

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

(BOND) ACT 33 - 2024

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 \$1,250,000 to finance capital project T0056 – Bus Stop Improvements II ("T0056"). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of construction of bus stop improvements throughout the County, including installation of replacement bus shelters and other bus stop related improvements.

The Department of Public Works & Transportation ("Department") has advised that the Bee-Line bus system is served by over 3,000 bus stops. This on-going project will address needed repairs and improvements to a number of these stops.

The Planning Department has advised your Committee that based on its review, T0056 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. 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: March 4th, 2024
White Plains, New York

James Ballin John
[Signature]

Mary Ann
Vedat John
[Signature]
COMMITTEE ON

c/mg 8-29-23

Budget & Appropriations

James Ballin John
[Signature]
[Signature]
Vedat John
[Signature]

Public Works & Transportation

Dated: March 4, 2024
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

Budget & Appropriations



Public Works & Transportation



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0056

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	\$	1,250,000	PPU	5	Anticipated Interest Rate	2.41%
Anticipated Annual Cost (Principal and Interest):				\$	271,055	
Total Debt Service (Annual Cost x Term):				\$	1,355,275	

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

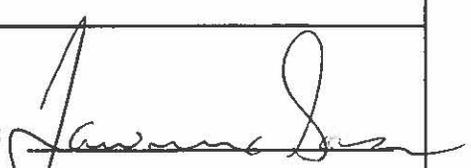
Number of Full Time Equivalent (FTE) Jobs Funded: 14

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 1/22/24

Reviewed By: 
Budget Director

Date: 1/23/24

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: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
T0056 BUS STOP IMPROVEMENTS II**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-22-2023 (Unique ID: 2345)

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)(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;
 - **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/sed

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
Blanca P. Lopez, Commissioner of Planning
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. 33 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,250,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF REPLACEMENT BUS SHELTERS AND OTHER BUS STOP RELATED IMPROVEMENTS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$1,250,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,250,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 03/04 , 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, and to the provisions of other laws applicable thereto; \$1,250,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase and installation of replacement bus shelters and other bus stop related improvements for the Airport/Department of Transportation, 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 \$1,250,000. The plan of financing includes the issuance of \$1,250,000 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 the class of objects or purposes for which said \$1,250,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.89 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 total amount of \$1,250,000. 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 \$1,250,000 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.

CAPITAL PROJECT FACT SHEET

Project ID:* T0056	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2024
Fact Sheet Year:* 2024	Project Title:* BUS STOP IMPROVEMENTS II	Legislative District ID: ALL
Category* TRANSPORTATION	Department:* AIRPORT/DOT	CP Unique ID: 2345

Overall Project Description

This multi-year project funds bus stops improvements. Improvements will include items such as: new paved areas, bus stop amenities, improved ADA accessibility, bus shelters, sidewalks, concrete bus stop pads (in-road), curbing and signage.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input checked="" 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	3,350	2,850	250	250	0	0	0	0
Less Non-County Shares	400	400	0	0	0	0	0	0
Net	2,950	2,450	250	250	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 410

Current Bond Description: Purchase and installation of replacement bus shelters and other bus stop related improvements.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,250,000
Cash:	0
Total:	\$ 1,250,000

SEQR Classification:
TYPE II

Amount Requested:
1,250,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

SOME OF THE EXISTING HARD WIRED BUS SHELTERS WILL BE REPLACED WITH SOLAR POWERED SHELTERS.

BUS STOP IMPROVEMENTS II (T0056)

User Department : Airport/DOT

Managing Department(s) : Airport/DOT ;

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	3,350	2,850	347	250	250				
Non County Share	(400)	(400)							
Total	2,950	2,450	347	250	250				

Project Description

This multi-year project funds bus stops improvements. Improvements will include items such as: new paved areas, bus stop amenities, improved ADA accessibility, bus shelters, concrete bus stop pads (in-road), curbing and signage.

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	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
2014	100,000	Analysis and design for this project	DESIGN
2015	500,000	Continued improvements to bus stops	DESIGN
2017	300,000	Continued improvements to bus stop	DESIGN
2018	250,000	Continued improvements to bus stop	DESIGN
2019	200,000	Continued improvements to bus stop	DESIGN
2020	500,000	Change of financing for this project due to FTA funds; Continued improvements to bus stop	DESIGN
2022	1,000,000	Additional improvements to bus stops	AWAITING BOND AUTHORIZATION
Total	2,850,000		

**BUS STOP IMPROVEMENTS II
(T0056)**

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,450,000		2,450,000
Federal Funds	400,000		400,000
Total	2,850,000		2,850,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
216 21	350,000			350,000
220 21	1,100,000			1,100,000
Total	1,450,000			1,450,000

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 March 4, 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
February 29, 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:

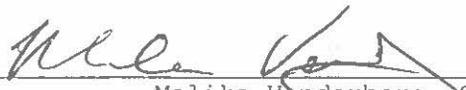
Designated Location(s)
of posted notice

Date of Posting
February 29, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on February 6, 2024.





Malika Vanderberg, Clerk
Westchester County Board of Legislators

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 33 - 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 March 4, 2024, and approved by the County Executive on March 5, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 6th day of March, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

