



George Latimer
County Executive

June 8, 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 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 \$4,750,000 in bonds of the County to finance the following capital project:

SPC37 – Port Chester Wastewater Treatment Plant – Bulkhead Rehabilitation ("SPC37").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for SPC37 by \$2,000,000. The Department of Environmental Facilities ("Department") has advised that additional funding is required based on the latest cost estimate and due to material and labor cost escalations.

The Bond Act, in the amount of \$4,750,000, would finance the cost of reconstruction or rehabilitation of steel or stone bulkheads along the Byram River and the refurbishment of the effluent line, at or for the County's Port Chester Wastewater Treatment Plant ("Plant").

The Department has advised that the steel bulkhead was installed in 1989 during the construction of the Plant's secondary treatment facilities, and the stone bulkhead was built as part of the original Plant the County acquired from the Village of Port Chester. The bulkhead rehabilitation is required to ensure its structural integrity as well as protect the Plant and the adjacent tanks and buildings.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior components of SPC37 as indicated in the annexed fact sheet.

Design is currently being undertaken by consultants expected to be completed by the second quarter of 2023. It is estimated that construction will take 12 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, SPC37 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.

The Planning Department has advised that the Planning Board has previously reviewed SPC37 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 cursive script, appearing to read "George Latimer".

George Latimer
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 \$4,750,000 prepared by the law firm Norton Rose Fulbright to finance capital project SPC37 – Port Chester Wastewater Treatment Plant – Bulkhead Rehabilitation (“SPC37”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for SPC37 by \$2,000,000. The Department of Environmental Facilities (“Department”) has advised that additional funding is required based on the latest cost estimate and due to material and labor cost escalations.

The Bond Act, in the amount of \$4,750,000, would finance the cost of reconstruction or rehabilitation of steel or stone bulkheads along the Byram River and the refurbishment of the effluent line, at or for the County’s Port Chester Wastewater Treatment Plant (“Plant”).

The Department has advised that the steel bulkhead was installed in 1989 during the construction of the Plant's secondary treatment facilities, and the stone bulkhead was built as part of the original Plant the County acquired from the Village of Port Chester. The bulkhead rehabilitation is required to ensure its structural integrity as well as protect the Plant and the adjacent tanks and buildings.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior components of SPC37 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, SPC37 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.

The Planning Department has advised your Committee that the Planning Board has previously reviewed SPC37 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 #: SPC37

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 \$ 4,750,000 PPU 30 Anticipated Interest Rate 3.55%

Anticipated Annual Cost (Principal and Interest): \$ 249,236

Total Debt Service (Annual Cost x Term): \$ 7,477,080

Finance Department: Interest rates from June 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: 51

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 6/1/23

Reviewed By:


DV 6/7/23

[Signature]
Budget Director

Date:

6/7/23

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: April 27, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SPC37 Port Chester Wastewater Treatment Plant – Bulkhead Rehabilitation**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04-06-2023 (Unique ID: 2192)

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.
-

COMMENTS: None.

DSK/dvw

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, Senior Budget Analyst
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: March 28, 2023

RE: **Capital Budget Amendment –
SPC37 Port Chester Wastewater Treatment Plant – Bulkhead Rehabilitation**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project SPC37 Port Chester Wastewater Treatment Plant – Bulkhead Rehabilitation will provide funding for the rehabilitation of the steel and stone bulkheads.

A Capital Budget Amendment in the amount of \$2,000,000 is being requested to provide additional funding for the removal and replacement of deteriorated structural members such as piles, sheeting, and the application of a protective coating on the bulkhead wall as well as refurbishing the 30-inch effluent pipe. The additional funding is required due to material and labor cost escalations.

This project was classified as a PL2, project with physical planning aspects of concern to the Planning Board in the 2016 Report on the Capital Project Requests adopted July 7, 2015.

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: Norma V. Drummond, Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2023 County
 Capital Budget Appropriations for
 Capital Project SPC37 Port Chester
 Wastewater Treatment Plant Bulkhead
 Rehabilitation

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

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$3,350,000	\$2,000,000	\$5,350,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$3,350,000	\$2,000,000	\$5,350,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$3,350,000	\$2,000,000	\$5,350,000

Section 3. The ACT shall take effect immediately.