

**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 \$1,600,000.00 to authorize the County of Westchester (the "County") to finance the following two (2) capital projects for 2021:

B035E – Equipment Replacement Program (2021-2025) ("B035E"); and

RGP13 – General Infrastructure – Vehicle Replacement (2021 -2025) ("RGP13").

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 \$1,600,000.00 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:

2010 Freightliner Hybrid Bucket Truck (#305546)  
2007 New Holland Skid Steer with attachments (#103046)  
2008 New Holland Skid Steer with attachments (#137246)  
Two (2) 2014 Kenworth Hybrid Crash Attenuator Trucks (#596946/#604946)

PRC anticipates that the following equipment will be replaced:

1994 Ford Slope Mower (#4488)  
2001 Hustler Riding Mower (#7162)  
2008 Chevrolet Dump Truck (#149142)  
2000 Toro Fairway Mower (#5159)  
2001 Toro Triplex Mower (#5978)  
2001 Toro Triplex Mower (#5911)  
1998 Toro Reelmaster Mower (5918)  
2002 John Deere Mower (131642)  
2005 John Deere Mower (48142)

Your Committee is advised that in a departure from the County's past practice, the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously

with the proposed 2021 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 2021. In addition, please note that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically 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: 2/3, 2021  
White Plains, New York

*Benjamin Boyfman*  
*Debat Fall*

*Benjamin Boyfman*  
*Culture*  
*Debat Fall*

**COMMITTEE ON**

k/jpg/09/17/2020

*Public Works / Transportation*

*Budget & Appropriations*

Dated: February 3, 2021  
White Plains, New York

**The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.**

Committee(s) on:

**Budget & Appropriations**

*Nancy E. Sam*  
*Margaret A. Cunzio*  
*Klamm R. Maher*  
*Catherine F. Parker*  
*David A. Jubilo*  
*Ruth Walker*  
*Alfred Willis*  
*Cheryl*  
*Tye H. C.*

**Public Works & Transportation**

*David A. Jubilo*  
*Mary Jane Skimsky*  
*Catherine F. Parker*  
*Ruth Walker*  
*Cheryl*  
*Tye H. C.*  
*Alfred Willis*

# FISCAL IMPACT STATEMENT

PROJECT CLASS: Heavy Equip. - LFL 28

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

Capital IDs: B035E; RGP13

## SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,600,000 PPU 15 Anticipated Interest Rate 1.02%

Anticipated Annual Cost (Principal and Interest): \$ 115,940

Total Debt Service (Annual Cost x Term): \$ 1,739,100

Finance Department: Interest rates from October 7, 2020 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):

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## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 17

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 10/13/20

Reviewed By: 

Budget Director

Date: 10/14/20

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

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

DATE: October 8, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
B035E EQUIPMENT ACQUISITION PROGRAM (2021-2025)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-16-2020 (Unique ID: 1484)

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)(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.
- 

**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

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

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

DATE: October 7, 2020

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RGP13 General Infrastructure – Equipment Acquisition (2021-2025)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-16-2020 (Unique ID: 1450)

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)(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.
- 

**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.13-2021    

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,600,000 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 \$1,600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,600,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 02/08 , 2021     )

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, \$1,600,000 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 \$1,600,000. The plan of financing includes the issuance of \$1,600,000 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 \$1,600,000. 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 \$1,600,000 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, 2021 and in accordance with Section 107.71 of the Westchester County Charter.

\* \* \*

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> B035E	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-04-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> EQUIPMENT ACQUISITION PROGRAM (2021-2025)	<b>Legislative District ID:</b> 5,
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> PUBLIC WORKS	<b>CP Unique ID:</b> 1484

**Overall Project Description**

This project funds the replacement of equipment to ensure Public Works/Transportation can maintain the County Roadway System.

- |   |   |  |
|---|---|--|
| <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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	4,000	0	1,100	500	450	975	975	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	4,000	0	1,100	500	450	975	975	0

**Expended/Obligated Amount (in thousands) as of : 0**

**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:	1,100,000
Cash:	0
<b>Total:</b>	<b>\$ 1,100,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,100,000

**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.

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-16-2020

**Department of Public Works**  
RJB4

**Date**  
09-17-2020

**Budget Department**  
GKGA

**Date**  
09-18-2020

**Requesting Department**  
RJB4

**Date**  
09-18-2020

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> RGP13	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-04-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> GENERAL INFRASTRUCTURE - EQUIPMENT ACQUISITION (2021- 2025)	<b>Legislative District ID:</b>
<b>Category*</b> RECREATION FACILITIES	<b>Department:*</b> PARKS, RECREATION & CONSERVATION	<b>CP Unique ID:</b> 1450

**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 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	2,500	0	500	500	500	500	500	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	2,500	0	500	500	500	500	500	0

**Expended/Obligated Amount (in thousands) as of :** 0

**Current Bond Description:** This request will fund acquisition of heavy equipment and vehicles.

**Financing Plan for Current Request:**

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

**SEQR Classification:**

TYPE II

**Amount Requested:**

500,000

**Comments:**

**Energy Efficiencies:**

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-16-2020

**Department of Public Works**  
RJB4

**Date**  
09-17-2020

**Budget Department**  
GKGA

**Date**  
09-18-2020

**Requesting Department**  
KUU1

**Date**  
09-18-2020

**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	2021	2022	2023	2024	2025	Under Review
Gross	4,000			1,100	500	450	975	975	
Non County Share									
<b>Total</b>	<b>4,000</b>			<b>1,100</b>	<b>500</b>	<b>450</b>	<b>975</b>	<b>975</b>	

**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 replacement of a bucket truck, two crash attenuator trucks, and two skid steers and associated attachments.

**Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2021	1,100,000			1,100,000

**Impact on Operating Budget**

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

**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.

<b>FIVE YEAR CAPITAL PROGRAM (in thousands)</b>									
	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	2,500			500	500	500	500	500	
Non County Share									
<b>Total</b>	<b>2,500</b>			<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>500</b>	

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

**Current Year Description**  
 The current request funds the continuation of this project.

<b>Current Year Financing Plan</b>				
Year	Bonds	Cash	Non County Shares	Total
2021	500,000			500,000

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



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 8, 2021 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 4, 2021

WVOX  
FIOS1  
News Channel 12  
The Journal News  
Pluma Libre  
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:

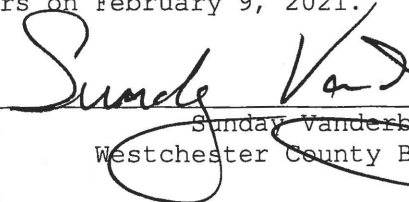
Designated Location(s)  
of posted notice

Date of Posting  
February 4, 2021

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on February 9, 2021.



  
\_\_\_\_\_  
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 Kitley Covill  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator Catherine Parker  
Legislator MaryJane Shimsky  
Legislator Colin Smith  
Legislator David Tubiolo  
Legislator Ruth Walter  
Legislator Alfreda Williams  
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \* \* \*  
APPROVED BY THE COUNTY EXECUTIVE

Date:

  
2-10-21

STATE OF NEW YORK )  
 )  
WESTCHESTER COUNTY ) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 13 - 2021, 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 8, 2021, and approved by the County Executive on February 10, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 12<sup>th</sup> day of February, 2021.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

