

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act ("Bond Act"), prepared by the law firm of Hawkins, Delafield & Wood, LLP, in the total aggregate amount of \$4,750,000, to authorize the County of Westchester ("County") to finance the following two capital projects for 2021:

T001U – Replacement of Thirty-Foot Buses ("T001U"), and  
T001Y – Replace Orion Forty-Foot Coach Buses ("T001Y").

The Bond Act, in the amount of \$4,750,000, would finance the cost of acquisition of buses for the County, including associated equipment.

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

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

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

Dated: 2/3, 2021.  
White Plains, New York

Benjamin Boyfunt  
vedat Jasri

Benjamin Boyfunt  
vedat Jasri

Public Works/Transportation

Budget & Appropriations

COMMITTEE ON

Dated: February 3, 2021  
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

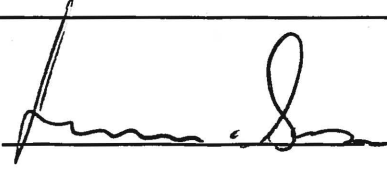
**Budget & Appropriations**

*Nancy E. Dun*  
*Margaret A. Cunzio*  
*Klauson R. Maher*  
*Catherine F. Parker*  
*David Q. Jubilo*  
*Ruth Walker*  
*Alfreda Willis*  
*Cheryl*  
*Tyler*


**Public Works & Transportation**

*David Q. Jubilo*  
*Mary Jane Skimsky*  
*Catherine F. Parker*  
*Ruth Walker*  
*Cheryl*  
*Tyler*  
*Alfreda Willis*

# FISCAL IMPACT STATEMENT

<b>PROJECT CLASS:</b>	Mass Transit Vehicles - LFL 29-a	<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>	
Capital IDs: T001U; T001Y			
<b>SECTION B - BONDING AUTHORIZATIONS</b> To Be Completed by Finance			
<b>Total Principal</b>	\$ 4,750,000	<b>PPU</b> 10	<b>Anticipated Interest Rate</b> 0.68%
<b>Anticipated Annual Cost (Principal and Interest):</b>	\$ 494,444		
<b>Total Debt Service (Annual Cost x Term):</b>	\$ 4,944,440		
<b>Finance Department:</b>	Interest rates from October 7, 2020 Bond Buyer - ASBA		
<b>SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)</b> To Be Completed by Submitting Department and Reviewed by Budget			
<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):			
<u>Electric and hybrid fuel vehicles will result in a reduction in fuel use.</u>			
<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>	51		
<b>SECTION E - EXPECTED DESIGN WORK PROVIDER</b>			
<input type="checkbox"/> <b>County Staff</b>	<input type="checkbox"/> <b>Consultant</b>	<input checked="" type="checkbox"/> <b>Not Applicable</b>	
<b>Prepared by:</b>	<u>Robert Abbamont</u>	<b>Reviewed By:</b>	
<b>Title:</b>	<u>Prog. Coord (Capital Planning)</u>	<b>Budget Director</b>	
<b>Department:</b>	<u>Public Works/Transportation</u>	<b>Date:</b>	<u>10/14/20</u>
<b>Date:</b>	<u>10/13/20</u>		

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

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

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T001U REPLACEMENT OF THIRTY-FOOT BUSES**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-11-2020 (Unique ID: 1489)

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)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.
- 

**COMMENTS:** None.

DSK/dvw

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

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

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

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T001Y REPLACE ORION V 40-FOOT COACH BUSES**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-11-2020 (Unique ID: 1494)

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)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.
- 

**COMMENTS:** None.

DSK/dvw

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

ACT NO.14-2021

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 ACQUISITION OF BUSES FOR THE DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION; STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS \$4,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 02/08 , 2021 )

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, \$4,750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of acquisition of buses for the Department of Airport/DOT and Transportation including associated equipment; 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 objects or purposes, 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.

Section 2. The period of probable usefulness applicable to the objects or purposes for which the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 29-a of the Law, is ten (10) 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. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the



terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 5. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 6. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

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

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

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

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

Section 7. This Act shall take effect not earlier than January 1, 2021 and in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> T001U	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-04-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> REPLACEMENT OF THIRTY-FOOT BUSES	<b>Legislative District ID:</b>
<b>Category*</b> TRANSPORTATION	<b>Department:*</b> AIRPORT/DOT	<b>CP Unique ID:</b> 1489

**Overall Project Description**

This project will fund the procurement of electric and/or hybrid diesel-electric buses and associated work.

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

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

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	19,400	0	4,400	15,000	0	0	0	0
<b>Less Non-County Shares</b>	3,763	0	0	3,763	0	0	0	0
<b>Net</b>	15,637	0	4,400	11,237	0	0	0	0

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

**Current Bond Description:** The current year request will fund the acquisition of buses to replace the current 30-foot bus fleet and associated equipment.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	4,400,000
Cash:	0
<b>Total:</b>	<b>\$ 4,400,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

4,400,000

**Comments:**

**Energy Efficiencies:**

DIESEL BUSES WILL BE REPLACED WITH EITHER HYBRID ELECTRIC OR ALL ELECTRIC BUSES.

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-11-2020

**Department of Public Works**  
RJB4

**Date**  
09-11-2020

**Budget Department**  
GKGA

**Date**  
09-21-2020

**Requesting Department**  
RJB4

**Date**  
09-22-2020

## CAPITAL PROJECT FACT SHEET

**Project ID:\***

T001Y

CBA

**Fact Sheet Date:\***

01-04-2021

**Fact Sheet Year:\***

2021

**Project Title:\***

REPLACE ORION V 40-FOOT COACH BUSES

**Legislative District ID:**

**Category\***

TRANSPORTATION

**Department:\***

AIRPORT/DOT

**CP Unique ID:**

1494

**Overall Project Description**

This project will fund the procurement of forty-foot coach style buses, appropriation for procurement related services and associated equipment and parts.

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

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

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	24,350	0	350	24,000	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	24,350	0	350	24,000	0	0	0	0

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

**Current Bond Description:** The current year request will fund the acquisition of 40-ft coach buses and associated equipment.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	350,000
Cash:	0
<b>Total:</b>	<b>\$ 350,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

350,000

**Comments:**

**Energy Efficiencies:**

IT IS ANTICIPATED THAT THE CURRENT DIESEL BUSES WILL BE REPLACED BY HYBRID DIESEL/ELECTRIC BUSES.

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-11-2020

**Department of Public Works**  
RJB4

**Date**  
09-11-2020

**Budget Department**  
GKGA

**Date**  
09-21-2020

**Requesting Department**  
RJB4

**Date**  
09-22-2020

## REPLACEMENT OF THIRTY-FOOT BUSES ( T001U )

**User Department :** Airport/DOT

**Managing Department(s) :** Airport/DOT ;

**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

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

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	19,400			4,400	15,000				
Non County Share	(3,763)				(3,763)				
Total	15,637			4,400	11,237				

### **Project Description**

This project will fund the procurement of electric and/or hybrid diesel-electric buses and associated work.

### **Current Year Description**

The current year request funds preparation of specifications, related services and installation of charging infrastructure.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	4,400,000			4,400,000

### **Impact on Operating Budget**

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

## REPLACE ORION V 40-FOOT COACH BUSES ( T001Y )

**User Department :** Airport/DOT

**Managing Department(s) :** Airport/DOT ;

**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project without physical planning aspects of concern to the Westchester County Planning Board.

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

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	24,350			350	24,000				
Non County Share									
<b>Total</b>	<b>24,350</b>			<b>350</b>	<b>24,000</b>				

### **Project Description**

This project will fund the procurement of forty-foot coach style buses, appropriation for procurement related services and associated equipment and parts.

### **Current Year Description**

The current year request fund the preparation of specification and related services.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	350,000			350,000

### **Impact on Operating Budget**

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



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 February 8, 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, 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  
February 4, 2021

WVOX  
FIOS1  
News Channel 12  
The Journal News  
Pluma Libre  
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:

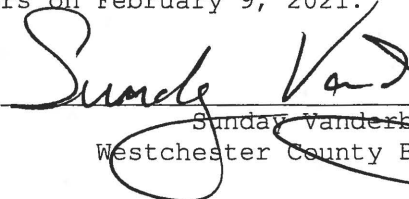
Designated Location(s)  
of posted notice

Date of Posting  
February 4, 2021

[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 February 9, 2021.



  
\_\_\_\_\_  
Sunday 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 Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Kitley Covill  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator Catherine Parker  
Legislator MaryJane Shimsky  
Legislator Colin Smith  
Legislator David Tubiolo  
Legislator Ruth Walter  
Legislator Alfreda Williams  
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

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

Date: \_\_\_\_\_

  
2-10-21

STATE OF NEW YORK )  
 )  
WESTCHESTER COUNTY ) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 14 - 2021, 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 February 8, 2021, and approved by the County Executive on February 10, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 12<sup>th</sup> day of February, 2021.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

