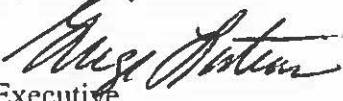


April 12, 2021

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **ACT, CBA & Bond Act  
– A0133 – Rehabilitation of Taxiway “L”.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators April 12, 2021 Agenda.

Transmitted herewith for your review and approval is a proposed Act, which if adopted would authorize the County to apply for and enter into a grant agreement with the FAA for Capital Project A0133. A CBA and Bond Act are also attached.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for April 12, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer  
County Executive

April 12, 2021

Westchester County Board of Legislators  
800 Michaelian Office Building  
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a proposed act ("Act") which, if adopted, would authorize the County of Westchester ("County"), to apply for and enter into a grant agreement with the Federal Aviation Administration ("FAA") for capital project A0133 – Rehabilitation of Taxiway "L" ("A0133"). Also transmitted is an act which, if adopted, would authorize the County to amend its current-year capital budget for A0133 (the "Capital Budget Amendment"), along with a Bond Act which would authorize the County to issue up to \$200,000 in bonds to finance A0133 ("Bond Act").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the appropriation for A0133 by \$4,000,000, comprised of a \$200,000 increase to Bonds and/or Notes and a \$3,800,000 increase to non-County shares. The Department of Public Works and Transportation ("Department") has advised that the Capital Budget Amendment is required so the County may apply for an FAA Airport Capital Improvement Program Entitlement grant which has become available in 2021.

The Bond Act, in the amount of \$200,000 would finance the cost of construction and construction management for the rehabilitation of Taxiway "L" between Runway 11/29 and Taxiway "C" at the Westchester County Airport.

The Act would authorize the County to apply for and enter into a grant with the FAA for the rehabilitation of Taxiway "L" from Runway 11/29 to Taxiway "C". The FAA has indicated it will fund up to 90% of A0133, resulting in a FAA grant in the amount of approximately \$3,600,000. Additionally, the New York State Department of Transportation ("NYSDOT") has indicated that it will fund up to 5% of A0133 resulting in a NYSDOT grant amount of approximately \$200,000. Consequently, a local share of 5% of the cost of A0133 will be provided by the Airport Special Revenue Fund ("ASRF") in the amount of approximately \$200,000.

The Department has advised that that the Taxiway "L" pavement being rehabilitated from Runway 11/29 to Taxiway "C" has reached the end of its useful life.

Office of the County Executive

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

Email: CE@westchestergov.com  
Telephone: (914) 995-2900

westchestergov.com

Design has been completed by consultants. It is estimated that construction will take three months to complete and will begin after award and execution of construction contracts, subject to approval of construction financing by your Honorable Board.

The Planning Department has advised that based on its review, the above-referenced capital project has been 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 further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

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. Accordingly, the Planning Board report for A0133 has been annexed.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts 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 a communication from the County Executive recommending approval of an act ("Act") which, if adopted, would authorize the County of Westchester ("County"), to apply for and enter into a grant agreement for funding from the Federal Aviation Administration ("FAA") for capital project A0133 – Rehabilitation of Taxiway "L" ("A0133"). The communication further recommends approval of an act which, if adopted, would authorize the County to amend its current-year capital budget for A0133 ("Capital Budget Amendment") as well as an a bond act drafted by the law firm Hawkins, Delafield & Wood, ("Bond Act") which would authorize the County to issue up to \$200,000 in bonds to finance A0133.

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the appropriation for A0133 by \$4,000,000, comprised of a \$200,000 increase to Bonds and/or Notes and a \$3,800,000 increase to non-County shares. The Department of Public Works and Transportation ("Department") has advised that the Capital Budget Amendment is required so the County may apply for an FAA Airport Capital Improvement Program Entitlement grant which has become available in 2021.

The Bond Act, in the amount of \$200,000 would finance the cost of construction and construction management for the rehabilitation of Taxiway "L" between Runway 11/29 and Taxiway "C" at the Westchester County Airport.

The Act would authorize the County to apply for and enter into a grant with the FAA for the rehabilitation of Taxiway "L" from Runway 11/29 to Taxiway "C". The FAA has indicated it will fund up to 90% of A0133, resulting in a FAA grant in the amount of approximately \$3,600,000. Additionally, the New York State Department of Transportation ("NYSDOT") has indicated that it will fund up to 5% of A0133 resulting in a NYSDOT grant amount of approximately \$200,000. Consequently, a local share of 5% of the cost of A0133 will be

provided by the Airport Special Revenue Fund ("ASRF") in the amount of approximately \$200,000.

The Department has advised that that the Taxiway "L" pavement being rehabilitated from Runway 11/29 to Taxiway "C" has reached the end of its useful life. Design has been completed by consultants. It is estimated that construction will take three months to complete and will begin after award and execution of construction contracts, subject to approval of construction financing by your Honorable Board.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been 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 further environmental review is required. Your Committee has reviewed the annexed SEQR document and concurs with this conclusion.

Your Committee has carefully considered this matter and has concluded that it is in the best interest of the County to adopt the Act to authorize the County to apply for and enter into a grant agreement with the FAA as well as adopt the act to amend the County's current-year capital budget. Your Committee is advised that an affirmative vote of a majority of your Honorable Board is required to adopt the Act, while an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act. In addition, 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. Accordingly, the Planning Board report for A0133 has been annexed hereto.

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.

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: A0133

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 \$ 200,000 PPU 10 Anticipated Interest Rate 0.86%

Anticipated Annual Cost (Principal and Interest): \$ 20,946

Total Debt Service (Annual Cost x Term): \$ 209,460

Finance Department: Interest rates from April 5, 2021 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): N/A

Potential Related Revenues (Annual): N/A

Anticipated savings to County and/or impact of department operations

(describe in detail for current and next four years):

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## SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 43

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: James Antonaccio

Title: Principal Architect

Department: Public Works & Transportation

Date: 4/8/21


Reviewed By: 

Budget Director

Date: 4/9/21



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

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

DATE: April 6, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
A0133 REHABILITATION OF TAXIWAY "L"**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 04/06/2021 (Unique ID: 1668)

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.

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**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



RESOLUTION 21-\_\_//

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2021 Capital Project Requests

A0133 Rehabilitation of Taxiway "L"

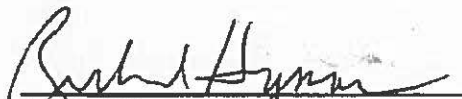
**WHEREAS**, the County Executive will submit legislation to the County Board of Legislators which would authorize amending the capital project **A0133 Rehabilitation of Taxiway "L"** by moving funds from 2022 to 2021 in the amount of \$4,000,000 for construction of Phase I of the Rehabilitation of Taxiway L at Westchester County Airport, and

**WHEREAS**, the Department of Public Works and Transportation is advising that this work, utilizing 95% state and federal funds, be expedited at Westchester County Airport, and

**WHEREAS**, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by maintaining county facilities; now therefore, be it

**RESOLVED**, that the County Planning Board recommends amending the 2021 Capital Projects Requests to include the use of funds for **A0133 Rehabilitation of Taxiway "L"** in the amount of \$4,000,000 for construction of Phase I of the Rehabilitation of Taxiway L at Westchester County Airport.

Adopted this 6<sup>th</sup> day of April, 2021.

  
Richard Hyman, Chair

## A0133 Rehabilitation of Taxiway "L"

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2021	2022	2023	2024	2025	Under Review
Gross	10,525	450	250	4,000	575	250	0	5,000
Non-County Share	10,010	428	237	3,800	545	250	0	4,750
County Share	515	22	13	200	30	0	0	250

### Project Description

This project funds the rehabilitation of Taxiway "L" from Runway 11/29 to Runway 16 Approach End. The project includes, but is not limited to, pavement restoration, rehabilitation of taxiway lighting and signage and installation of taxiway markings. The current Capital Budget Amendment (CBA) is to move forward the \$4 million from 2022 to 2021 (95% of which is FAA and NYS funding) for construction of Phase 1 of the Rehabilitation of Taxiway L.

### Appropriation / Funding Requests

- 2017: Design of Phase I
- 2021: \$250,000 for rehabilitation of Taxiway "L" Phase 2 – Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End – environmental planning, preparation of NEPA.  
CBA in 2021 to move \$4,000,000 from 2022 to 2021 for construction of Phase 1 of the Rehabilitation of Taxiway L.
- 2022: \$4,000,000 for Rehabilitation of Taxiway "L" Phase 1 – Rehabilitation of Taxiway "L" from Runway 11/29 to Taxiway "C" - construction and construction management
- 2023: \$575,000 for rehabilitation of Taxiway "L" Phase 2 – Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End - design
- 2024: \$250,000 for rehabilitation of Taxiway "L" Phase 2 - Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End
- Under Review: \$5,000,000 for rehabilitation of Taxiway "L" Phase 2 - Rehabilitation of Taxiway "L" from Taxiway "C" to Runway 16 Approach End - Construction and Construction Management

### Justification

This replacement cycle follows a Federal Aviation Administration (FAA) requirement that a Pavement Management System be utilized in scheduling pavement replacement projects.

### Consistency with Programs or Plans

This project is consistent with the County Board of Legislators' Airport Policy Statement which supports improving safety, increasing efficiency and up-grading facilities or providing better conditions for Airport users, tenants, and passengers.

### Planning Board Analysis

PL2: The Planning Board is supportive of Airport projects that improve safety, increase efficiency and upgrade facilities for travelers and employees. Planning Department staff will review plans for the taxiway rehabilitation for physical and environmental concerns.

An Act amending the 2021 County  
 Capital Budget Appropriations for  
 Capital Project A0133 - Rehabilitation  
 of Taxiway L

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$700,000	\$4,000,000	\$4,700,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	\$200,000	\$200,000
Non County Shares	\$664,500	\$3,800,000	\$4,464,500
Cash	\$35,500		\$35,500
Total	\$700,000	\$4,000,000	\$4,700,000

Section 3. The ACT shall take effect immediately.