

Environment, Energy & Climate

Meeting Agenda



Committee Chair: David Imamura

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, October 16, 2023

10:00 AM

Committee Room

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

Joint w/ B&A and PWT

MINUTES APPROVAL

July 24th, 2023 10AM Minutes
August 1st, 2023 1PM Minutes
August 21st, 2023 1PM Minutes
August 25th, 2023 11AM Minutes

I. ITEMS FOR DISCUSSION

[2023-367](#)

BOND ACT(Amended)-RD017-MRF and Transfer Station Rehabilitation

A BOND ACT (Amended) authorizing the issuance of an additional FOURTEEN MILLION, THREE HUNDRED EIGHTY THOUSAND (\$14,380,000) DOLLARS in bonds of Westchester County to finance Capital Project RD017 - Material Recovery Facility and Transfer Station Rehabilitation.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND ENVIRONMENT, ENERGY & CLIMATE

Guests:

Department of Environmental Facilities
Commissioner Vincent Kopicki
First Deputy Commissioner Lou Vetrone
Deputy Commissioner Nat Federici

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Westchester County

George Latimer
County Executive

July 28, 2023

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 (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) by and on behalf of the Refuse Disposal District #1 (“District”) to issue an additional \$14,380,000 in bonds of the County in connection with the following capital project:

RD017 – Material Recovery Facility and Transfer Station Rehabilitation (“RD017”).

The Amended Bond Act, in the total amount of \$15,830,000, which amount includes \$1,000,000 in previously authorized bonds of the County, would finance the costs of design, construction management and construction costs for various improvements to District transfer stations and the Materials Recovery Facility, a class of objects or purposes, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels.

The Department of Environmental Facilities (“Department”) has advised that the facility, which was built in 1992, requires certain upgrades to maintain the safety and efficiency of the facility in the ever-changing recyclables market. RD017 will help with these upgrades; the roof replacement, which includes a modern misting system to reduce airborne contaminants, replacement of failing compactors to allow for continued processing of municipal solid waste, optical sorters and paper bunker reconstruction to ensure the continued ability to process and market recyclables.

The Department has further advised that this component of RD017 has previously received approval by the New York State Comptroller (“Comptroller”) in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

For the components requiring design, design is or will be undertaken by a consultant, and each project is expected to be completed within different timeframes. The Department is currently working on the roof replacement, which is in the design phase with a consultant, which is anticipated to be completed in the fourth quarter of 2023. Due to the nature of the project, construction would be scheduled when weather

Office of the County Executive

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

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

westchestergov.com

permits. The Department is also working a consultant to review the compactor installation, the first two of which are anticipated to be installed by third quarter of 2023.

It should be noted that your Honorable Board has authorized the County to issue bonds for RD017 as indicated in the annexed fact sheet and as follows: Bond Act No. 156-2022 in the amount of \$1,000,000 to finance design in connection with this component of RD017. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 156-2022 be amended to increase the amount authorized by \$14,830,000, for a total authorized amount, as amended, of \$15,830,000, to revise the scope of Bond Act No.156-2022 to include work associated with the construction phase of RD017, and to increase the period of probable usefulness of said bonds.

The Department of Planning has advised that based on its review, RD017 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. 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,



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 (“Amended Bond Act”) in the total amount of \$15,830,000, which amount includes \$1,000,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project RD017 – Material Recovery Facility and Transfer Station Rehabilitation (“RD017”). The Amended Bond Act, which was prepared by the law firm Norton Rose Fulbright, is required to finance the cost of design, construction management and construction costs for various improvements to District transfer stations and the Materials Recovery Facility, a class of objects or purposes, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels.

The Department of Environmental Facilities (“Department”) has advised that the facility, which was built in 1992, requires certain upgrades to maintain the safety and efficiency of the facility in the ever-changing recyclables market. RD017 will help with these upgrades; the roof replacement, which includes a modern misting system to reduce airborne contaminants, replacement of failing compactors to allow for continued processing of municipal solid waste, optical sorters and paper bunker reconstruction to ensure the continued ability to process and market recyclables.

The Department has further advised that this component of RD017 has previously received approval by the New York State Comptroller (“Comptroller”) in accordance with Section 268 of the New York State County Law by an Order of the Comptroller dated January 26, 2018.

For the components requiring design, design is or will be undertaken by a consultant, and each project is expected to be completed within different timeframes. The Department is currently working on the roof replacement, which is in the design phase with a consultant, which is anticipated to be completed in the fourth quarter of 2023. Due to the nature of the project, construction would be scheduled when weather permits. The Department is also working a consultant to review the compactor installation, the first two of which are anticipated to be installed by third quarter of 2023.

For the components requiring design, design is or will be undertaken by a consultant, and each project is expected to be completed within different timeframes. The Department is currently working on the roof replacement, which is in the design phase with a consultant, which is anticipated to be completed

in the fourth quarter of 2023. Due to the nature of the project, construction would be scheduled when weather permits. The Department is also working a consultant to review the compactor installation, the first two of which are anticipated to be installed by 3rd quarter of 2023.

The Department of Planning has advised your Committee that based on its review, RD017 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). 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 Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RD017

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 \$ 15,830,000 PPU 25 Anticipated Interest Rate 3.31%

Anticipated Annual Cost (Principal and Interest): \$ 919,161

Total Debt Service (Annual Cost x Term): \$ 22,979,025

Finance Department: Interest rates from August 1, 2023 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: 172

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 8/2/23

Reviewed By: 

2023/8/3
Budget Director

Date: 8/3/23

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: June 27, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RD017 Material Recovery Facility and Transfer Station Rehabilitation**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-17-2023 (Unique ID: 2215)

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;
- **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: Scope of work covered under Type II is limited to rehabilitation of existing structures and equipment upgrades that do not involve new programs.

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
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Dianne Vanadia, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. _____ - 2023

BOND ACT DATED _____, 2023.

A BOND ACT THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 156-2022, WHICH PROVIDED FOR THE ISSUANCE OF \$1,000,000 BOND TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR VARIOUS IMPROVEMENTS TO THE MATERIALS RECOVERY FACILITY AND THRUWAY TRANSFER CENTER IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO INCLUDE FINANCING FOR CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO DISTRICT TRANSFER STATIONS AND THE MATERIALS RECOVERY FACILITY, AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$15,830,000 (AN INCREASE OF \$14,830,000) FOR SAID PURPOSE.

WHEREAS, this Board, pursuant to Act No. 156-2022 dated November 14, 2022, previously authorized the issuance of \$1,000,000 bonds to pay the costs of design and construction management for various improvement to the Materials Recovery Facility and Thruway Transfer Center, in and for the County's Refuse Disposal District No. 1; and

WHEREAS, no obligations have been issued under Act No. 156-2022; and

WHEREAS, it has now been determined that the aforesaid purposes should be expanded to include design, construction management and construction costs for various improvements to all District transfer stations and the Materials Recovery Facility, and that the estimated maximum cost and amount of bonds authorized thereof should now be \$15,830,000, an increase of \$14,830,000; and

WHEREAS, the County previously received approval from the New York State Comptroller ("State Comptroller") in accordance with Section 268 of the County Law by order of the State Comptroller dated January 26, 2018 with respect to the aforesaid purposes; and

WHEREAS, \$15,830,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes; and

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Refuse Disposal District No. 1, which are specially benefitted by said class of objects or purposes; 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): The bond act duly adopted by this Board entitled

ACT NO. 156-2022

A BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF DESIGN AND CONSTRUCTION MANAGEMENT FOR VARIOUS IMPROVEMENTS TO THE MATERIALS RECOVERY FACILITY AND THRUWAY TRANSFER CENTER IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$15,830,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO DISTRICT TRANSFER STATIONS AND THE MATERIALS RECOVERY FACILITY, IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1.

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

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; and

WHEREAS, the County previously received approval from the New York State Comptroller ("State Comptroller") in accordance with Section 268 of the County Law by order of the State Comptroller dated January 26, 2018 with respect to the aforesaid purposes; and

WHEREAS, all 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; and

WHEREAS, it is now desired to authorize the financing of the costs of such capital project allocable to the County's Refuse Disposal District No. 1; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), 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 \$15,830,000 bonds of the County to finance the design, construction management and construction costs for various improvements to District transfer stations and the Materials Recovery Facility, a class of objects or purposes, in and for the County's Refuse Disposal District No. 1, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels. 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 \$15,830,000, and that the plan for the financing thereof is by the issuance of the \$15,830,000 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 twenty-five years pursuant to subdivision six 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 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 the County's Refuse Disposal District No. 1, 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 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 the sole discretion of the Commissioner of Finance, 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 class of objects or purposes 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, 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 monies 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 of the 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: _____, 2023

STATE OF NEW YORK)
) ss.:
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 _____, 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 said meeting was (i) open to the general public pursuant to Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of the Public Officers Law.

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 Notice

Date of Posting

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

Clerk 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 _____, 2023 and approved by the County Executive on _____, 2023 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 of the 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. _____-2023

A BOND ACT THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 156-2022, WHICH PROVIDED FOR THE ISSUANCE OF \$1,000,000 BOND TO PAY THE DESIGN AND CONSTRUCTION MANAGEMENT COSTS FOR VARIOUS IMPROVEMENTS TO THE MATERIALS RECOVERY FACILITY AND THRUWAY TRANSFER CENTER IN AND FOR THE COUNTY'S REFUSE DISPOSAL DISTRICT NO. 1, TO INCLUDE FINANCING FOR CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO DISTRICT TRANSFER STATIONS AND THE MATERIALS RECOVERY FACILITY, AND TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$15,830,000 (AN INCREASE OF \$14,830,000) FOR SAID PURPOSE.

class of objects or purposes: costs of design, construction management and construction costs for various improvements to District transfer stations and the Materials Recovery Facility, a class of objects or purposes, in and for the County's Refuse Disposal District No. 1, including, but not limited to, incidental expenses in connection therewith, replacement of new compactors and optical sorters, reconstruction of paper bunkers, rehabilitation of tipping floors, reconstruction of the roof with reinforcement for the potential installation of solar panels

period of probable usefulness: twenty-five years

amount of obligations to be issued: \$15,830,000

Dated: _____, 2023
White Plains, New York

Clerk of the County Board of Legislators of the County of
Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* RD017	<input type="checkbox"/> CBA	Fact Sheet Date:* 04-26-2023
Fact Sheet Year:* 2023	Project Title:* MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION	Legislative District ID: 1, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2.
Category* REFUSE DISPOSAL	Department:* ENVIRONMENTAL FACILITIES	CP Unique ID: 2215

Overall Project Description

This multi-phased project will include, but not be limited to, the design and construction of a leachate collection system for the haulage vehicle "trailer staging area" at the MRF to address the liquid leachate leaking from the trailers in the first phase. The second phase will provide for leachate collection and/or treatment systems at the White Plains and Mt. Vernon transfer stations as directed by the NYSDEC. The third phase will involve the repair of any structural deficiencies identified in a prior structural inspection program and the roof replacements for the MRF and the four (4) Solid Waste Transfer Stations. Also included will be the repair or replacement of the various HVAC, electrical, mechanical and plumbing systems and equipment at the MRF and Transfer Stations.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input 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	2023	2024	2025	2026	2027	Under Review
Gross	37,680	27,680	0	0	0	0	0	10,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	37,680	27,680	0	0	0	0	0	10,000

Expended/Obligated Amount (in thousands) as of : 5,349

Current Bond Description: Design, construction management and construction funding to rehabilitate and upgrade all District Transfer Stations and Material Recovery Facility. Work will include, but not be limited to, replacement of new compactors and optical sorters, reconstruction of paper bunkers, repair of tipping floors, and reconstruction of the roof with reinforcement for the potential installation of solar panels.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	14,830,000
Cash:	0
Total:	\$ 14,830,000

SEQR Classification:

TYPE II

Amount Requested:

14,830,000

Comments:

Energy Efficiencies:

NONE

Appropriation History:

Year	Amount	Description
2013	450,000	DESIGN AND CONSTRUCTION MANAGEMENT - YONKERS
2014	1,700,000	CONSTRUCTION - YONKERS
2015	5,800,000	FUNDS ADDITIONAL CONSTRUCTION COSTS
2018	6,000,000	CONSTRUCTION.
2019	13,730,000	FUNDS CONSTRUCTION

Total Appropriation History:

27,680,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
14	58	0	0	LEACHATE COLLECTION SYSTEM - OVERNIGHT HAULAGE VEHICLE STAGING AREA
17	32	0	0	LEACHATE COLLECTION SYSTEM - OVERNIGHT HAULAGE VEHICLE STAGING AREA
19	99	7,500,000	3,840,800	DESIGN/CONSTRUCTION FOR LEACHATE COLLECTION SYSTEM AT MRF IN YONKERS
19	100	0	0	NARROWS SCOPE OF WORK TO DESIGN AND CONSTRUCTION AT WHITE PLAINS TRANSFER STATION ONLY
20	85	300,000	0	COST OF STUDY TO EVALUATE ALL BUILDING SYSTEMS AND EQUIPMENTS AT MATERIAL RECOVERY FACILITY, YONKERS
22	118	4,050,000	0	WHITE PLAINS TRANSFER STATION BROCKWAY
22	156	1,000,000	0	

Total Financing History:

12,850,000

Recommended By:**Department of Planning**

MLLL

Date

05-17-2023

Department of Public Works

RJB4

Date

06-20-2023

Budget Department

DEV9

Date

06-20-2023

Requesting Department

JWBA

Date

06-20-2023

MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION (RD017)

User Department : Environmental Facilities
Managing Department(s) : Environmental Facilities ;

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	2023	2024	2025	2026	2027	Under Review
Gross	37,680	27,680	5,349						10,000
Non County Share									
Total	37,680	27,680	5,349						10,000

Project Description

This multi-phased project will include, but not be limited to, the design and construction of a leachate collection system for the haulage vehicle "trailer staging area" at the MRF to address the liquid leachate leaking from the trailers in the first phase. The second phase will provide for leachate collection and/or treatment systems at the White Plains and Mt. Vernon transfer stations as directed by the NYSDEC. The third phase will involve the repair of any structural deficiencies identified in a prior structural inspection program and the roof replacements for the MRF and the four (4) Solid Waste Transfer Stations. Also included will be the repair or replacement of the various HVAC, electrical, mechanical and plumbing systems and equipment at the MRF and Transfer Stations.

Current Year Description

There is no current year request.

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
2013	450,000	Design and construction management - Yonkers	COMPLETE
2014	1,700,000	Construction - Yonkers	COMPLETE
2015	5,800,000	Funds additional construction costs	5,350,000 - Yonkers Leachate - COMPLETE. \$100,000 - Study - IN PROGRESS
2018	6,000,000	Construction.	\$350,000 - Design & CM - White Plains - DESIGN \$3,600,000 - White Plains - DESIGN; \$2,400,000 - Phase II - AWAITING BOND AUTHORIZATION
2019	13,730,000	Funds construction	AWAITING BOND AUTHORIZATION
Total	27,680,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	27,680,000	3,840,800	23,839,200
Total	27,680,000	3,840,800	23,839,200

**MATERIAL RECOVERY FACILITY AND TRANSFER STATION REHABILITATION
(RD017)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
58 14				
32 17				
99 19	7,500,000	12/10/19	398,154	3,659,200
		12/10/19	29,471	
		04/30/20	669,372	
		12/01/21	2,643,072	
		12/01/21	100,731	
100 19				
85 20	300,000			300,000
118 22	4,050,000			4,050,000
Total	11,850,000		3,840,800	8,009,200