

(BOND) ACT 244 - 2023

Reference RB04N

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester ("County") of a bond act ("Bond Act") in the amount of \$2,046,000, to finance capital project RB04N – NYS Route 22 Bridge over Armonk Road Connection, CR 68, North Castle (BIN 1016550), for 2024. The Bond Act, which was prepared by the law firm Hawkins Delafield & Wood, LLP, will finance the cost of design associated with the replacement of the existing bridge structure with a precast arch with stone facing and associated work.

The Department of Public Works and Transportation (the "Department") has advised that this bridge, which has an annual daily traffic count ("AADT") of 12,904, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2020 the New York State Department of Transportation gave the bridge a condition rating of 4.19 and the bridge has continued to deteriorate. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Following bonding authorization, design will be scheduled and is anticipated to take twenty-four (24) months to complete and will be performed by a consultant. It is anticipated that construction will take approximately thirty-six (36) months and will begin after award and execution of the construction contracts, subject to your Honorable Board's further approval of construction funding.

It should be noted that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2024 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2024.

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

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

Dated: December 6<sup>th</sup>, 2023  
White Plains, New York

James Zellerbach  
[Signature]  
[Signature]  
[Signature]  
W.D. Mohr  
Caleb Park  
Mancyparr  
Robert J. [Signature]

Budget & Appropriations  
COMMITTEE ON

c/jpg 8-23-23

[Signature]  
[Signature]  
Caleb Park  
Mancyparr  
Robert J. [Signature]

Public Works & Transportation

Dated: December 6, 2023  
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.*

*Symra D. Brandon*

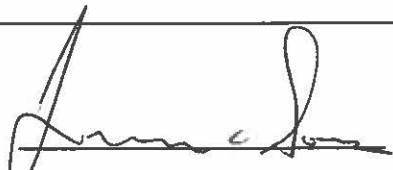
*David Duman*

**COMMITTEES ON**

Budget & Appropriations

Public Works & Transportation


## FISCAL IMPACT STATEMENT

<b>CAPITAL PROJECT #:</b> <u>RB04N</u>		<input type="checkbox"/> <b>NO FISCAL IMPACT PROJECTED</b>	
<b>SECTION A - CAPITAL BUDGET IMPACT</b> To Be Completed by Budget			
<input checked="" type="checkbox"/> <b>GENERAL FUND</b>	<input type="checkbox"/> <b>AIRPORT FUND</b>	<input type="checkbox"/> <b>SPECIAL DISTRICTS FUND</b>	
<b>Source of County Funds (check one):</b>		<input checked="" type="checkbox"/> <b>Current Appropriations</b>	
		<input type="checkbox"/> <b>Capital Budget Amendment</b>	
<b>SECTION B - BONDING AUTHORIZATIONS</b> To Be Completed by Finance			
<b>Total Principal</b>	\$ 2,046,000	<b>PPU</b> 5	<b>Anticipated Interest Rate</b> 3.59%
<b>Anticipated Annual Cost (Principal and Interest):</b>		\$ 460,358	
<b>Total Debt Service (Annual Cost x Term):</b>		\$ 2,301,790	
<b>Finance Department:</b> Interest rates from October 10, 2023 Bond Buyer - ASBA			
<b>SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)</b> To Be Completed by Submitting Department and Reviewed by Budget			
<b>Potential Related Expenses (Annual):</b>		\$ -	
<b>Potential Related Revenues (Annual):</b>		\$ -	
<b>Anticipated savings to County and/or impact of department operations</b> (describe in detail for current and next four years):			
<hr/>			
<hr/>			
<b>SECTION D - EMPLOYMENT</b> As per federal guidelines, each \$92,000 of appropriation funds one FTE Job			
<b>Number of Full Time Equivalent (FTE) Jobs Funded:</b>		22	
<b>Prepared by:</b>	<u>Dianne Vanadia</u>	<b>Reviewed By:</b>	
<b>Title:</b>	<u>Associate Budget Director</u>	<b>Date:</b>	<u>10/11/23</u>
<b>Department:</b>	<u>Budget</u>	<b>Date:</b>	<u>10/11/23</u>
<b>Date:</b>	<u>10/7/23</u>		



Memorandum  
Department of Planning

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: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RB04N NYS ROUTE 22 BRIDGE OVER ARMONK ROAD CONNECTION,  
CR 68, NORTH CASTLE (BIN 1016550)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 08-22-2023 (Unique ID: 2293)

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

- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

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**COMMENTS:** The current request is for design only.

DSK/sed

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  
Blanca P. Lopez, Commissioner of Planning  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

## ACTNO. 244 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,046,000 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 REPLACEMENT OF THE NYS ROUTE 22 BRIDGE OVER ARMONK ROAD CONNECTION (CR #68), IN THE TOWN OF NEW CASTLE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,046,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,046,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 12/11 , 2023 )

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, to the provisions of other laws applicable thereto, \$2,046,000 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 replacement of the existing NYS Route 22 bridge over Armonk Road Connection (CR #68) (BIN 1016550), in the Town of New Castle; all as set forth in the County's Current Year Capital

Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$2,046,000. The plan of financing includes the issuance of \$2,046,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$2,046,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 62 (2<sup>nd</sup>) 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 \$2,046,000. 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 \$2,046,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and

duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

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

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

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

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



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

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

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

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## CAPITAL PROJECT FACT SHEET

Project ID:* RB04N	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2024
Fact Sheet Year:* 2024	Project Title:* NYS ROUTE 22 BRIDGE OVER ARMONK ROAD CONNECTION, CR 68, NORTH CASTLE (BIN 1016550)	Legislative District ID: 3,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2293

### Overall Project Description

This project will fund the replacement of the existing structure with a precast arch with stone facing and associated work.

- |                                                               |                                                  |                                                    |
|---------------------------------------------------------------|--------------------------------------------------|----------------------------------------------------|
| <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
<b>Gross</b>	17,507	1,000	1,046	15,461	0	0	0	0
<b>Less Non-County Shares</b>	12,369	0	0	12,369	0	0	0	0
<b>Net</b>	5,138	1,000	1,046	3,092	0	0	0	0

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

**Current Bond Description:** Funding is requested for design associated with the replacement of the existing structure with a precast arch with stone facing and associated work.

### Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,046,000
Cash:	0
<b>Total:</b>	<b>\$ 2,046,000</b>

### SEQR Classification:

TYPE II

### Amount Requested:

2,046,000

### Expected Design Work Provider:

☐ County Staff ☒ Consultant ☐ Not Applicable

### Comments:

BCR: 4.19 (2020) / AADT: 12,904

### Energy Efficiencies:

### Appropriation History:

Year	Amount	Description
2023	1,000,000	DESIGN

### Total Appropriation History:

1,000,000

### Total Financing History:

0

**Recommended By:**

**Department of Planning**

MLLL

**Date**

08-22-2023

**Department of Public Works**

RJB4

**Date**

08-22-2023

**Budget Department**

DEV9

**Date**

08-23-2023

**Requesting Department**

RJB4

**Date**

08-23-2023

# NYS ROUTE 22 BRIDGE OVER ARMONK ROAD CONNECTION, CR 68, NORTH CASTLE (BIN 1016550) ( RB04N )

**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	17,507	1,000		1,046	15,461				
Non County Share	(12,369)				(12,369)				
Total	5,138	1,000		1,046	3,092				

## **Project Description**

This project will fund the replacement of the existing structure with a precast arch with stone facing and associated work.

## **Current Year Description**

The current year request provides additional design funds.

## **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2024	1,046,000			1,046,000

## **Impact on Operating Budget**

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

## **Appropriation History**

Year	Amount	Description	Status
2023	1,000,000	Design	AWAITING BOND AUTHORIZATION
Total	1,000,000		

## **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	1,000,000		1,000,000
Total	1,000,000		1,000,000

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 December 11, 2023 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media

Date Given  
December 6, 2023

WVOX  
FIOS1  
News Channel 12  
The Journal News

Hometown Media

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

Designated Location(s)  
of posted notice

Date of Posting  
December 6, 2023

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on December 11, 2023.



  
\_\_\_\_\_  
Malika Vanderberg, Clerk  
Westchester County Board of Legislators

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

AYES:

Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Symra Brandon  
Legislator Terry Clements  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator David Imamura  
Legislator Damon Maher  
Legislator James Nolan  
Legislator Catherine Parker  
Legislator Erika Pierce  
Legislator Colin Smith  
Legislator Jewel Williams-Johnson  
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

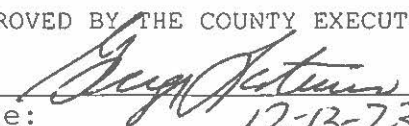
EXCUSED:

Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

\* \* \* \* \*  
APPROVED BY THE COUNTY EXECUTIVE

Date:

  
12-13-23

STATE OF NEW YORK                    )  
                                                  )    ss.  
WESTCHESTER COUNTY                )

**I HEREBY CERTIFY** that I have compared the foregoing (Bond) Act, (Bond) Act No. 244 - 2023, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on December 11, 2023, and approved by the County Executive on December 13, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 14<sup>th</sup> day of December, 2023.

*Malika Vanderberg*

Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

