


August 2, 2024

TO: Hon. Vedat Gashi, Chair
Hon. Jose Alvarado, Vice Chair
Hon. Tyrae Woodson-Samuels, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: CBA & Bond Act –
SPK20 – Forcemain Rehabilitation – Peekskill SD.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators August 5, 2024 Agenda.

Transmitted herewith for your review and approval is an Act to amend the current-year capital budget (“Capital Budget Amendment”) as well as a related bond act (“Bond Act,”) which, if adopted, would authorize the County of Westchester (“County”) to issue up to \$15,895,000 in bonds of the County to finance the following capital project: SPK20.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for August 2, 2024 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

July 31, 2024

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 Act to amend the current-year capital budget ("Capital Budget Amendment") as well as a related bond act ("Bond Act,") which, if adopted, would authorize the County of Westchester ("County") to issue up to \$15,895,000 in bonds of the County to finance the following capital project:

SPK20 – Forcemain Rehabilitation – Peekskill Sewer District ("SPK20").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the appropriation for SPK20 by \$4,300,000. The capital budget amendment is necessary to due to cost escalation.

The Bond Act, in the amount of \$15,895,000, would finance the cost of design, construction management and construction costs for the rehabilitation or replacement of force mains and gravity sewers in the Peekskill Sanitary Sewer District, including rehabilitation and replacement of sections of the Water Street Force Main, construction or reconstruction of sewer pipes and manholes and incidental expenses.

The Department of Environmental Facilities ("Department") has further advised that the construction of SPK20 is expected to be undertaken simultaneously with the rehabilitation of the Water Street Pumping Station in the Peekskill Sanitary Sewer District which will be undertaken in accordance with Capital Project SPK95.

Design is currently being undertaken by a consultant and is expected to be completed by the end of the third quarter of 2024. It is estimated that construction will take fifteen months to complete and will begin after award and execution of the construction contracts.

Office of the County Executive

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

Email: CE@westchestercountyny.gov
Telephone: (914) 995-2900

The Planning Department has advised that the Planning Board has previously reviewed SPK20 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is fluid and cursive, with the first name "George" being more prominent than the last name "Latimer".

George Latimer
Westchester County Executive

Attachments

**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 an act, which, if adopted, will amend the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related bond act (“Bond Act”) in the amount of \$15,895,000 prepared by the law firm Norton Rose Fulbright to finance capital project SPK20 – Forcemain Rehabilitation – Peekskill Sewer District (“SPK20”).

Your Committee is advised that the proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the appropriation for SPK20 by \$4,300,000. The capital budget amendment is necessary to due to cost escalation.

Your Committee is further advised by the Department of Environmental Facilities (“Department”) that the Bond Act, in the amount of \$15,895,000, would finance the cost of design, construction management and construction costs for the rehabilitation or replacement of force mains and gravity sewers in the Peekskill Sanitary Sewer District, including rehabilitation and replacement of sections of the Water Street Force Main, construction or reconstruction of sewer pipes and manholes and incidental expenses.

The Department has advised that the construction of SPK20 is expected to be undertaken simultaneously with the rehabilitation of the Water Street Pumping Station in the Peekskill Sanitary Sewer District which will be undertaken in accordance with Capital Project SPK95.

Design is currently being undertaken by a consultant and is expected to be completed by the end of the third quarter of 2024. It is estimated that construction will take fifteen 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 in connection with SPK20 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, SPK20 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.

The Planning Department has advised your Committee that the Planning Board has previously reviewed SPK20 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County’s Capital Budget and to adopt the Bond Act.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SPK20

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 \$ 15,895,000 PPU 30 Anticipated Interest Rate 3.35%

Anticipated Annual Cost (Principal and Interest): \$ 826,496

Total Debt Service (Annual Cost x Term): \$ 24,794,870

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: 173

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget


Date: 8/1/24

Reviewed By: *Mustafa Rana*

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 2, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPK20 Forcemain Rehabilitation – Peekskill Sewer District**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-18-2024 (Unique ID: 2559)

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)(6):** street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities.
-

COMMENTS: The majority of the rehabilitation work involves lining of the existing pipes. A portion of the pipelines, which run within a narrow space between active railroad tracks and several industrial buildings, will be replaced by extending the pipes already within the North Water Street right-of-way further north before connecting to the existing pipelines running alongside the railroad tracks. The street, which curves towards the railroad tracks a little further north, provides a better location for the installation and maintenance of the sewer lines with less environmental impacts.

This project is being combined with capital project SPK95, which provides for the rehabilitation of the Water Street Pumping Station, which may also be classified as a Type II action. The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Nat Federici, Deputy Commissioner, Dept. of Environmental Facilities
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner




Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner 

Date: July 25, 2024

RE: **NO-ACTION MEMO - Capital Budget Amendment – Forcemain Rehabilitation
Peekskill Sewer District (2024 CBA)**

The County Executive is requesting an amendment to the 2024 Capital Budget to modify the funding of the above project. Capital project **SPK20 Forcemain Rehabilitation Peekskill Sewer District** will fund construction and construction management for the rehabilitation and replacement of sections of the Water Street Force Main in the Peekskill Sanitary Sewer District.

The capital budget amendment is needed because of the increased costs associated with this project. The total requested amount of \$17,600,000 includes \$13,300,000 of previously appropriated funds and a new CBA request of \$4,300,000. This project was classified as a PL2 in the 2005 Planning Board Report on Capital Project Requests adopted July 13, 2004.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Commissioner
Dianne Vanadia, Associate Budget Director
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2024 County
 Capital Budget Appropriations for
 Capital Project SPK20 FORCEMAIN
 REHABILITATION - PEEKSKILL
 SEWER DISTRICT

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation	\$13,300,000	\$4,300,000	\$17,600,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$13,300,000	\$4,300,000	\$17,600,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$13,300,000	\$4,300,000	\$17,600,000

Section 3. The ACT shall take effect immediately.