

**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 amended bond act ("Bond Act") in the total amount of \$1,650,000, which includes \$1,400,000 in previously authorized bonds of the County, to finance Capital Project RB202 – Farragut Avenue, CR 151, Hastings-on-Hudson ("RB202"). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, is required to finance design, construction management and construction for the rehabilitation of approximately 0.61 miles of Farragut Avenue from Farragut Parkway to Hillside Avenue including milling, resurfacing, concrete curb replacement, drainage enhancements, new traffic loops, new pavement markings and related work. The Department of Public Works and Transportation ("Department") has advised that the additional financing is being requested for the incorporation of traffic/pedestrian safety features.

The Department has advised that this road has an annual daily traffic count ("AADT") of 12,077 and is in need of rehabilitation to maintain a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 64 and the roadway has continued to deteriorate. The PCI rating is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on this rating this road requires corrective rehabilitation to extend the life of the roadway.

Design is currently being undertaken by a consultant and is expected to be completed by the third quarter of 2021. It is anticipated that construction will take approximately six months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with RB202 as follows: Bond Act No. 159-2019 in the amount of \$1,400,000 to finance construction of rehabilitation of the roadway from Farragut Parkway to Hillside Avenue, Hastings-on-Hudson. This bond has not been sold. It is now requested that Bond Act No. 159-2019 be amended to increase the initial amount authorized by \$250,000, for a total authorized amount, as amended, of \$1,650,000, and to revise the scope of Bond Act No. 159-2019 to include costs related to the incorporation of traffic/pedestrian safety features.

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.

Your Committee has carefully considered Bond Act and recommends approval of the proposed Bond Act.

Dated: July 19, 2021
White Plains, New York

Dedat Jochi
Catharine Park
Ruth Wake
to U.S.

Benjamin Bayliss
David L. Tubis
K. Swill
Christy
Mary Gene Almon

Catherine Borgna

Dedat Jochi
Catharine Park
W.M.S.
Ruth Wake
to U.S.

Benjamin Bayliss
David L. Tubis
Christy
Mary Gene Almon

Public Works & Transportation
COMMITTEE ON

Budget & Appropriation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB202

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 \$ 1,650,000 PPU 15 Anticipated Interest Rate 0.10%

Anticipated Annual Cost (Principal and Interest): \$ 118,810

Total Debt Service (Annual Cost x Term): \$ 1,782,150

Finance Department: Interest rates from June 22, 2021 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): N/A

Potential Related Revenues (Annual): N/A

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: 18

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Director of Operations (Capital Planning)

Department: Public Works and Transportation

Date: 6/28/21

Reviewed By: 

Budget Director

Date: 6/30/21

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

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

DATE: June 24, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB202 FARRAGUT AVENUE, CR 151, HASTINGS-ON-HUDSON**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-25-2021 (Unique ID: 1688)

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)(22):** installation of traffic control devices on existing streets, roads and highways.

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. ¹⁴⁶-2021

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED SEPTEMBER 16, 2019 TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON, AT THE MAXIMUM ESTIMATED COST OF \$1,650,000. (Adopted 09/20 , 2021).

WHEREAS, this Board has heretofore duly authorized the issuance of \$1,400,000 bonds to finance the cost of roadway rehabilitation of Farragut Avenue (CR 151), in the Village of Hastings-on-Hudson (the "Project"), pursuant to Act No. 159-2019 duly adopted on September 16, 2019; and

WHEREAS, it has been determined that the cost of the Project has escalated due to the incorporation of traffic/pedestrian safety features into the existing project within the same limits of work, and it is necessary to revise the prior bond act and increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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 (A) The bond act duly adopted by this Board on September 16, 2019, entitled:

"ACT NO. 159-2019

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON; STATING THE ESTIMATED MAXIMUM COST

THEREOF IS \$1,400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,400,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ROADWAY REHABILITATION OF FARRAGUT AVENUE (CR 151), IN THE VILLAGE OF HASTINGS-ON-HUDSON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 09/20 , 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, \$1,650,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction for the rehabilitation of approximately 0.61 miles of Farragut Avenue from Farragut Parkway to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage enhancements; new traffic loops; new pavement markings and related work, as well as the incorporation of traffic/pedestrian safety features; 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,650,000. The plan of financing includes the issuance of \$1,650,000 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 said specific object or purpose, within the limitations of Section 11.00 a. 20(c) 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 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 \$1,650,000. 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 \$1,650,000 as the estimated maximum cost of the aforesaid specific object or purpose 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 in accordance with Section 107.71 of the Westchester County Charter.

SECTION (B) The amendment of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

SECTION (C) This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

CAPITAL PROJECT FACT SHEET

| | | |
|-------------------------------------|--|--|
| Project ID:* RB202 | <input type="checkbox"/> CBA | Fact Sheet Date:* 05-13-2021 |
| Fact Sheet Year:* 2021 | Project Title:* FARRAGUT AVENUE, CR 151, HASTINGS-ON-HUDSON | Legislative District ID: 12. |
| Category* ROADS & BRIDGES | Department:* PUBLIC WORKS | CP Unique ID: 1688 |

Overall Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from Farragut Parkway (STA 22+91) to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

- | | | |
|---|--|--|
| <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 | 2021 | 2022 | 2023 | 2024 | 2025 | Under Review |
|-------------------------------|-------------------------------------|--------------|------|------|------|------|------|-----------------|
| Gross | 1,900 | 1,650 | 250 | 0 | 0 | 0 | 0 | 0 |
| Less Non-County Shares | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Net | 1,900 | 1,650 | 250 | 0 | 0 | 0 | 0 | 0 |

Expended/Obligated Amount (in thousands) as of : 124

Current Bond Description: Additional construction funding is requested to incorporate several traffic/pedestrian safety features into the existing roadway rehabilitation project.

Financing Plan for Current Request:

| | |
|--------------------|-------------------|
| Non-County Shares: | \$ 0 |
| Bonds/Notes: | 250,000 |
| Cash: | 0 |
| Total: | \$ 250,000 |

SEQR Classification:

TYPE II

Amount Requested:

250,000

Comments:

Amend BA #159-2019; PCI: 64 (2019); AADT: 12,077

Energy Efficiencies:

Appropriation History:

| Year | Amount | Description |
|------|-----------|--|
| 2019 | 1,400,000 | DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT |
| 2021 | 250,000 | DESIGN AND CONSTRUCTION OF SAFETY FEATURES |

Total Appropriation History:

1,650,000

Financing History:

| Year | Bond Act # | Amount | Issued | Description |
|-------------|-------------------|---------------|---------------|---|
| 19 | 159 | 1,400,000 | | 0 CONSTRUCTION REHABILITATION OF ROADWAY FROM FARRAGUT PKWY TO HILLSIDE AVE, HASTINGS ON HUDSON |

Total Financing History:

1,400,000

Recommended By:

| | |
|-------------------------------|-------------|
| Department of Planning | Date |
| WBB4 | 05-25-2021 |

| | |
|-----------------------------------|-------------|
| Department of Public Works | Date |
| RJB4 | 05-25-2021 |

| | |
|--------------------------|-------------|
| Budget Department | Date |
| LMY1 | 05-26-2021 |

| | |
|------------------------------|-------------|
| Requesting Department | Date |
| RJB4 | 05-26-2021 |

FARRAGUT AVENUE, CR 151, HASTINGS-ON-HUDSON (RB202)

User Department : Public Works

Managing Department(s) : Public Works ;

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 | 2021 | 2022 | 2023 | 2024 | 2025 | Under Review |
|------------------|--------------|--------------|------------|------------|------|------|------|------|--------------|
| Gross | 1,650 | 1,400 | 124 | 250 | | | | | |
| Non County Share | | | | | | | | | |
| Total | 1,650 | 1,400 | 124 | 250 | | | | | |

Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from Farragut Parkway (STA 22+91) to Hillside Avenue including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

Current Year Description

The current year request funds design and construction of safety features.

Current Year Financing Plan

| Year | Bonds | Cash | Non County Shares | Total |
|------|---------|------|-------------------|---------|
| 2021 | 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 |
|--------------|------------------|--|--------|
| 2019 | 1,400,000 | Design, construction and construction management | DESIGN |
| Total | 1,400,000 | | |

Prior Appropriations

| | Appropriated | Collected | Uncollected |
|---------------|------------------|-----------|------------------|
| Bond Proceeds | 1,400,000 | | 1,400,000 |
| Total | 1,400,000 | | 1,400,000 |

Bonds Authorized

| Bond Act | Amount | Date Sold | Amount Sold | Balance |
|--------------|------------------|-----------|-------------|------------------|
| 159 19 | 1,400,000 | | | 1,400,000 |
| Total | 1,400,000 | | | 1,400,000 |

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 September 20, 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 given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
September 15, 2021

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:

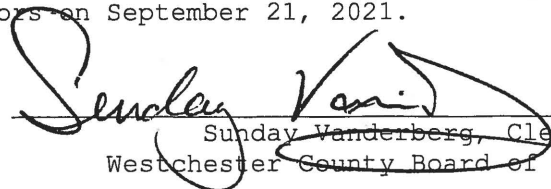
Designated Location(s)
of posted notice

Date of Posting
September 15, 2021

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on September 21, 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.

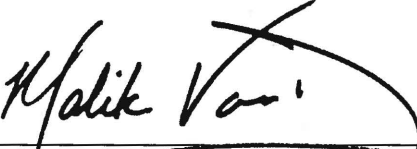
* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Mary Jane Shimsky
Date: 9-21-21

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 146 - 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 September 20, 2021, and approved by the County Executive on September 21, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 22nd day of September, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

