

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act amending the County of Westchester's (the "County") current-year Capital Budget (the "Capital Budget Amendment"), as well as adoption of a related bond act (the "Bond Act") in the amount of \$1,100,000, to finance project RB03Y – Main Street over Bronx River Parkway and Bronx River, White Plains ("RB03Y").

Your Committee is advised that this project funds the rehabilitation of the existing bridge structure including removal and replacement of the existing wearing surface and waterproofing, rehabilitation of masonry joints, approaches, railings and associated work. The structure consists of two spans; 63' long by 100' wide and 60' long by 72' wide.

The proposed Capital Budget Amendment will amend the County's current year capital budget to increase the County share for RB03Y by \$1,100,000 to fund increased costs associated with this project.

The Bond Act, which was prepared by the law firm Harris Beach, PLLC, is required to finance additional construction management and construction costs associated with the rehabilitation of the bridge.

The Department of Public Works and Transportation ("Department") has advised that additional funding is needed to cover the full cost of construction management and provide construction contingency for this project. The bids received for this project were higher than the available construction funding. In order to proceed with the project in a timely matter, a portion of the available construction management funding was used to award the construction contract. In addition, since construction is partially funded with Federal funds, an increased level of inspection and reporting is required. Finally, the additional funding will restore the construction contingency for possible unforeseen conditions.

The Department has further advised that this bridge, which was built in 1922 and has an annual daily traffic count ("AADT") of 42,900, is in need of rehabilitation to maintain a safe roadway for the traveling public. In 2021 the New York State Department of Transportation gave the bridge a condition rating of 4.48 and the bridge has continued to deteriorate. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating

below 5 indicates that a bridge requires work and delay of this work could result in the continued deterioration of the bridge.

Your Committee is advised that the construction contract has been awarded and construction has begun. It is anticipated that construction will take thirty (30) months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance a prior phase of RB03Y as follows: Bond Act No. 168-2019 in the amount of \$3,300,000 which financed the cost of design, construction inspection and construction associated with rehabilitation of the existing structure. \$1,032,925 in bonds under Bond Act No. 168-2019 have been sold. The proposed Bond Act will authorize an additional \$1,100,000 in construction management and construction funding for this project.

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.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board has previously reviewed this project 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 is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act.

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 can only be enacted following adoption of the Capital Budget Amendment.

Dated: July 31<sup>st</sup>, 2023.  
White Plains, New York

*Lucy Zili Jones*

*Debat Labri*

*To WSP*

*Nancy Barr*

*Collette Park*

*W.M. [unclear]*  
*[unclear]*

*Debat Labri*

*To WSP*

*Nancy Barr*

*Collette Park*

*[unclear]*  
*Colin [unclear]*

C:jpg/3-24-2023

*Colin [unclear]*

Budget & Appropriations

Public Works & Transportation

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB03Y

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 \$ 1,100,000 PPU 20 Anticipated Interest Rate 3.15%

Anticipated Annual Cost (Principal and Interest): \$ 74,140

Total Debt Service (Annual Cost x Term): \$ 1,482,800

Finance Department: Interest rates from June 27, 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):

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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: 12

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

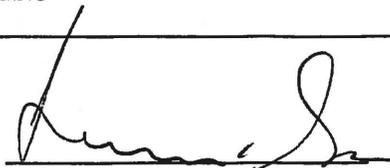
Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Public Works and Transportation

Date: 6/29/23

Reviewed By: 

06/29/23

Budget Director

Date: 6/29/23

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

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

DATE: April 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RB03Y MAIN STREET OVER BRONX RIVER PARKWAY AND BRONX  
RIVER, WHITE PLAINS (BIN 3348690)**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 03-17-2023 (Unique ID: 2171)

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.
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**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  
Dianne Vanadia, Senior Budget Analyst  
Robert Abbamont, Director of Operations, Department of Public Works & Transportation  
Kelly Sheehan, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

To: Honorable George Latimer, County Executive  
Lawrence Soule, Budget Director

From: Norma Drummond, Commissioner



Re: **Capital Budget Amendment:**  
**RB03Y Main St Over Bronx River Parkway and Bronx River, White Plains**  
**(BIN 3348690)**

Date: March 28, 2023

Attached is a memo from the Planning Department to the County Planning Board advising the Board of the proposed Capital Budget Amendments (CBA) to modify funding of the above project.

These are financing changes only and there are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, as stated in the memo, no further action by the Planning Board is required.

NVD/ml  
Attachment

cc: Ken Jenkins, Deputy County Executive  
Joan McDonald, Director of Operations  
Emily Saltzman, Deputy Director of Operations  
Paula Friedman, County Executive's Office  
Blanca Lopez, Deputy Commissioner of Planning  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Jeffrey Goldman, Assistant County Attorney  
Michelle Greenbaum, Assistant County Attorney  
Dianne Vanadia, Associate Budget Director  
Kelly Sheehan, Assistant Commissioner  
David S. Kvinge, Assistant Commissioner  
William Brady, Chief Planner  
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 –  
RB03Y Main St Over Bronx River Parkway and Bronx River, White Plains  
(BIN 3348690)**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project RB03Y Main St over Bronx River will fund the rehabilitation of the bridge structure at Main Street in White Plains. The capital budget amendment will fund the construction management and provide construction contingency. The bids received were higher than the available construction funding.

A Capital Budget Amendment in the amount of \$1,100,000 is being requested to provide additional funding to address increased costs for unanticipated items discovered during procurement. This project was classified as a PL2HP, a project with physical planning aspects and historic preservation concerns by the Planning Board in the 2017 Report on the Capital Project Requests adopted July 12, 2016.

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

ACT No. 152 - 2023

An Act amending the 2023 County  
Capital Budget Appropriations for  
Capital Project RB03Y Main Street  
Over Bronx River Parkway and  
Bronx River, White Plains (BIN  
3348690)

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	\$8,300,000	\$1,100,000	\$9,400,000

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	\$3,300,000	\$1,100,000	\$4,400,000
Non County Shares	\$5,000,000		\$5,000,000
Cash	<u>\$0</u>	<u></u>	<u>\$0</u>
Total	\$8,300,000	\$1,100,000	\$9,400,000

Section 3. The ACT shall take effect immediately.

REFERENCE RB03Y

ACT NO. 153 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE ADDITIONAL COST OF THE RECONSTRUCTION OF THE MAIN STREET BRIDGE OVER THE BRONX RIVER PARKWAY AND THE BRONX RIVER LOCATED IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,100,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.  
(Adopted 08/07, 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, to the provisions of other laws applicable thereto, \$1,100,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the additional cost of the reconstruction of the Main Street bridge over the Bronx River Parkway and Bronx River located

in the City of White Plains, including the design, construction and inspection associated with the rehabilitation of the existing bridge; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,100,000. The plan of financing includes the issuance of \$1,100,000 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.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) 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 maximum amount of \$1,100,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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. 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 6. 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 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

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## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> RB03Y	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 02-16-2023
<b>Fact Sheet Year:*</b> 2023	<b>Project Title:*</b> MAIN STREET OVER BRONX RIVER 8, PARKWAY AND BRONX RIVER, WHITE PLAINS (BIN 3348690)	<b>Legislative District ID:</b>
<b>Category*</b> ROADS & BRIDGES	<b>Department:*</b> PUBLIC WORKS	<b>CP Unique ID:</b> 2171

**Overall Project Description**

This project shall fund the rehabilitation of the existing structure including removal and replacement of the existing wearing surface and waterproofing, rehabilitation of masonry joints, approaches, railings and associated work. The structure was built in 1922 and consists of two spans; 63' long by 100' wide and 60' long by 72' wide.

- |   |  |  |
|---|--|--|
| <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
<b>Gross</b>	9,400	8,300	0	0	0	0	0	1,100
<b>Less Non-County Shares</b>	5,000	5,000	0	0	0	0	0	0
<b>Net</b>	4,400	3,300	0	0	0	0	0	1,100

**Expended/Obligated Amount (in thousands) as of :** 1,774

**Current Bond Description:** Funding is requested for additional construction management and construction associated with the rehabilitation of the existing bridge.

**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:**

A capital budget amendment in the amount of \$1,100,000 (shown under review) is requested to cover the full costs of construction management and provide construction contingency. The bids received were higher than the available construction funding. In order to proceed with the project in a timely matter, a portion of the available construction management funding was used to award the construction contract. In addition, since the construction is partially funded with Federal funds an increased level of inspection and reporting is required. Finally, the additional funding will restore the construction contingency for possible unforeseen conditions.

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2017	8,300,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT.

**Total Appropriation History:**

8,300,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
19	168	3,300,000	1,032,925	RECONSTRUCTION OF MAIN ST BRIDGE OVER BRONX RIVER PKWY IN CITY OF WHITE PLAINS

**Total Financing History:**

3,300,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
03-17-2023

**Department of Public Works**  
RJB4

**Date**  
03-17-2023

**Budget Department**  
DEV9

**Date**  
03-23-2023

**Requesting Department**  
RJB4

**Date**  
03-24-2023

**MAIN STREET OVER BRONX RIVER PARKWAY AND BRONX RIVER, WHITE PLAINS (BIN  
3348690)  
( RB03Y )**

**User Department :** Public Works  
**Managing Department(s) :** Public Works ;  
**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project has historical implications. Project approved in concept but subject to subsequent staff review.

**FIVE YEAR CAPITAL PROGRAM (in thousands)**

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	8,300	8,300	1,084						
Non County Share	(5,000)	(5,000)	32						
<b>Total</b>	<b>3,300</b>	<b>3,300</b>	<b>1,116</b>						

**Project Description**

This project shall fund the rehabilitation of the existing structure including removal and replacement of the existing wearing surface and waterproofing, rehabilitation of masonry joints, approaches, railings and associated work. The structure was built in 1922 and consists of two spans; 63' long by 100' wide and 60' long by 72' wide.

**Current Year Description**

There is no current year request.

**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
2017	8,300,000	Design, construction and construction management.	\$3,300,000 DESIGN ; \$5,000,000 NON-COUNTY SHARES
<b>Total</b>	<b>8,300,000</b>		

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	3,300,000	1,032,925	2,267,075
State Funds	5,000,000		5,000,000
Others		(31,894)	31,894
<b>Total</b>	<b>8,300,000</b>	<b>1,001,032</b>	<b>7,298,968</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
168 19	3,300,000	04/30/20	59,911	2,267,075
		10/28/20	825,463	
		10/28/20	115,658	
		10/28/20	31,894	
<b>Total</b>	<b>3,300,000</b>		<b>1,032,925</b>	<b>2,267,075</b>

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 August 7, 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  
August 2, 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:

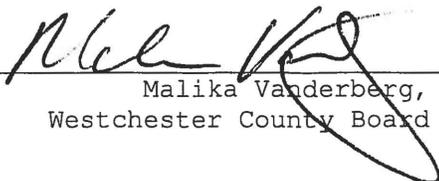
Designated Location(s)  
of posted notice

Date of Posting  
August 2, 2023

[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 August 7, 2023.



  
\_\_\_\_\_  
Malika Vanderberg, Clerk  
Westchester County Board of Legislators

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

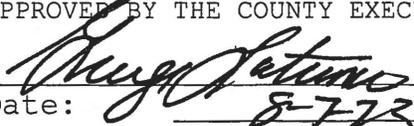
AYES:                   Legislator Jose Alvarado  
                          Legislator Nancy Barr  
                          Legislator Catherine Borgia  
                          Legislator Benjamin Boykin  
                          Legislator Symra Brandon  
                          Legislator Terry Clements  
                          Legislator Margaret Cunzio  
                          Legislator Vedat Gashi  
                          Legislator David Imamura  
                          Legislator Damon Maher  
                          Legislator James Nolan  
                          Legislator Catherine Parker  
                          Legislator Erika Pierce  
                          Legislator Colin Smith  
                          Legislator Jewel Williams-Johnson  
                          Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:                   Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

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

  
Date: 8-7-73

STATE OF NEW YORK            )  
  ) ss.  
COUNTY OF WESTCHESTER    )

I HEREBY CERTIFY that I have compared the foregoing Act No. 152 - 2023, and (Bond) Act No. 153 - 2023, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on August 7, 2023, and approved by the County Executive on August 7, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 8<sup>th</sup> day of August, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

