

Westchester County

George Latimer
County Executive

November 1, 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 which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well to as adopt a related amended bond act ("Amended Bond Act") to finance the following capital project:

RB151 – Commerce Street, C.R. 29, Mount Pleasant ("RB151").

The proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for RB151 by \$1,200,000. The additional funding is required due to discovery of a previously unknown gas line adjacent to the proposed drainage system, requiring additional rock excavation, drainage system modifications, relocation of existing utilities, modifications to the maintenance and protection of traffic plan, additional design, and construction inspection.

The Amended Bond Act, in the total amount of \$5,900,000, which includes \$4,700,000 in previously authorized bonds of the County, would finance the cost of rehabilitation of approximately 1.23 miles of Commerce Street (C.R. 29) in Mount Pleasant from Stevens Avenue to Liberty Street. The rehabilitation work will include milling, joint and crack renovation, resurfacing, concrete curb replacement, drainage improvements, installation of ADA sidewalk ramps, new traffic loops, new pavement markings and related work, as well as work to address the reconfiguration of intersection of Commerce Street and Elwood Avenue. In addition, work will include rock excavation, drainage system modifications, relocation of existing utilities, modifications to the maintenance and protection of traffic plan, additional design, and construction inspection.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 1,726, is in need of rehabilitation to maintain a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 62 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.

Office of the County Executive

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148 Martine Avenue
White Plains, New York 10601

Telephone: (914) 995-2900 E-mail: ceo@westchestercountyny.gov

The design was completed by a consultant and the project is currently in construction. Following bonding authorization, it is estimated that construction will take an additional three months to complete.

It should be noted that your Honorable Board has authorized the County to issue bonds for RB151 as indicated in the annexed fact sheet as follows: Bond Act No. 77-2020 in the amount of \$4,700,000 to finance the rehabilitation of approximately 1.23 miles of Commerce Street in Mount Pleasant from Stevens Avenue to Liberty Street. These bonds have been partially sold. Accordingly, it is now requested that the unissued portion of Bond Act No. 77-2020 be amended to increase the amount authorized by \$1,200,000, for a total authorized amount, as amended, of \$5,900,000, and to revise the scope of Bond Act No. 77-2020 to include the aforementioned rehabilitation work.

The Planning Department has advised that based on its review, RB151 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.

The Planning Department has advised that the Planning Board has previously reviewed RB151 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 project to the County, favorable action on the proposed Amended Bond Act and Capital Budget Amendment is respectfully requested.

Sincerely,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer
County Executive

**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 amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$1,200,000 in additional bonds of the County to finance capital project RB151 – Commerce Street, C.R. 29, Mount Pleasant (“RB151”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s capital budget to increase the County share for RB151 by \$1,200,000. The Department of Public Works and Transportation (“Department”) has advised your Committee that additional funding is required due to discovery of a previously unknown gas line adjacent to the proposed drainage system, requiring additional rock excavation, drainage system modifications, relocation of existing utilities, modifications to the maintenance and protection of traffic plan, additional design, and construction inspection.

The related Amended Bond Act in the total amount of \$5,900,000 was prepared by the law firm Hawkins, Delafield & Wood, and includes \$4,700,000 in previously authorized bonds of the County. The Bond Act would finance the cost of rehabilitation of approximately 1.23 miles of Commerce Street (C.R. 29) in Mount Pleasant from Stevens Avenue to Liberty Street. The rehabilitation work will include milling, joint and crack renovation, resurfacing, concrete curb replacement, drainage improvements, installation of ADA sidewalk ramps, new traffic loops, new pavement markings and related work, as well as work to address the reconfiguration of intersection of Commerce Street and Elwood Avenue. In addition, work will include rock excavation, drainage system modifications, relocation of existing utilities, modifications to the maintenance and protection of traffic plan, additional design, and construction inspection.

The Department has advised that this road, which has an average annual daily traffic count (“AADT”) of 1,726, is in need of rehabilitation to maintain a safe roadway for the traveling public. The associated pavement condition index (“PCI”) in 2019 was 62 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.

The design was completed by a consultant and the project is currently in construction. Following bonding authorization, it is estimated that construction will take an additional three months to complete.

It should be noted that your Honorable Board has authorized the County to issue bonds for RB151 as indicated in the annexed fact sheet as follows: Bond Act No. 77-2020 in the amount of \$4,700,000 to finance the rehabilitation of approximately 1.23 miles of Commerce Street in Mount Pleasant from Stevens Avenue to Liberty Street. These bonds have been partially sold. Accordingly, it is now requested that the unissued portion of Bond Act No. 77-2020 be amended to increase the amount authorized by \$1,200,000, for a total authorized amount, as amended, of \$5,900,000, and to revise the scope of Bond Act No. 77-2020 to include the aforementioned rehabilitation work.

The Planning Department has advised your Committee that based on its review, RB151 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. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

The Planning Department has advised your Committee that the Planning Board has previously reviewed RB151 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 Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the 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: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB151

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 \$ 5,900,000 PPU 15 Anticipated Interest Rate 3.88%

Anticipated Annual Cost (Principal and Interest): \$ 523,457

Total Debt Service (Annual Cost x Term): \$ 7,851,855

Finance Department: Interest rates from November 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: 64

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

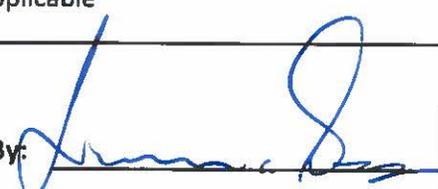
Not Applicable

Prepared by: Jonna Robins

Title: Capital Planning Program Administrator

Department: Public Works and Transportation

Date: 11/1/23

Reviewed By: 

Budget Director

Date: 11/1/23

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: September 21, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
RB151 COMMERCE STREET, C.R. 29, MOUNT PLEASANT**

The Planning Department has reviewed the above referenced capital project (Fact Sheet Unique ID: 2307) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

This project was previously reviewed by the Westchester County Board of Legislators, which classified the project as an Unlisted action under SEQR. In accordance with SEQR, a Short Environmental Assessment Form was prepared and, on May 18, 2020, a Negative Declaration was issued by the Board of Legislators (Resolution 44-2020). The current request is for an increase in funding in order to undertake minor project modifications needed to address unforeseen existing field conditions. All additional work will be within or below the roadway; the overall scope remains the same. As such, the original Negative Declaration remains valid and no further environmental review is required.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/cnm
Att.

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
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

To: The Westchester County Planning Board

From: Blanca P. López

Date: October 2, 2023



RE: **Capital Budget Amendment –
RB151 Commerce Street, CR 29, Mount Pleasant (2023 CBA)**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **RB151 Commerce Street, CR 29, Mount Pleasant** will fund the rehabilitation 1.23 miles of roadway from Stevens Avenue to Liberty Street and the reconfiguration of the Commerce Street and Elmwood Avenue intersection. The capital budget amendment will fund increased costs in construction.

A Capital Budget Amendment (CBA) in the amount of \$1,200,000 is being requested to provide additional construction funding to address increased costs. This project was classified as a PL2, a project with physical planning by the Planning Board in the 2020 Report on the Capital Project Requests adopted January 4, 2020.

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: David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner
Douglas Wessells, Environmental Planner

An Act amending the 2023 County
 Capital Budget Appropriations for
 Capital Project RB151 COMMERCE
 STREET, C.R. 29, MOUNT PLEASANT

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	\$4,700,000	\$1,200,000	\$5,900,000

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	\$4,700,000	\$1,200,000	\$5,900,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$4,700,000</u>	<u>\$1,200,000</u>	<u>\$5,900,000</u>

Section 3. The ACT shall take effect immediately.