

**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 amended bond act (“Bond Act”) in the total amount of \$1,650,000, which includes \$1,400,000 in previously authorized bonds of the County, to finance Capital Project RB202 – Farragut Avenue, CR 151, Hastings-on-Hudson (“RB202”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, is required to finance design, construction management and construction for the rehabilitation of approximately 0.61 miles of Farragut Avenue from Farragut Parkway to Hillside Avenue including milling, resurfacing, concrete curb replacement, drainage enhancements, new traffic loops, new pavement markings and related work. The Department of Public Works and Transportation (“Department”) has advised that the additional financing is being requested for the incorporation of traffic/pedestrian safety features.

The Department has advised that this road has an annual daily traffic count (“AADT”) of 12,077 and is in need of rehabilitation to maintain a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2019 was 64 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will take approximately six 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 RB202 as follows: Bond Act No. 159-2019 in the amount of \$1,400,000 to finance construction of rehabilitation of the roadway from Farragut Parkway to Hillside Avenue, Hastings-on-Hudson. This bond has not been sold. It is now requested that Bond Act No. 159-2019 be amended to increase the initial amount authorized by \$250,000, for a total authorized amount, as amended, of \$1,650,000, and to revise the scope of Bond Act No. 159-2019 to include costs related to the incorporation of traffic/pedestrian safety features.

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 documentation and concurs with this conclusion.

Your Committee has carefully considered Bond Act and recommends approval of the proposed Bond Act.

Dated: July 19, 2021
White Plains, New York

Dedat Jechi
Cath Park
Ruth Wake
to U.S.

Benjamin Bayliss

David J. Tubis

K. Swell

Christy

Mary Anne Murphy

Catherine Borgna

Dedat Jechi
Cath Park

W. M. S.
Ruth Wake
to U.S.

Benjamin Bayliss

David J. Tubis

Christy

Spencer Bar

Public Works & Transportation
COMMITTEE ON

Budget & Appropriation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB202

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 \$ 1,650,000 PPU 15 Anticipated Interest Rate 0.10%

Anticipated Annual Cost (Principal and Interest): \$ 118,810

Total Debt Service (Annual Cost x Term): \$ 1,782,150

Finance Department: Interest rates from June 22, 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 18

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Director of Operations (Capital Planning)

Department: Public Works and Transportation


Date: 6/28/21

Reviewed By: 

Budget Director

Date: 6/30/21

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

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

DATE: June 24, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB202 FARRAGUT AVENUE, CR 151, HASTINGS-ON-HUDSON**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-25-2021 (Unique ID: 1688)

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)(22):** installation of traffic control devices on existing streets, roads and highways.
-

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. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED SEPTEMBER 16, 2019 TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON, AT THE MAXIMUM ESTIMATED COST OF \$1,650,000. (Adopted , 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$1,400,000 bonds to finance the cost of roadway rehabilitation of Farragut Avenue (CR 151), in the Village of Hastings-on-Hudson (the "Project"), pursuant to Act No. 159-2019 duly adopted on September 16, 2019; and

WHEREAS, it has been determined that the cost of the Project has escalated due to the incorporation of traffic/pedestrian safety features into the existing project within the same limits of work, and it is necessary to revise the prior bond act and increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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 on September 16, 2019, entitled:

"ACT NO. 159-2019

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON; STATING THE ESTIMATED MAXIMUM COST

THEREOF IS \$1,400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,400,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

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, and to the provisions of other laws applicable thereto, \$1,650,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction for the rehabilitation of approximately 0.61 miles of Farragut Avenue from Farragut Parkway to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage enhancements; new traffic loops; new pavement markings and related work, as well as the incorporation of traffic/pedestrian safety features; 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,650,000. The plan of financing includes the issuance of \$1,650,000 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 and notes.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 20(c) of the Law, is fifteen (15) 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 \$1,650,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$1,650,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. 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 6. 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 7. 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 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

SECTION (B) The amendment 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 in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20____ 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 _____, 20____ and approved by the County Executive on _____, 20____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this _____ day of _____, 20____.

The Clerk and Chief Administrative Office of the County Board of Legislators County of Westchester, New York

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on September 16, 2019 and amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20____ 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 amended 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. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on September 16, 2019 and amended on _____, 20____)

object or purpose: to finance the design, construction management and construction for the rehabilitation of approximately 0.61 miles of Farragut Avenue from Farragut Parkway to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage enhancements; new traffic loops; new pavement markings and related work, as well as the incorporation of traffic/pedestrian safety features; all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:
and period of probable usefulness: \$1,650,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York



Clerk and Chief Administrative Officer of the County Board
of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:*
RB202

CBA

Fact Sheet Date:*
05-13-2021

Fact Sheet Year:*
2021

Project Title:*
FARRAGUT AVENUE, CR 151,
HASTINGS-ON-HUDSON

Legislative District ID:
12,

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
1688

Overall Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from Farragut Parkway (STA 22+91) to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" 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
Gross	1,900	1,650	250	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,900	1,650	250	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 124

Current Bond Description: Additional construction funding is requested to incorporate several traffic/pedestrian safety features into the existing roadway rehabilitation project.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	250,000
Cash:	0
Total:	\$ 250,000

SEQR Classification:
TYPE II

Amount Requested:
250,000

Comments:
Amend BA #159-2019; PCI: 64 (2019); AADT: 12,077

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2019	1,400,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2021	250,000	DESIGN AND CONSTRUCTION OF SAFETY FEATURES

Total Appropriation History:
1,650,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	159	1,400,000		0 CONSTRUCTION REHABILITATION OF ROADWAY FROM FARRAGUT PKWY TO HILLSIDE AVE, HASTINGS ON HUDSON

Total Financing History:

1,400,000

Recommended By:

Department of Planning
WBB4

Date
05-25-2021

Department of Public Works
RJB4

Date
05-25-2021

Budget Department
LMYI

Date
05-26-2021

Requesting Department
RJB4

Date
05-26-2021

FARRAGUT AVENUE, CR 151, HASTINGS-ON-HUDSON (RB202)

User Department : Public Works

Managing Department(s) : Public Works ;

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	2021	2022	2023	2024	2025	Under Review
Gross	1,650	1,400	124	250					
Non County Share									
Total	1,650	1,400	124	250					

Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from Farragut Parkway (STA 22+91) to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

Current Year Description

The current year request funds design and construction of safety features.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	250,000			250,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2019	1,400,000	Design, construction and construction management	DESIGN
Total	1,400,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,400,000		1,400,000
Total	1,400,000		1,400,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
159 19	1,400,000			1,400,000
Total	1,400,000			1,400,000