

**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 a bond act (“Bond Act”) in the amount of \$650,000.00 to finance capital project RB04S – Roadway Culvert Rehabilitation and Replacement (“RB04S”). The Bond Act, which was prepared by the law firm Hawkins Delafield and Wood, LLP, will finance the cost of a study to inspect and evaluate the roadway culvert structures along County roads to determine if any maintenance, rehabilitation or replacement is required. The study will establish recommendations and a schedule based on priorities.

Following bonding authorization, the study will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by a consultant.

The Department of Planning has advised your Committee that based on its review, the proposed capital project may be classified as a Type “II” action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617.5 (“SEQR”). 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: June 17th, 2024

White Plains, New York

James Bell Jones
J. Bell
Smith
C. Bell
J. A.
Murray
David J. Tubiolo
J. Bell

J. Bell
James Bell Jones
Smith
Murray
J. Bell

COMMITTEE ON

Budget & Appropriations

Public Works &
Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB04S

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 \$ 650,000 PPU 5 Anticipated Interest Rate 3.05%

Anticipated Annual Cost (Principal and Interest): \$ 143,875

Total Debt Service (Annual Cost x Term): \$ 719,375

Finance Department: Interest rates from May 22, 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: 7

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)


Department: Public Works and Transportation

Date: 5/22/24

Reviewed By: 
Budget Director

Date: 5/23/24

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: May 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RB04S ROADWAY CULVERT REHABILITATION AND REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-01-2024 (Unique ID: 2537)

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)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
 - **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action
-

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. ¹²⁷ 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE MAINTENANCE, REHABILITATION AND/OR REPLACEMENT OF ROADWAY CULVERTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 06/17 , 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 I. 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, \$650,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the maintenance, rehabilitation and/or replacement of roadway culverts, all as set forth in the county's current year capital budget, as amended. The total estimated cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$650,000. The plan of

financing includes the issuance of \$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.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 62(2nd) 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 \$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 \$650,000 as the estimated total 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

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*
RB04S

CBA

Fact Sheet Date:*
04-15-2024

Fact Sheet Year:*
2024

Project Title:*
ROADWAY CULVERT
REHABILITATION AND
REPLACEMENT

Legislative District ID:
ALL

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
2537

Overall Project Description

This project funds the rehabilitation or replacement of existing roadway culvert structures under the jurisdiction of the Department of Public Works and Transportation.

- | | | |
|---|--|--|
| <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	2024	2025	2026	2027	2028	Under Review
Gross	1,525	1,525	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,525	1,525	0	0	0	0	0	0

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

Current Bond Description: Funding is requested for a study to inspect and evaluate the roadway culvert structures and determine if any maintenance, rehabilitation or replacement is required. The study will establish recommendations and a schedule based on priorities.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	650,000
Cash:	0
Total:	\$ 650,000

SEQR Classification:
TYPE II

Amount Requested:
650,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	1,525,000	FUNDS THIS PROJECT.

Total Appropriation History:
1,525,000

Total Financing History:
0

Recommended By:

Department of Planning

MLLL

Date

05-01-2024

Department of Public Works

RJB4

Date

05-01-2024

Budget Department

DEV9

Date

05-03-2024

Requesting Department

RJB4

Date

05-03-2024

ROADWAY CULVERT REHABILITATION AND REPLACEMENT (RB04S)

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	2024	2025	2026	2027	2028	Under Review
Gross	1,525	1,525							
Non County Share									
Total	1,525	1,525							

Project Description

This project funds the rehabilitation or replacement of existing roadway culvert structures under the jurisdiction of the Department of Public Works and Transportation.

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
2023	1,525,000	Funds this project.	AWAITING BOND AUTHORIZATION
Total	1,525,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,525,000		1,525,000
Total	1,525,000		1,525,000

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 June 17, 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
June 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
June 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 June 18, 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 Colin Smith
 Legislator David Tubiolo
 Legislator Emiljana Ulaj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 6/18/24

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 127 - 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 June 17, 2024, and approved by the County Executive on June 18, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 19th day of June, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

