

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the “Bond Act”) in the total amount of \$1,025,000 to authorize the County of Westchester (the “County”) to finance the following two (2) capital projects for 2023:

B035E – Equipment Acquisition Program (2021-2025); and
RGP13 – General Infrastructure – Equipment Acquisition (2021 -2025).

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins, Delafield & Wood, LLP, would authorize the County to issue bonds in the total amount of \$1,025,000 to finance the replacement of equipment associated with the maintenance of the County roadway system and County facilities under the jurisdiction of the Department of Public Works and Transportation (“DPW&T”). It will also fund the acquisition of heavy equipment and vehicles for the Department of Parks, Recreation and Conservation (“PRC”).

DPW&T anticipates that the following equipment will be replaced:

- Replace 1997 Ford flail mower (#5197) (\$175,000)
- Replace 1989 Ford slope mower (#3464) (\$200,000)
- Replace 2002 American Eagle forklift (#07484) (\$150,000)

PRC anticipates that the following equipment will be replaced:

- Replace 2006 Dump truck (#67742) with Dump truck with plow (\$75,000)
- Replace 1999 Backhoe/Loader (#4444) with Front End Loader (\$200,000)
- Replace 2002 Reel/Bedknife Grinder (#13042) with new Reel/Bedknife Grinder (\$80,000)
- Purchase new Greenmaster Mower (\$63,000)
- Purchase new Commercial Riding Mower (\$35,000)
- Purchase new Tractor (\$42,000)

Your Committee is advised that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County’s goal to submit this Bond Act now so that the referenced projects will be ready to proceed without delay in early 2023. In addition, please note that the proposed Bond Act

authorizes financing for like objects or purposes in connection with two (2) capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

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.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: January 30th, 2023
White Plains, New York

Debat Parhi
W. J. M.
Murray Bar
James Zeller - Long
C. M.
C. M.
D. N. M.
Catherine Parker
David J. Iubio

W. J. M.
Murray Bar
C. M.
C. M.
Catherine Parker
David J. Iubio

k/jpg/09/23/2022

Budget & Appropriations

Public Works & Transportation

Dated: January 30, 2023
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.



Catherine Byrnes



Catherine Byrnes

COMMITTEES ON

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: _____

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

B035E & RGP13

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,025,000 PPU 15 Anticipated Interest Rate 3.48%

Anticipated Annual Cost (Principal and Interest): \$ 69,029

Total Debt Service (Annual Cost x Term): \$ 1,035,435

Finance Department: Interest rates from October 18, 2022 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: 11

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works/Transportation

Date: 10/18/22


Reviewed By:

Budget Director

Date:

10/22/22

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

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

DATE: October 3, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR 2023 CAPITAL PROJECTS BOND ACT – EQUIPMENT ACQUISITIONS**

In connection with the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617 (SEQR), the Department of Planning has reviewed the proposed bond act legislation that would finance the following capital projects:

Capital Project	Project Title	Fact Sheet ID	Approved by Planning
B035E	Equipment Acquisition Program (2021-2025)	2013	09-20-2022
RGP13	General Infrastructure – Equipment Acquisition (2021-2025)	2066	09-20-2022

The Planning Department advises that these projects for which funding is being requested may be classified as **TYPE II actions** pursuant to section:

- **617.5(c)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

As such, no further environmental review is required.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Marzola, Associate Budget Director
Robert Abbamont, Director of Operations (Capital Planning Program)
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO.31-2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,025,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF VARIOUS MACHINERY AND APPARATUS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$1,025,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,025,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 02/06 , 2023)

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, \$1,025,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of various machinery and apparatus for the Department of Public Works and the Department of Parks, Recreation and Conservation, 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 total cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,025,000. The plan of financing includes the issuance of \$1,025,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, 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 class of objects or purposes, within the limitations of Section 11.00 a. 28 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 objects or purposes 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 \$1,025,000. 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 \$1,025,000 as the estimated total cost of the aforesaid class of objects or purposes 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:* B035E	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* EQUIPMENT ACQUISITION PROGRAM (2021-2025)	Legislative District ID: 5,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 2013

Overall Project Description

This project funds the acquisition of equipment to ensure Public Works/Transportation can maintain the County roads, bridges and grounds.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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	2023	2024	2025	2026	2027	Under Review
Gross	5,025	1,600	525	1,300	1,600	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,025	1,600	525	1,300	1,600	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,579

Current Bond Description: Funding is requested for the replacement of equipment associated with the maintenance of the County roadway system and County facilities under the jurisdiction of the Department of Public Works and Transportation.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	525,000
Cash:	0
Total:	\$ 525,000

SEQR Classification:

TYPE II

Amount Requested:

525,000

Comments:

N/A

Energy Efficiencies:

ALL VEHICLES WILL MEET OR EXCEED THE ENVIRONMENTAL PROTECTION AGENCY'S CLEAN AIR STANDARDS. POSSIBLE ENERGY EFFICIENT OR ENVIRONMENTALLY FRIENDLY ALTERNATIVES WILL BE RESEARCHED AND EVALUATED DURING THE EQUIPMENT PURCHASES.

Appropriation History:

Year	Amount	Description
2021	1,100,000	REPLACEMENT OF A BUCKET TRUCK, TWO CRASH ATTENUATOR TRUCKS, AND TWO SKID STEERS AND ASSOCIATED ATTACHMENTS
2022	500,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

1,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	205	500,000		0 DPW&T RELACEMENT EQUIPMENT
21	13	1,100,000		0 DPW&T RELACEMENT EQUIPMENT

Total Financing History:

1,600,000

Recommended By:

Department of Planning

WBB4

Date

09-20-2022

Department of Public Works

RJB4

Date

09-20-2022

Budget Department

LMY1

Date

09-20-2022

Requesting Department

RJB4

Date

09-20-2022

EQUIPMENT ACQUISITION PROGRAM (2021-2025) (B035E)

User Department : Public Works

Managing Department(s) : Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	5,025	1,600	1,579	525	1,300	1,600			
Non County Share									
Total	5,025	1,600	1,579	525	1,300	1,600			

Project Description

This project funds the acquisition of equipment to ensure Public Works/Transportation can maintain the County roads, bridges and grounds.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	525,000			525,000

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
2021	1,100,000	Replacement of a bucket truck, two crash attenuator trucks, and two skid steers and associated attachments	COMPLETE
2022	500,000	Continuation of this project	IN PROGRESS
Total	1,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,600,000		1,600,000
Total	1,600,000		1,600,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
13 21	1,100,000			1,100,000
205 21	500,000			500,000
Total	1,600,000			1,600,000

CAPITAL PROJECT FACT SHEET

Project ID:* RGP13	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* GENERAL INFRASTRUCTURE - EQUIPMENT ACQUISITION (2021- 2025)	Legislative District ID:
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2066

Overall Project Description

This project funds the continued acquisition of heavy equipment and vehicles throughout the Parks system.

- | | | |
|---|--|--|
| <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	2023	2024	2025	2026	2027	Under Review
Gross	3,500	2,000	500	500	500	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,500	2,000	500	500	500	0	0	0

Expended/Obligated Amount (in thousands) as of : 994

Current Bond Description: This request will fund the purchase of equipment associated with the maintenance of park facilities under the jurisdiction of the Department of Parks, Recreation and Conservation.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	500,000
Cash:	0
Total:	\$ 500,000

SEQR Classification:
TYPE II

Amount Requested:
500,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	1,500,000	CONTINUATION OF THIS PROJECT \$500,000; PURCHASE/INSTALLATION OF SENIOR FITNESS EQUIPMENT \$1,000,000
2022	500,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:
2,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	13	500,000	96,417	PRC EQUIPMENT REPLACEMENT
21	205	500,000	0	PRC EQUIPMENT REPLACEMENT
21	127	1,000,000	0	PRC - OUTDOOR FITNESS EQUIPMENT FOR SENIORS

Total Financing History:

2,000,000

Recommended By:

Department of Planning
WBB4

Date
09-20-2022

Department of Public Works
RJB4

Date
09-20-2022

Budget Department
LMY1

Date
09-20-2022

Requesting Department
RJB4

Date
09-23-2022

GENERAL INFRASTRUCTURE - EQUIPMENT ACQUISITION (2021-2025) (RGP13)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;
Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	3,500	2,000	994	500	500	500			
Non County Share									
Total	3,500	2,000	994	500	500	500			

Project Description

This project funds the continued acquisition of heavy equipment and vehicles throughout the Parks system.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	500,000			500,000

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
2021	1,500,000	Continuation of this project \$500,000; Purchase/installation of senior fitness equipment \$1,000,000	IN PROGRESS
2022	500,000	Continuation of this project	IN PROGRESS
Total	2,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,000,000	96,417	1,903,583
Total	2,000,000	96,417	1,903,583

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
13 21	500,000	12/01/21	96,417	403,583
127 21	1,000,000			1,000,000
205 21	500,000			500,000
Total	2,000,000		96,417	1,903,583

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on February 6, 2023 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
February 1, 2023

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

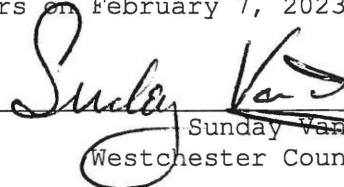
Designated Location(s)
of posted notice

Date of Posting
February 1, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on February 7, 2023.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

Legislator James Nolan

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Date: 2-7-73

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 31 - 2023, 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 February 6, 2023, and approved by the County Executive on February 7, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 7th day of February, 2023.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

