

**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 \$2,500,000 to authorize the County of Westchester (the “County”) to finance the following two capital projects for 2024:

B035E – Equipment Acquisition Program (2021-2025) (“B035E”); and
RGP13 – General Infrastructure – Equipment Acquisition (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 \$2,500,000 to finance the replacement of equipment associated with the maintenance of the County roadway system and County facilities under the jurisdiction of the Department of Public Works and Transportation (“DPW&T”) in the amount of \$1,500,000. It will also fund the acquisition of heavy equipment and vehicles for the Department of Parks, Recreation and Conservation (“PRC”) in the amount of \$1,000,000.

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

- 2005 Gradall (#61046) with a medium sized track excavator
- 2005 International six-wheel dump trucks with plow, wing and spreader (#38146)
- 2008 International six-wheel dump trucks with plow, wing and spreader (#122746)
- 2003 Freightliner tow truck (#025746) with a new flatbed tow truck

PRC anticipates that the following equipment will be replaced:

- 2008 Ford dump truck (#14004) with new dump truck
- 2014 Ford pickup truck (#620242) with new pickup truck with plow and sander
- 2008 Ford pickup truck (#12764) with new pickup truck with plow and sander
- 2008 Chevy dump truck (#149142) with new mason dump truck
- 2006 JCB mini excavator (#76542) with new mini excavator
- 2007 Toro sprayer (#117642) with new sprayer
- 2006 Toro sand pro grooming machine (#5903) with new grooming machine
- 2012 Toro sprayer (#550442) with new sprayer
- 2001 Toro mower (#5973) with new mower
- 2009 Toro Mower (#189842) with new mower
- 2009 Lastec mower (#208342) with new procore 1298 aerator

PRC anticipates that the following new equipment will be added:

- Pickup truck with plow and sander
- Pickup truck with plow and sander
- Cargo van
- Cargo van
- Chipper

The Planning Department has advised your Committee that based on its review, B035E and RGP13 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. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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: February 21st, 2024
White Plains, New York

James Z. Bell Johnson
David J. Sabino
Nancy Chan
Stef
Swathi
Tom W.

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Nancy Chan
Stef
Swathi
Tom W.

COMMITTEE ON

c/mg/8-23-23

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: _____

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

B035E & RGP13

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 2,500,000 PPU 15 Anticipated Interest Rate 2.56%

Anticipated Annual Cost (Principal and Interest): \$ 203,021

Total Debt Service (Annual Cost x Term): \$ 3,045,315

Finance Department: Interest rates from January 9, 2024 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: 27

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 1/24/24

Reviewed By: 

Budget Director

Date: 1/25/24

du 1/24/24

1/25/24

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: September 29, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR 2024 CAPITAL
PROJECTS BOND ACT – EQUIPMENT ACQUISITION**

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

Capital Project	Project Title	Fact Sheet ID	Approved by Planning
RGP13	General Infrastructure-Equipment Acquisition (2021-2025)	2362	08/28/2023
B035E	Equipment Acquisition Program (2021-2025)	2285	08/22/2023

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

As such, no environmental review is required.

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, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,500,000 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 FOR USE IN AND BY THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 BONDS HEREIN AUTHORIZED; 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, Bonds of the County in the respective amounts as set forth in column A of the schedule below, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the respective purposes as set forth in column B of the schedule below; 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 \$2,500,000. The plan of financing includes the

issuance of \$2,500,000 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.

A	B
\$1,500,000	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
1,000,000	the purchase of equipment associated with the maintenance of park facilities under the jurisdiction of the Department of Parks, Recreation and Conservation

Section 2. The period of probable usefulness (“PPU”) of the class of objects or purposes for which said \$2,500,000 bonds authorized by this Act are to be issued, 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 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 \$2,500,000. 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 \$2,500,000 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 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__.

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

(SEAL)

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 amended 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 \$2,500,000 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 FOR USE IN AND BY THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (adopted on _____, 20__)

object or purpose: 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 and the purchase of equipment associated with the maintenance of park facilities under the jurisdiction of the Department of Parks, Recreation and Conservation; all as set forth in the County's Current Year Capital Budget, as amended

amount of obligations to be issued
and periods of probable usefulness: \$2,500,000; fifteen (15) 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

Project ID:*

B035E

CBA

Fact Sheet Date:*

01-02-2024

Fact Sheet Year:*

2024

Project Title:*

EQUIPMENT ACQUISITION PROGRAM (2021-2025)

Legislative District ID:

5,

Category*

BUILDINGS, LAND & MISCELLANEOUS

Department:*

PUBLIC WORKS

CP Unique ID:

2285

Overall Project Description

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

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input checked="" type="checkbox"/> Life Safety | <input type="checkbox"/> Project Labor Agreement | <input type="checkbox"/> Revenue |
| <input type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	5,225	2,125	1,500	1,600	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,225	2,125	1,500	1,600	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 2,082

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:	1,500,000
Cash:	0
Total:	\$ 1,500,000

SEQR Classification:

TYPE II

Amount Requested:

1,500,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

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

Appropriation History:

Year	Amount	Description
2021	1,100,000	REPLACEMENT OF A BUCKET TRUCK, TWO CRASH ATTENUATOR TRUCKS, AND TWO SKID STEERS AND ASSOCIATED ATTACHMENTS
2022	500,000	CONTINUATION OF THIS PROJECT
2023	525,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

2,125,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	13	1,100,000	497,014	DPW&T RELACEMENT EQUIPMENT
21	205	500,000	160,051	DPW&T RELACEMENT EQUIPMENT
23	31	525,000	0	DPW&T RELACEMENT EQUIPMENT

Total Financing History:

2,125,000

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
08-23-2023

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	2024	2025	2026	2027	2028	Under Review
Gross	5,225	2,125	2,082	1,500	1,600				
Non County Share									
Total	5,225	2,125	2,082	1,500	1,600				

Project Description

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

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	1,500,000			1,500,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	1,100,000	Replacement of a bucket truck, two crash attenuator trucks, and two skid steers and associated attachments	COMPLETE
2022	500,000	Continuation of this project	COMPLETE
2023	525,000	Continuation of this project	IN PROGRESS
Total	2,125,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,125,000	657,065	1,467,935
Total	2,125,000	657,065	1,467,935

**EQUIPMENT ACQUISITION PROGRAM (2021-2025)
(B035E)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
13 21	1,100,000	12/01/22	452,086	602,986
		12/01/22	44,929	
205 21	500,000	12/01/22	145,583	339,949
		12/01/22	14,468	
31 23	525,000			525,000
Total	2,125,000		657,065	1,467,935

CAPITAL PROJECT FACT SHEET

Project ID:* RGP13	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2024
Fact Sheet Year:* 2024	Project Title:* GENERAL INFRASTRUCTURE - EQUIPMENT ACQUISITION (2021- 2025)	Legislative District ID:
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2362

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 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	2024	2025	2026	2027	2028	Under Review
Gross	4,500	2,500	1,000	1,000	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,500	2,500	1,000	1,000	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,469

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

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Expected Design Work Provider:

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

Comments:

Energy Efficiencies:

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

Appropriation History:

Year	Amount	Description
2021	1,500,000	CONTINUATION OF THIS PROJECT \$500,000; PURCHASE/INSTALLATION OF SENIOR FITNESS EQUIPMENT \$1,000,000
2022	500,000	CONTINUATION OF THIS PROJECT
2023	500,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

2,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	13	500,000	380,681	PRC EQUIPMENT REPLACEMENT
21	127	1,000,000	0	PRC - OUTDOOR FITNESS EQUIPMENT FOR SENIORS
21	205	500,000	0	PRC EQUIPMENT REPLACEMENT
23	31	500,000	0	PRC EQUIPMENT REPLACEMENT

Total Financing History:

2,500,000

Recommended By:

Department of Planning

MLLL

Date

08-28-2023

Department of Public Works

RJB4

Date

08-28-2023

Budget Department

DEV9

Date

08-28-2023

Requesting Department

RCL3

Date

02-21-2024

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

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

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	4,500	2,500	1,469	1,000	1,000				
Non County Share									
Total	4,500	2,500	1,469	1,000	1,000				

Project Description

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

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	1,000,000			1,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2021	1,500,000	Continuation of this project \$500,000; Purchase/installation of senior fitness equipment \$1,000,000	IN PROGRESS
2022	500,000	Continuation of this project	IN PROGRESS
2023	500,000	Continuation of this project	IN PROGRESS
Total	2,500,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,500,000	380,681	2,119,319
Total	2,500,000	380,681	2,119,319

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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
13 21	500,000	12/01/21	96,417	119,319
		12/01/22	258,567	
		12/01/22	25,697	
127 21	1,000,000			1,000,000
205 21	500,000			500,000
31 23	500,000			500,000
Total	2,500,000		380,681	2,119,319