

(BOND) ACT 153 - 2024

Reference T009G

**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") which, if adopted, will authorize the County of Westchester ("County") to issue up to \$1,750,000 in bonds of the County to finance a portion of capital project T009G - Paratransit Vehicles IV ("T009G").

Your Committee is advised that the Bond Act, which was prepared by the law firm of Harris Beach, PLLC, will finance the cost of acquisition of paratransit vehicles and associated equipment for use County-wide.

The Department of Public Works and Transportation (the "Department") has advised that T009G provides for the acquisition of vehicles to maintain the County's paratransit service fleet at an adequate level of capacity and reliability to efficiently meet Federal and State guidelines for the delivery of this mandated service.

It is anticipated that the vehicles will be ordered approximately 90 days after receipt of bonding authorization.

It should be noted that your Honorable Board has previously authorized bonding in connection with separate components of T009G as indicated in the annexed fact sheet. The Department has advised that it is continuing to increase the percentage of energy efficient hybrid vehicles in this fleet segment to the fullest practical extent.

The Planning Department has advised that, based on its review, the above referenced capital project may be classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR"), and its implementing regulations, 6 NYCRR Part 617, which is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. Your Committee has reviewed the annexed SEQR documentation sheet prepared by the Planning Department and concurs with this recommendation.

Please note that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the attached Bond Act.

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

Dated: September 4th, 2024
White Plains, New York

James B. John
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S:\jbg 6-17-24

James B. John
David J. Tubitt

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James B. John
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James B. John

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T009G

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 \$ 1,750,000 PPU 5 Anticipated Interest Rate 3.11%

Anticipated Annual Cost (Principal and Interest): \$ 388,024

Total Debt Service (Annual Cost x Term): \$ 1,940,120

Finance Department: maab 7-8-24

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: 19

Prepared by: Michael Swee

Title: Director of Surface Transportation

Department: Public Works & Transportation


Date: 7/9/24

Reviewed By: *Christine Payant*

Budget Director

Date: 7/19/24

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: July 1, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
T009G PARATRANSIT VEHICLES IV**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-31-2024 (Unique ID: 2556)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(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
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
Susan Darling, Chief Planner
Claudia Maxwell, Principal Environmental Planner
Michael Lipkin, Associate Planner

ACT NO. 153 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF PARATRANSIT VEHICLES AND ASSOCIATED EQUIPMENT FOR USE COUNTY-WIDE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted September 16, 2024)

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, \$1,750,000 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 paratransit vehicles and associated equipment for use County-wide; 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 \$1,750,000. The plan of financing includes the issuance of \$1,750,000 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 objects or purposes for which bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 29 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,750,000. 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 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 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.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*

T009G

CBA

Fact Sheet Date:*

05-16-2024

Fact Sheet Year:*

2024

Project Title:*

PARATRANSIT VEHICLES IV

Legislative District ID:

ALL

Category*

TRANSPORTATION

Department:*

AIRPORT/DOT

CP Unique ID:

2556

Overall Project Description

This project provides for the acquisition of vehicles to maintain the County's ParaTransit service fleet at an adequate level of capacity and reliability to efficiently meet Federal and State guidelines for the delivery of this mandated service.

- | | | |
|---|--|---|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	12,934	12,934	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	12,934	12,934	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 9,760

Current Bond Description: Bonding is requested to purchase replacement vehicles, associated equipment and related services.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,750,000
Cash:	0
Total:	\$ 1,750,000

SEQR Classification:

TYPE II

Amount Requested:

1,750,000

Expected Design Work Provider:

- County Staff
 Consultant
 Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2015	1,378,000	REPLACEMENT OF 10 TRADITIONAL VANS AND 20 TRANSIT CONNECTS
2016	2,196,000	CONTINUATION OF THIS PROJECT AND THE PURCHASE OF MOBILE DATA TERMINALS (MDT)
2017	1,400,000	CONTINUATION OF THIS PROJECT.
2018	1,400,000	CONTINUATION OF PROJECT.
2019	1,460,000	CONTINUATION OF THIS PROJECT
2020	1,600,000	CONTINUATION OF THIS PROJECT
2022	1,750,000	CONTINUATION OF THIS PROJECT
2023	1,750,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

12,934,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	149	1,378,000	1,377,984	PARATRANSIT VEHICLES
16	137	2,196,000	2,159,100	ACQUISITION OF PARATRANSIT VEHICLES AND ASSOCIATED EQUIPMENT FOR USE COUNTY WIDE
17	135	1,400,000	1,399,783	ACQUISITION OF PARATRANSIT VEHICLES AND ASSOCIATED EQUIPMENT
18	79	1,400,000	1,399,214	PURCHASE OF REPLACEMENT PARATRANSIT VEHICLES AND ASSOCIATED EQUIPMENT
19	105	1,460,000	1,424,197	PURCHASE OF REPLACEMENT PARATRANSIT VEHICLES AND ASSOCIATED EQUIPMENT
20	202	1,600,000	1,166,402	ACQUISITION OF PARATRANSIT VEHICLES AND ASSOCIATED EQUIPMENT FOR USE COUNTY-WIDE
21	220	1,750,000	9,505	PARATRANSIT VEHICLES

Total Financing History:

11,184,000

Recommended By:

Department of Planning
MLLL

Date
05-31-2024

Department of Public Works
RJB4

Date
05-31-2024

Budget Department
DEV9

Date
06-13-2024

Requesting Department
MAS9

Date
06-17-2024

PARATRANSIT VEHICLES IV (T009G)

User Department : Airport/DOT

Managing Department(s) : Airport/DOT ;

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	12,934	12,934	8,951						
Non County Share									
Total	12,934	12,934	8,951						

Project Description

This project provides for the acquisition of vehicles to maintain the County's ParaTransit service fleet at an adequate level of capacity and reliability to efficiently meet Federal and State guidelines for the delivery of this mandated service.

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
2015	1,378,000	Replacement of 10 traditional vans and 20 transit connects	COMPLETE
2016	2,196,000	Continuation of this project and the purchase of Mobile Data Terminals (MDT)	COMPLETE
2017	1,400,000	Continuation of this project.	COMPLETE
2018	1,400,000	Continuation of project.	COMPLETE
2019	1,460,000	Continuation of this project	IN PROGRESS
2020	1,600,000	Continuation of this project	IN PROGRESS
2022	1,750,000	Continuation of this project	IN PROGRESS
2023	1,750,000	Continuation of this project	AWAITING BOND AUTHORIZATION
Total	12,934,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	12,934,000	8,838,887	4,095,113
Total	12,934,000	8,838,887	4,095,113

**PARATRANSIT VEHICLES IV
(T009G)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
149 15	1,378,000	12/15/16	1,233,296	16
		12/15/17	110,861	
		12/15/17	20,355	
		12/15/17	172	
137 16	2,196,000	12/10/18	13,300	36,900
		12/15/17	1,602,988	
		12/15/17	294,325	
		12/15/17	2,487	
		12/10/18	189,438	
		12/10/19	38,321	
135 17	1,400,000	12/10/19	7,567	217
		12/01/21	23,974	
		12/10/18	1,386,011	
		12/10/19	2,315	
79 18	1,400,000	12/10/19	457	786
		12/01/21	11,000	
		12/10/19	1,117,474	
		12/10/19	220,673	
105 19	1,460,000	04/30/20	24,067	38,655
		12/01/21	37,000	
		04/30/20	1,044,374	
202 20	1,600,000	12/01/21	376,971	518,538
		12/01/22	983,701	
220 21	1,750,000	12/01/22	97,761	1,750,000
Total	11,184,000		8,838,887	2,345,113

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 16, 2024 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
September 12, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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 12, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on September 17, 2024.





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 Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator Judah Holstein
 Legislator David Imamura
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator David Tubiolo
 Legislator Emiljana Ulaj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

NOES:

ABSENT: Legislator Colin Smith

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 9-17-24

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 153 - 2024, 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 16, 2024, and approved by the County Executive on September 17, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 18th day of September, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

