

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related amending and superseding bond act prepared by the law firm Norton Rose Fulbright (“Amended Bond Act”) in connection with capital projects SPC03 - Port Chester Waste Water Treatment Plant – Electrical System Upgrade (“SPC03”), and SPC09 – Port Chester Waste Water Treatment Plant HVAC Systems Upgrade (“SPC09”).

The Amended Bond Act would amend and supersede Bond Act No. 52-2024 to:

- (i) increase the amount of bonds authorized by Act 52-2024 by \$18,000,000, from \$11,000,000 to a new total of \$29,000,000,
- (ii) increase the estimated maximum cost of the combined SPC03 and SPC09 projects from \$45,200,000 to \$63,200,000 (an increase of \$18,000,000), and
- (iii) update the plan of financing to include (a) \$34,200,000 bonds authorized under Bond Act No. 5-2021 and (b) the new total of \$29,000,000 to be authorized by the Amended Bond Act.

The proposed Capital Budget Amendment will amend the County’s capital budget to increase the appropriations for SPC03 and SPC09 by a total aggregate amount of \$18,000,000, comprised of a \$6,000,000 increase for SPC03, and a \$12,000,000 increase for SPC09.

The Department of Environmental Facilities (the “Department”) advised that all bids received exceeded available construction budgets for SPC03 and SPC09. Cost increases are attributable to tariffs and unpredictable market conditions. Many raw materials and manufactured electrical and heating, ventilation, and air conditioning (“HVAC”) components are imported and therefore subject to increased tariffs. In addition, tariffs are causing supply chain disruption thereby risking long lead times and further increasing costs.

The Amended Bond Act would authorize the County to issue \$29,000,000 bonds of the County (including \$11,000,000 previously authorized by Bond Act 52-2024) to finance a portion of the \$63,200,000 estimated maximum cost of the design, construction management and

construction for the replacement and upgrading of the electrical system and replacement of the HVAC system at the County's Port Chester Water Resource Recovery Facility, including incidental expenses.

The Department advised that SPC03 and SPC09 provide for replacement and upgrade of plant electrical system and HVAC system at the Port Chester Water Resource Recovery Facility. The electrical system replacement and upgrade includes but is not limited to replacement of the electrical switch gear, electrical panel boards, motor controls centers, emergency generators and any other related ancillary equipment reaching the end of its useful life. The HVAC system replacement and upgrade includes but is not limited to replacement of the HVAC units, as well as odor control equipment and all ancillary systems and controls.

Design has been completed by a consultant. It is estimated that construction will take thirty-six months to complete and will begin after award and execution of the construction contracts.

Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board has previously reviewed SPC03 and SPC09 and issued reports, and that since there is no change in the location, size or character of the project and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

The Planning Department has advised your Committee that based on its review, the above-referenced capital projects may be classified as Type "II" actions 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.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts,

noting that the Amended Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should 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 Amended Bond Act.

Dated: November 10th, 2025
White Plains, New York

Handwritten signatures and notes on the left side:
- *Handwritten signature: Henry Gilligan Jr for w.o.p.*
- *Handwritten signature: [Signature]*
- *Handwritten signature: Colin [Signature]*
- *Handwritten text: Vedat f.d.*
- *Handwritten signature: Nancy [Signature]*
- *Handwritten signature: David [Signature]*
- *Handwritten signature: David [Signature]*

Handwritten signatures and notes on the right side:
- *Handwritten signature: [Signature] w.o.p.*
- *Handwritten text: Vedat f.d.*
- *Handwritten signature: Nancy [Signature]*
- *Handwritten signature: Henry Gilligan Jr for w.o.p.*
- *Handwritten signature: David [Signature]*

MG/emc.10.10.2025

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BELOW

☐ 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

SPC03 AND SPC09

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 29,000,000 PPU 30 Anticipated Interest Rate 4.13%

Anticipated Annual Cost (Principal and Interest): \$ 1,721,276

Total Debt Service (Annual Cost x Term): \$ 51,638,280

Finance Department: Interest rates from October 9, 2025 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: 315

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/14/25

Reviewed By: 

DV 10.14.25
CD 10/14/25

Budget Director

Date:

10/14/25

TO: Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner



DATE: October 10, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPC03 Port Chester Waste Water Treatment Plant - Electrical System Upgrade**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 10/02/2025 (Unique ID: 3048)

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.

COMMENTS: None.

DSK/oav

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
Jazmin Logan, Environmental Project Director - Capital Programs (DEF)
Robert Zambardino, Program Coordinator – Capital Programs (DEF)
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner
Douglas Wessels, Planner

TO: Michelle Greenbaum, Senior Assistant County Attorney
Carla Chaves, Senior Assistant County Attorney
Maximilian Zorn, Assistant County Attorney
Maria Baratta, Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner



DATE: October 10, 2025

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPC09 Port Chester Waste Water Treatment Plant HVAC Systems Upgrade**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 10/01/2025 (Unique ID: 3049)

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.

COMMENTS: None.

DSK/oav

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
Jazmin Logan, Environmental Project Director - Capital Programs (DEF)
Robert Zambardino, Program Coordinator – Capital Programs (DEF)
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner
Douglas Wessels, Planner

An Act amending the 2025 County
Capital Budget Appropriations for
Capital Projects SPC03 PORT
CHESTER WASTE WATER
TREATMENT PLANT - ELECTRICAL
SYSTEM UPGRADE & SPC09 PORT
CHESTER WASTE WATER
TREATMENT PLANT HVAC
SYSTEMS UPGRADE

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

Section 1. The Capital section of the 2025 County Budget is hereby amended as follows:

	Previous 2025 Appropriation	Change	Revised 2025 Appropriation
I. Appropriation			
SPC03	\$32,900,000	\$6,000,000	\$38,900,000
SPC09	<u>\$12,400,000</u>	<u>\$12,000,000</u>	<u>\$24,400,000</u>
	\$45,300,000	\$18,000,000	\$63,300,000

Section 2. The estimated method of financing in the Capital Section of the 2025 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$45,300,000	\$18,000,000	\$63,300,000
Non County Shares	\$0		\$0
Cash	<u>\$0</u>	<u></u>	<u>\$0</u>
Total	\$45,300,000	\$18,000,000	\$63,300,000

Section 3. The ACT shall take effect immediately.