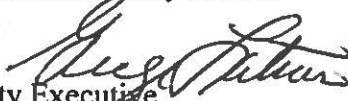


October 12, 2023

TO: Hon. Vedat Gashi, Chair  
Hon. Nancy Barr, Vice Chair  
Hon. Jose Alvarado, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer  
Westchester County Executive



RE: Message Requesting Immediate Consideration: **2 Bond Acts – 2024.**

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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 October 16, 2023 Agenda.

Transmitted herewith for your review and approval are 2 Bond Acts to finance capital projects for 2024.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 16, 2023 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

# Westchester County

George Latimer  
County Executive

October 6, 2023

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 are two bond acts (the "Bond Acts") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the total amount of \$1,750,000, to finance the following capital projects for 2024:


\$1,250,000	Serial Bonds for	T0056	T0056 – Bus Stop Improvements II ("T0056")
\$500,000	Serial Bonds for	T0072	T0072 – Cerrato Bus Garage – Infrastructure and Site Improvements, Valhalla (2024-2028) ("T0072")

It should be noted that the County Budget Department is submitting these Bond Acts to your Honorable Board simultaneously with the proposed 2024 Capital Budget. It is the County's goal to submit these Bond Acts now so that the referenced projects will be ready to proceed without delay in early 2024.

The Planning Department has advised that it has reviewed the above projects in accordance with the annexed SEQR documentation and advised that based on its review, the above-referenced projects may be classified as "Type II" actions 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.

I recommend your Board's favorable action on the annexed proposed Bond Acts.

Sincerely,



George Latimer  
County Executive

Attachments

Office of the County Executive

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

Email: [CE@westchestercountyny.gov](mailto:CE@westchestercountyny.gov)  
Telephone: (914)995-2900

[westchestergov.com](http://westchestergov.com)

**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 a bond act (“Bond Act”) in the amount of \$1,250,000 to finance capital project T0056 – Bus Stop Improvements II (“T0056”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of construction of bus stop improvements throughout the County, including installation of replacement bus shelters and other bus stop related improvements.

The Department of Public Works & Transportation (“Department”) has advised that the Bee-Line bus system is served by over 3,000 bus stops. This on-going project will address needed repairs and improvements to a number of these stops.

The Planning Department has advised your Committee that based on its review, T0056 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.

It should be noted that the County Budget Department is submitting these bond acts to your Honorable Board simultaneously with the proposed 2024 Capital Budget. It is the County’s goal to submit these bond acts now so that the referenced projects will be ready to proceed without delay in early 2024.

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

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0056

☐ 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 \$ 1,250,000 PPU 5 Anticipated Interest Rate 3.59%

Anticipated Annual Cost (Principal and Interest): \$ 281,255

Total Debt Service (Annual Cost x Term): \$ 1,406,275

Finance Department: Interest rates from October 10, 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: 14

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/10/23


Reviewed By: 

09/10/11/23

Budget Director

Date: 10/11/23

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: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
T0056 BUS STOP IMPROVEMENTS II**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 08-22-2023 (Unique ID: 2345)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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;
- **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.

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**COMMENTS:** None

DSK/sed

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  
Blanca P. Lopez, Commissioner of Planning  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20\_\_\_\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF BUS STOP IMPROVEMENTS THROUGHOUT THE COUNTY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, \$1,250,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the construction of bus stop improvements throughout the County, including installation of replacement bus shelters and other bus stop related improvements, 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 class of objects or purposes,

including preliminary costs and costs incidental thereto and the financing thereof is \$1,250,000. The plan of financing includes the issuance of \$1,250,000 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 the class of objects or purposes for which said \$1,250,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) 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 total amount of \$1,250,000. 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 \$1,250,000 as the estimated maximum 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, 2024 and 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\_\_\_\_\_.

(SEAL)

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

## LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_\_\_ and approved 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 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 \$1,250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF BUS STOP IMPROVEMENTS THROUGHOUT THE COUNTY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance a portion of the cost of the construction of bus stop improvements throughout the County, including installation of replacement bus shelters and other bus stop related improvements, 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: \$1,250,000; five (5) 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

<b>Project ID:*</b> <b>T0056</b>	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-02-2024
<b>Fact Sheet Year:*</b> 2024	<b>Project Title:*</b> BUS STOP IMPROVEMENTS II	<b>Legislative District ID:</b> ALL
<b>Category*</b> TRANSPORTATION	<b>Department:*</b> AIRPORT/DOT	<b>CP Unique ID:</b> 2345

### Overall Project Description

This multi-year project funds bus stops improvements. Improvements will include items such as: new paved areas, bus stop amenities, improved ADA accessibility, bus shelters, sidewalks, concrete bus stop pads (in-road), curbing and signage.

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	3,350	2,850	250	250	0	0	0	0
<b>Less Non-County Shares</b>	400	400	0	0	0	0	0	0
<b>Net</b>	2,950	2,450	250	250	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 410

**Current Bond Description:** Purchase and installation of replacement bus shelters and other bus stop related improvements.

#### Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,250,000
Cash:	0
<b>Total:</b>	<b>\$ 1,250,000</b>

#### **SEQR Classification:**

TYPE II

#### **Amount Requested:**

1,250,000

#### Expected Design Work Provider:

- |                                       |  |   |
|---------------------------------------|--|---|
| <input type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|--|---|

#### Comments:

#### Energy Efficiencies:

SOME OF THE EXISTING HARD WIRED BUS SHELTERS WILL BE REPLACED WITH SOLAR POWERED SHELTERS.

**Appropriation History:**

Year	Amount	Description
2014	100,000	ANALYSIS AND DESIGN FOR THIS PROJECT
2015	500,000	CONTINUED IMPROVEMENTS TO BUS STOPS
2017	300,000	CONTINUED IMPROVEMENTS TO BUS STOP
2018	250,000	CONTINUED IMPROVEMENTS TO BUS STOP
2019	200,000	CONTINUED IMPROVEMENTS TO BUS STOP
2020	500,000	CHANGE OF FINANCING FOR THIS PROJECT DUE TO FTA FUNDS; CONTINUED IMPROVEMENTS TO BUS STOP
2022	1,000,000	ADDITIONAL IMPROVEMENTS TO BUS STOPS

**Total Appropriation History:**

2,850,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
21	220	1,100,000	0	BUS STOP IMPROVEMENTS II
21	216	350,000	0	BUS STOP IMPROVEMENTS II

**Total Financing History:**

1,450,000

**Recommended By:****Department of Planning**

MLLL

**Date**

08-22-2023

**Department of Public Works**

RJB4

**Date**

08-22-2023

**Budget Department**

DEV9

**Date**

08-23-2023

**Requesting Department**

RJB4

**Date**

08-29-2023

## BUS STOP IMPROVEMENTS II ( T0056 )

**User Department :** Airport/DOT

**Managing Department(s) :** Airport/DOT ;

**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	2024	2025	2026	2027	2028	Under Review
Gross	3,350	2,850	347	250	250				
Non County Share	(400)	(400)							
Total	2,950	2,450	347	250	250				

### **Project Description**

This multi-year project funds bus stops improvements. Improvements will include items such as: new paved areas, bus stop amenities, improved ADA accessibility, bus shelters, concrete bus stop pads (in-road), curbing and signage.

### **Current Year Description**

The current year request funds the continuation of this project.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2024	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
2014	100,000	Analysis and design for this project	DESIGN
2015	500,000	Continued improvements to bus stops	DESIGN
2017	300,000	Continued improvements to bus stop	DESIGN
2018	250,000	Continued improvements to bus stop	DESIGN
2019	200,000	Continued improvements to bus stop	DESIGN
2020	500,000	Change of financing for this project due to FTA funds; Continued improvements to bus stop	DESIGN
2022	1,000,000	Additional improvements to bus stops	AWAITING BOND AUTHORIZATION
Total	2,850,000		

## BUS STOP IMPROVEMENTS II ( T0056 )

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,450,000		2,450,000
Federal Funds	400,000		400,000
<b>Total</b>	<b>2,850,000</b>		<b>2,850,000</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
216 21	350,000			350,000
220 21	1,100,000			1,100,000
<b>Total</b>	<b>1,450,000</b>			<b>1,450,000</b>