beams. In addition, the masonry wall behind the Rotating Biological Contactors (RBC) tanks requires coping stone re-installation and re-pointing. The miscellaneous improvements will include, but not be limited to, the replacement of Fire Protection water piping and related systems and influent wet well rehabilitation in the Influent Building; the replacement of effluent pump piping and check, suction and discharge valves in the Effluent Building; and upgrading of all chemical containment areas plant wide to meet regulatory requirements at the Port Chester Water Resource Recovery Facility (WRRF).

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

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

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	7,400	5,900	1,500	0	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	7,400	5,900	1,500	0	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 707

**Current Bond Description:** Additional construction funding for the structural rehabilitation of the Primary Settling Tank, including the replacement of the influent channel concrete roof slabs and primary sludge piping system influent channel span beams; repair of the masonry walls and coping stones; replacement of the fire protection system and related systems such as the installation of a new fire pump system; influent well wet well rehabilitation; replacement of effluent pump piping and valves; and upgrading of all chemical containment areas plant wide.

**Financing Plan for Current Request:**

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

**SEQR Classification:**  
TYPE II

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

**Comments:**

This request is for additional funding only, with no change in scope. Please refer to Fact Sheet 1390 and Bond Act 121-20 for what was done previously.

**Energy Efficiencies:**  
NOT APPLICABLE

**Appropriation History:**

Year	Amount	Description
2017	3,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT.
2019	900,000	CONSTRUCTION
2020	2,000,000	ADDITIONAL CONSTRUCTION
2021	1,500,000	ADDITIONAL CONSTRUCTION

**Total Appropriation History:**

7,400,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
17	2	0	0	PORTCHESTER WATER RESOURCE RECOVERY FACILITY DESIGN REHAB OF SETTLING TANK INFLUENT CHANNELS
20	121	5,900,000	0	REHAB OF PRIMARY SETTLING TANK AT PORT CHESTER WATER RESOURCE RECOVERY FACILITY

**Total Financing History:**

5,900,000

**Recommended By:**

Department of Planning  
WBB4

Date  
02-02-2021

Department of Public Works  
RJB4

Date  
02-02-2021

Budget Department  
LMY1

Date  
02-02-2021

Requesting Department  
CJGA

Date  
02-02-2021

# PORT CHESTER WATER RESOURCE RECOVERY FACILITY - PRIMARY SETTLING TANK REHAB AND MISC. IMPROVEMENTS ( SPC38 )

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

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	7,400	5,900	707	1,500					
Non County Share									
<b>Total</b>	<b>7,400</b>	<b>5,900</b>	<b>707</b>	<b>1,500</b>					

### Project Description

This project will provide funding for the structural rehabilitation of the Primary Settling Tank involving the replacement of the settling tank influent channel concrete roof slabs and primary sludge piping system influent channel span beams. In addition, the masonry wall behind the Rotating Biological Contactors (RBC) tanks requires coping stone re-installation and re-pointing. The miscellaneous improvements will include, but not be limited to, the replacement of Fire Protection water piping and related systems and influent wet well rehabilitation in the Influent Building; the replacement of effluent pump piping and check, suction and discharge valves in the Effluent Building; and upgrading of all chemical containment areas plant wide to meet regulatory requirements at the Port Chester Water Resource Recovery Facility (WRRF).

### Current Year Description

The current request funds a cost escalation.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	1,500,000			1,500,000

### Impact on Operating Budget

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

### Appropriation History

Year	Amount	Description	Status
2017	3,000,000	Design, construction and construction management.	CONSTRUCTION
2019	900,000	Construction	CONSTRUCTION
2020	2,000,000	Additional construction	CONSTRUCTION
<b>Total</b>	<b>5,900,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,900,000		5,900,000
<b>Total</b>	<b>5,900,000</b>		<b>5,900,000</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
2 17				
121 20	5,900,000			5,900,000
<b>Total</b>	<b>5,900,000</b>			<b>5,900,000</b>