

Budget & Appropriations Meeting Agenda

Committee Chair: Vedat Gashi

800 Michaelian Office Bldg. 148 Martine Avenue, 8th Floor White Plains, NY 10601 www.westchesterlegislators.com

Monday, January 9, 2023

10:00 AM

Committee Room

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website:

https://westchestercountyny.legistar.com/ This website also provides links to materials for all matters to be discussed at a given meeting.

Chairwoman Catherine Borgia will be participating remotely from Clear View School and Day Treatment Center, 480 Albany Post Road, Briarcliff, NY, 10510

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

Discussion on Yonkers Contracting Pending Litigation

Joint with LMC.

Guests:

County Attorney John Nonna-LAW

Ira Schulman-Sheppard Mullin

1. 2022-531 ACT - Lawsuit Settlement of Krassowski v. County of Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of Jacek Krassowski v. County of Westchester, et al., in the amount of SEVEN HUNDRED, FIFTY THOUSAND (\$750,000) DOLLARS.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Joint with LMC.

Guests: Law Department County Attorney John Nonna

Jack Micciche

2. <u>2022-565</u> <u>ACT - Lawsuit Settlement County of Westchester v. Unity Mechanical Corp.</u>

AN ACT authorizing the County Attorney to settle the lawsuit of County of Westchester v. Unity Mechanical Corp.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Joint with LMC.

Guests: Law Department County Attorney John Nonna Justin Adin

3. <u>2022-584</u> <u>ACT - Agreement Amendment re: County Trunk Sanitary Sewer System</u>

AN ACT authorizing the County of Westchester to amend the agreement with the law firm of Abrams, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP for "Of Counsel" legal services in connection with the County Trunk Sanitary Sewer System located on the real property owned by ARCO Environmental Remediation LLC and classified as an Inactive Hazardous Waste Disposal Site on River Street in the Village of Hastings-on-Hudson.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Joint with LMC.

Guests: Law Department County Attorney John Nonna Rachel Noe

4. 2022-593 ACT - Lawsuit Settlement Green v. Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of Beth Green v. County of Westchester in the amount of EIGHT HUNDRED FIFTY THOUSAND (\$850,000) DOLLARS, inclusive of attorney's fees.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

Joint with LMC.

Guests: Law Department County Attorney John Nonna Jane Hogan-Felix

Westchester County Page 2 Printed on 1/31/2023

2

5. <u>2023-3</u> BOND ACT-BO116-Infrastructure Rehab.-Peekskill District Office

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project B0116 - Infrastructure Rehabilitation, Peekskill District Office (2021-2025).

SUBMITTED BY: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Department of Public Works & Transportation First Deputy Commissioner Gayle Katzman Director of Operations (Capital Planning) Rob Abbamont

6. <u>2023-4</u> <u>BOND ACT-A0134, A0138, A0140-Various Capital</u> Projects-Westchester County Airport

A BOND ACT authorizing the issuance of FOUR MILLION, FIFTY THOUSAND (\$4,050,000) DOLLARS in bonds of Westchester County to finance the following three (3) capital projects at the Westchester County Airport: A0134-HVAC Upgrades, Terminal Bldg., A0138-Ramp Service Equipment and A0140-Electrical, Data and Security Systems Upgrades.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Department of Public Works & Transportation First Deputy Commissioner Gayle Katzman Director of Operations (Capital Planning) Rob Abbamont Airport Manager April Gasparri

7. <u>2023-6</u> BOND ACT-BO14E, BO124, BPF39

A BOND ACT authorizing the issuance of THIRTEEN MILLION, THREE HUNDRED THOUSAND (\$13,300,000) DOLLARS in bonds of Westchester County to finance the following three (3) Capital Projects: B014E-Exterior Infrastructure Improvement, White Plains Complex (2021-2025), B0124-White Plains Complex Lighting Systems and BPF39-Electric Vehicle Charging Stations and Infrastructure.

SUBMITTED BY: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Department of Public Works & Transportation First Deputy Commissioner Gayle Katzman Director of Operations (Capital Planning) Rob Abbamont

8. <u>2023-7</u> <u>BOND ACT-RB210, RB212, RB214, RB233, RB234, RB235, RB236, RB237, P0032</u>

A BOND ACT authorizing the issuance of SIXTEEN MILLION, SIX HUNDRED FORTY THOUSAND (\$16,640,000) DOLLARS in bonds of Westchester County to finance the following nine (9) capital projects: RB210-Pelham Shore Rd., CR 65A, Pelham, RB212-Bryant Ave., CR 153, White Plains, RB214-Lake St., CR 32B, White Plains, RB233-Virginia Rd., CR 35/51, Mt. Pleasant/North Castle, RB234 Heathcote Bypass, CR 143 Scarsdale, RB235-Pearl St., CR 43, Port Chester, RB236-North Division St/South St, CR 6311, Peekskill, RB237-East/West Main St, CR 25/251, Peekskill and P0032-Playland Parkway, CR 152, Rye. SUBMITTED BY: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Department of Public Works & Transportation First Deputy Commissioner Gayle Katzman Director of Operations (Capital Planning) Rob Abbamont

9. <u>2022-585</u> <u>BOND ACT(Amended)-BPL26-2001-Flood Mitigation</u>

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of ONE MILLION, FIVE HUNDRED THOUSAND (\$1,500,000) DOLLARS to finance a component of Capital Project BPL26 - Flood Mitigation.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Planning Department

Assistant Commissioner David Kvinge

10. <u>2022-586</u> IMA (Amend)-Flood Mitigation-Village of Mamaroneck

AN ACT authorizing the County of Westchester to amend the existing intermunicipal agreement with the Village of Mamaroneck in order to increase the County's contribution toward a flood mitigation project.

SUBMITTED BY: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

Joint with PWT.

Guests: Planning Department

Assistant Commissioner David Kvinge

II. OTHER BUSINESS

III. RECEIVE & FILE

1. 2022-532 BOND ACT-RB210-Pelham Shore Rd, Pelham

A BOND ACT authorizing the issuance of EIGHT HUNDRED THOUSAND (\$800,000) DOLLARS in bonds of Westchester County to finance Capital Project RB210 - Pelham Shore Rd., C.R. 65A, Pelham.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

2. <u>2022-533</u> <u>BOND ACT-RB212-Bryant Ave, White Plains</u>

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS in bonds of Westchester County to finance Capital Project RB212 - Bryant Ave., CR 153, White Plains.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

3. <u>2022-534</u> BOND ACT-RB214-Lake St, White Plains

A BOND ACT authorizing the issuance of FOUR HUNDRED TWENTY-FIVE THOUSAND (\$425,000) DOLLARS in bonds of Westchester County to finance Capital Project RB214, Lake St., CR32B, White Plains.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

4. <u>2022-535</u> <u>BOND ACT-RB233-Virginia Rd, Mount Pleasant-No. Castle</u>

A BOND ACT authorizing the issuance of SIX HUNDRED THOUSAND (\$600,000) DOLLARS in bonds of Westchester County to finance Capital Project RB233 - Virginia Rd., CR 35/51, Mt. Pleasant/North Castle.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

5. <u>2022-536</u> <u>BOND ACT-RB234-Heathcote Bypass, Scarsdale</u>

A BOND ACT authorizing the issuance of SEVEN HUNDRED SEVENTY-FIVE THOUSAND (\$775,000) DOLLARS in bonds of Westchester County to finance Capital Project RB234 - Heathcote Bypass CR 143, Scarsdale.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

6. 2022-537 BOND ACT-RB235-Pearl St, Port Chester

A BOND ACT authorizing the issuance of FOUR HUNDRED TWENTY THOUSAND (\$420,000) DOLLARS in bonds of Westchester County to finance Capital Project RB235 - Pearl St., CR 43, Port Chester.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

7. <u>2022-538</u> <u>BOND ACT-RB236-North Division St-South St, Peekskill</u>

A BOND ACT authorizing the issuance of ONE MILLION, SIX HUNDRED TWENTY THOUSAND (\$1,620,000) DOLLARS in bonds of Westchester County to finance Capital Project RB236 - North Division St./South St., CR 6311, Peekskill.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

8. 2022-539 BOND ACT-RB237-East-West Main St, Peekskill

A BOND ACT authorizing the issuance of SIX MILLION, ONE HUNDRED FIFTY THOUSAND (\$6,150,000) DOLLARS in bonds of Westchester County to finance Capital Project RB237 - East/West Main St., CR 25/25I, Peekskill.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

9. <u>2022-540</u> <u>BOND ACT-P0032-Playland Parkway, Rye</u>

A BOND ACT authorizing the issuance of THREE MILLION, THREE HUNDRED FIFTY THOUSAND (\$3,350,000) DOLLARS in bonds of Westchester County to finance Capital Project P0032 - Playland Parkway, CR 152, Rye.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

11. 2022-543 BOND ACT-A0134-HVAC Upgrades, Terminal Bldg.

A BOND ACT authorizing the issuance of SEVEN HUNDRED FIFTY THOUSAND (\$750,000) DOLLARS in bonds of Westchester County to finance Capital Project A0134 -HVAC Upgrades, Terminal Building.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

12. 2022-544 BOND ACT-A0138-Ramp Service Equipment

A BOND ACT authorizing the issuance of EIGHT HUNDRED THOUSAND (\$800,000) DOLLARS in bonds of Westchester County to finance Capital Project A0138 - Ramp Service Equipment.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

13. <u>2022-545</u> <u>BOND ACT-A0140-Electrical, Data & Security Systems Upgrades</u>

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS in bonds of Westchester County to finance Capital Project A0140 - Electrical, Data and Security Systems Upgrades.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

14. 2022-546 BOND ACT-B014E-Exterior Infrast. Repairs, White Plains Complex

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project B014E - Exterior Infrastructure Repairs, White Plains Complex (2021-2025).

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

15. <u>2022-547</u> <u>BOND ACT-B0116-Infrast. Rehab., Peekskill D.O.</u>

A BOND ACT authorizing the issuance of FIVE HUNDRED THOUSAND (\$500,000) DOLLARS in bonds of Westchester County to finance Capital Project B0116 - Infrastructure Rehabilitation, Peekskill District Office (2021-2025).

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

16. 2022-548 BOND ACT-B0124-White Plains Complex Lighting Systems

A BOND ACT authorizing the issuance of FOUR MILLION, EIGHT HUNDRED THOUSAND (\$4,800,000) DOLLARS in bonds of Westchester County to finance Capital Project B0124 - White Plains Complex Lighting Systems.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

17. <u>2022-549</u> <u>BOND ACT-BPF39-Electric Vehicle Charging Stations & Infrast.</u>

A BOND ACT authorizing the issuance of EIGHT MILLION (\$8,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BPF39 - Electric Vehicle Charging Stations and Infrastructure.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

ADJOURNMENT

BOARD OF LEGISLATORS COUNTY OF WESTCHESTER

Your Committee is in receipt of a transmittal from the County Attorney recommending the adoption of an Act that, if approved by this Board, would authorize the settlement of the lawsuit of *Jacek Krassowski v. County of Westchester, et al.*, in the amount of \$750,000.00.

This matter is pending in the Westchester County Supreme Court before the Honorable Joan B. Lefkowitz. The matter tentatively settled pending this Board's approval of a settlement in the amount of \$750,000.00. Bruce E. Cohen, Esq., Law Offices of Bruce E. Cohen & Associates, P.C., 425 Broadhollow Road, Suite 310, Melville, New York 11747, represents the Plaintiff.

This matter arises out of a construction accident that occurred on March 2, 2020, during Plaintiff's employment as a roofing laborer with non-party KDA Roofing, a subcontractor of codefendant Sony NY Management & Construction Corporation ("Sony"), in connection with Contract 15-518 between the County and Sony for the replacement of, *inter alia*, various portions of the roofs of the Westchester County Department of Correction's ("WCDOC") facilities at 10 Woods Road, Valhalla, New York.

The accident purportedly occurred when Plaintiff slipped on ice located on the north-sloped portion of the WCDOC J-Block facility roof, causing him to fall approximately fifteen feet to the ground, hitting a barbed-wired fence in the process. Plaintiff had with him at the time of his fall a safety harness and a safety line which was unsecured. Plaintiff was taken by ambulance to the Westchester Medical Center for treatment. Plaintiff alleges that he suffered compression fractures of the T6 and T10 vertebrae, a non-displaced fracture of the anterior sternum, and mild compressions of the C6-C7, T1-T2 and T10-11 vertebrae as a result of his fall. After discharge from Westchester Medical Center, Plaintiff was treated by an orthopedic spine surgeon and an anesthesiologist and pain management physician. On June 17, 2022, a lumbar block was done at

three levels of Plaintiff's lumbar spine. Plaintiff currently complains of persistent pain and spasms in his lumbar region, which he claims precludes him from resuming his employment as a roofing laborer.

At the close of discovery, the County moved for summary judgment. The basis of the County's motion was that Plaintiff failed to properly use the safety harness and safety line provided prior to stepping onto the north-sloped portion of the J-Block roof, thus proximately causing his fall. In its March 17, 2022 Decision and Order, a copy of which is attached, the Court granted the County's motion in part and denied the County's motion in part. The basis of the Court's denial was (a) that the County had a non-delegable duty to provide a safety device to Plaintiff while working on the J-Block roof, and (b) the absence of evidence that the County or Sony instructed Plaintiff where to anchor his safety line precludes a finding that the County satisfied its non-delegable.

Co-defendant Sony has failed to appear in this action. All efforts to contact representatives of Sony have gone unanswered. Pursuant to the County's contract with Sony, Sony was required to (a) indemnify and safe the County harmless from all suites of any kind and nature whatsoever from or on account of the construction contemplated by the contract, and (b) provide the County proof of liability insurance and a certificate naming the County as an additional insured. Demands for indemnification were served on both Sony and its insurance provider; however, the certificate of liability insurance naming the County as an additional insured expired prior to the date of Plaintiff's accident, and there is no evidence that the certificate was ever renewed. Notwithstanding, the County still has an active cross-claim against Sony for indemnification.

The requested settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled <u>Jacek Krassowski v. County of Westchester, et al.</u>, in the amount of \$750,000.00, Westchester County Supreme Court Index No. 59834/2020. An affirmative vote of a majority of the Board is required to pass this Legislation.

Dated: White Plains, New York

January 9th, 2023

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COMMITTEE ON

Budget & Appropriations

Law & Major Contracts

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken

Budget & Appropriations

Law & Major Contracts

ACT NO. -2022

AN ACT authorizing the County Attorney to settle the lawsuit of <u>Jacek Krassowski v. County of Westchester</u>, et al., Westchester County Supreme Court Index No. 59834/2020, in the amount of \$750,000.00

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit of <u>Jacek Krassowski v.</u>

<u>County of Westchester, et al.</u>, Westchester County Supreme Court Index No. 59834/2020, in the amount of \$750,000.00 inclusive of attorney's fees. The County will pay \$750,000.00 out of the self-insured retention fund.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

SUPREME COURT: STATE OF NEW YORK IAS PART WESTCHESTER COUNTY

PRESENT: HON. JOAN B. LEFKOWITZ, J.S.C.

JACEK KRASSOWSKI.

To commence the statutory time period for appeals as of right (CPLR 5513[a]), you are advised to serve a copy of this order, with notice of entry, upon all parties.

DECISION & ORDER

Index No: 59834/2020

Motion Sequence Nos. 02 and 04

Plaintiff.

-against-

COUNTY OF WESTCHESTER, THE COUNTY OF WESTCHESTER DEPARTMENT OF CORRECTION and SONY NY MANAGEMENT & CONSTRUCTION CORP.,

Defendants.

The following papers (NYSCEF document nos. 25-40; 50-53; 55-56) were read on: (1) the motion by the defendants, County of Westchester and The County of Westchester Department of Correction (collectively, the County of Westchester), for an order, pursuant to CPLR 3212, granting summary judgment dismissing so much of the complaint that asserts a cause of action against it (sequence no. 02); and (2) that branch of the crossmotion by the plaintiff for an order, pursuant to CPLR 3025 (b), granting him leave to supplement the bill of particulars in order to allege certain provisions of the Industrial Code (sequence no. 04).

Motion Sequence No. 02

Notice of Motion-Statement of Facts-Affirmation-Affidavit-Exhibits (A-I)-Memo of Law Reply Affirmation in Further Support and in Opposition-Reply Memo of Law

Motion Sequence No. 04

Notice of Cross-Motion-Affirmation in Support and in Opposition-Affidavit

Upon reading the foregoing papers, the motions are determined as follows:

Plaintiff sues to recover monetary damages for personal injuries allegedly sustained in a construction accident that occurred on March 2, 2020, during the course of his employment as a roofing laborer with non-party subcontractor, KDA Roofing (hereinafter, KDA), on premises owned by the defendant-movant, County of Westchester (hereinafter, County), known as the Westchester County Jail, located at 10 Woods Road, Valhalla, New York.

KDA was retained by the general contractor and defendant, Sony NY Management & Construction Corp. (hereinafter, Sony), to perform the roofing work at the Jail. Sony was retained by the County pursuant to a written contract to perform the roofing work at the Jail which involved the replacement of various portions of roofs. The accident purportedly occurred when the plaintiff slipped on ice located on an upper portion of a sloped roof while attempting to attach his safety harness, which was provided by KDA, to a ventilation box located near the center of said sloped roof.

As relevant herein, plaintiff alleges that the County is liable for his injuries based on the County's purported violations of Labor Law §§ 200, 240 (1), and 241 (6) and Industrial Code § 23-1.7. More specifically, plaintiff alleges "[t]hat the negligence of the defendants consisted, amongst other things, in failing to take precautions to avoid the occurrence herein, in causing and/or permitting the claimant to work in [an] unsafe area; in failing to have in place protective equipment as well as the failure to provide accessway that was not in an icy, slippery and dangerous condition" (Krassowski complaint at ¶ 19, NYSCEF Doc No. 1).

Following the completion of discovery, the County moves (#02) for an order, pursuant to CPLR 3212, granting summary judgment dismissing so much of the complaint that asserts a cause of action against it. Plaintiff opposes the motion and cross-moves (#04) for an order, pursuant to CPLR 3025 (b), granting him leave to supplement the bill of particulars to allege further violations of the Industrial Code. The County opposes the cross-motion. The court consolidates the motions for joint disposition herein.

In support of its motion for summary judgment, the County proffers, among other things, the deposition transcript and affidavit of Edward Duffy (hereinafter, Duffy), Construction Coordinator for the County's Department of Public Works. Based thereon, the County submits that judgment should be granted to it as a matter of law. Regarding plaintiff's claim that the County is liable under Labor Law § 200, the County argues that pursuant to the contract between it and Sony, Sony was responsible for the means and methods of the project's completion. As such, the County asserts that it did not exercise supervisory control over the injury-producing work. The County further asserts that it had no notice, actual or constructive, of any ice condition on the roof and did not create said condition. Accordingly, the County submits that it cannot be held liable under section 200 of the Labor Law. In any event, the County notes that pursuant to the contract, Sony

¹ By order dated and entered November 3, 2021, the court denied, as untimely, that branch of the plaintiff's cross-motion which sought an order, pursuant to CPLR 3212, granting him summary judgment on the issue of liability. The court further referred that branch of the cross-motion which sought an order, pursuant to CPLR 3025 (b), granting plaintiff leave to supplement his bill of particulars, to the IAS Part for determination (see NYSCEF Doc No. 57). The court considers that remaining branch of the plaintiff's cross-motion herein and further considers the cross-motion to the extent that it contains opposition to the County's summary judgment motion.

possessed the right to determine whether weather conditions permitted work on any given day. For the same reasons, the County argues that it cannot be held liable under Labor Law § 241 (6) which is premised upon the County's purported violation of 12 NYCRR § 23-1.7 (d). Regarding plaintiff's claim that the County is liable under Labor Law § 240 (1), the County contends that plaintiff was provided with an adequate safety device (a harness) and that the plaintiff's failure to properly secure his safety harness to a proper tie-in point (i.e. to the air conditioning unit located on the flat portion of the roof connected to the building) was the sole proximate cause of the accident. Since plaintiff was the sole proximate cause of the accident, the County further submits that it cannot be held liable under Labor Law § 240 (1).

In opposition, plaintiff contends, among other things, that he was not the sole proximate cause of his accident. Plaintiff asserts that the nearest ventilation box that he was told by his supervisor to secure his safety harness to was about 5-7 feet away from the point where he entered the second roof and that he had never been told by anyone to use any other places on the roof to connect his safety line, including any air conditioning units. Thus, plaintiff argues that because the County failed to provide him with more suitable protection to prevent his fall, he asserts that the County's motion should be denied.

In reply, the County argues, among other things, that plaintiff has not submitted opposition to the branch of the County's motion seeking dismissal of the claim premised upon violation of section 200 of the Labor Law. The County further asserts that plaintiff has failed to raise an issue of fact regarding its contention that he was the sole proximate cause of the accident. The County notes that plaintiff concedes that he observed ice on the roof that morning and, notwithstanding said observation, proceeded to walk onto the sloped roof. The County thus submits that plaintiff was the substantial cause of the events which produced his injuries and, as such, its motion should be granted.

On a motion for summary judgment the court's function is to determine whether triable issues of fact exist or whether judgment can be granted to a party on the proof submitted as a matter of law (see CPLR 3212 [b]; Andre v Pomeroy, 35 NY2d 361, 364 [1974]). In determining the motion, the court must view the evidence in a light most favorable to the nonmovant and is obliged to draw all reasonable inferences in the nonmovant's favor (see Negri v Stop & Shop, 65 NY2d 625, 626 [1985]; Stukas v Streiter, 83 AD3d 18, 22 [2d Dept 2011]). Such a motion may be granted only if the movant tenders sufficient evidence in admissible form demonstrating the absence of triable issues of material fact (see Zuckerman v City of New York, 49 NY2d 557, 562 [1980]). If the movant satisfies its prima facie burden, the burden of going forward shifts to the opponent of the motion to produce evidentiary proof in admissible form establishing the existence of material issues of fact requiring a trial (see Zuckerman, 49 NY2d at 562).

Labor Law § 200

"Section 200 of the Labor Law is a codification of the common-law duty imposed upon an owner or general contractor to provide construction site workers with a safe place to work" (Comes v New York State Elec. & Gas Corp., 82 NY2d 876, 877 [1993]). "Cases involving Labor Law § 200 fall into two broad categories: namely, those where workers are injured as a result of dangerous or defective premises conditions at a worksite, and those involving the manner in which the work is performed" (Ortega v Puccia, 57 AD3d 54, 61 [2d Dept 2008]). Where, as here, "a plaintiff's injuries arise not from the manner in which the work was being performed, but rather from an allegedly dangerous condition on the property,...a property owner will be liable under a theory of common-law negligence, as codified by Labor Law § 200, only when the owner created the complained-of condition, or when the owner failed to remedy a dangerous or defective condition of which it had actual or constructive notice" (Martinez v City of New York, 73 AD3d 993, 997 [2d Dept 2010]).

Here, the County established its prima facie entitlement to judgment as a matter of law dismissing the plaintiff's claim premised upon violation of section 200 of the Labor Law by demonstrating that it did not create the alleged dangerous condition on the roof nor did it have notice, actual or constructive, of the alleged icy condition on the roof. Accordingly, the burden of going forward shifted to the plaintiff to raise a triable issue of material fact (see Zuckerman, 49 NY2d at 557).

In opposition, the plaintiff, who did not oppose this branch of the County's motion, failed to raise a triable issue of material fact (see CPLR 3212 [b]). Accordingly, this branch of the County's motion is granted, and this claim is dismissed.

Labor Law § 240 (1)

"Labor Law § 240 (1) imposes upon owners and general contractors, and their agents, a nondelegable duty to provide safety devices necessary to protect workers from risks inherent in elevated work sites" (McCarthy v Turner Constr., Inc., 17 NY3d 369, 374 [2011]; see also Ross v Curtis-Palmer Hydro-Elec. Co., 81 NY2d 494, 500 [1993] ["[i]t is by now well established that the duty imposed by Labor Law § 240(1) is nondelegable and that an owner or contractor who breaches that duty may be held liable in damages regardless of whether it has actually exercised supervision or control over the work."]). The Court of Appeals has explained that "the statute is to be construed as liberally as may be for the accomplishment of the purpose for which it was framed" (Ross, 81 NY2d at 500 [internal quotation marks and ellipses omitted]). "To prevail on a cause of action alleging a violation of Labor Law § 240 (1), a plaintiff must establish that the statute was violated and that the violation was a proximate cause of his or her injuries" (Morocho v Plainview-Old Bethpage Cent. Sch. Dist., 116 AD3d 935, 936 [2d Dept 2014]). "Where a plaintiff's actions are the sole proximate cause of his injuries, liability under Labor Law § 240 (1) does not attach. Instead, the owner or contractor must breach the statutory duty under

section 240 (1) to provide a worker with adequate safety devices, and this breach must proximately cause the worker's injuries. These prerequisites do not exist if adequate safety devices are available at the job site, but the worker either does not use or misuses them" (Robinson v East Med. Ctr., LP, 6 NY3d 550, 554 [2006] [internal quotation marks, citations, brackets and ellipses omitted]). "'[T]he fact that a worker falls at a construction site, in itself, does not establish a violation of Labor Law § 240(1),' and when 'there are questions of fact as to whether the [structure] provided adequate protection,' summary judgment is not warranted" (Giordano v Tishman Constr. Corp., 152 AD3d 470, 470-471 [1st Dept 2017], quoting O'Brien v Port Auth. of N.Y. & N.J., 29 NY3d 27, 33 [2017]).

Here, the County failed to establish its prima facie entitlement to judgment as a matter of law dismissing the claim premised upon a violation of section 240 (1) of the Labor Law. The County failed to eliminate all triable issues of material fact regarding its contention that plaintiff was the sole proximate cause of the accident (see Cahill v Triborough Bridge & Tunnel Auth., 4 NY3d 35, 40 [2004]; Scruton v Acro-Fab Ltd., 144 AD3d 1502, 1505 [4th Dept 2016]). The affidavit of Duffy, proffered in support of the motion, is insufficient to eliminate all triable issues of fact as to whether the plaintiff's failure to use a more appropriate anchorage point (the air conditioning unit) to which the safety harness could have been tied-off, according to Duffy, was the sole proximate cause of the accident (see Giordano, 152 AD3d at 471; Scruton, 144 AD3d at 1505; cf. Anderson v MSG Holdings, L.P., 146 AD3d 401, 404 [1st Dept 2017] ["[t]he fact that both Caro and O'Shaughnessy, as well as defendants' expert, later claimed in affidavits that plaintiff could have tied off to a raker beam above his head is of no moment, inasmuch as there is no evidence in the record that plaintiff was ever instructed or knew to use such points to tie off."]; Miglionico v Bovis Lend Lease, Inc., 47 AD3d 561, 565 [1st Dept 2008]).

Since the County failed to establish its prima facie entitlement to judgment as a matter of law, the court need not consider the sufficiency of the opposing papers (see Winegrad v New York Univ. Med. Ctr., 64 NY2d 851, 853 [1985]). Accordingly, this branch of the County's motion seeking dismissal of the plaintiff's claim premised upon a violation of Labor Law § 240 (1) is denied.

Labor Law § 241 (6)

Labor Law § 241 (6) imposes upon owners and contractors a nondelegable duty "to provide reasonable and adequate protection and safety for workers and to comply with the specific safety rules and regulations promulgated by the Commissioner of the Department of Labor" (Ross, 81 NY2d at 501-502 [internal quotation marks omitted]). "To prevail on a cause of action alleging a violation of Labor Law § 241 (6), a plaintiff must establish the violation of an Industrial Code provision that sets forth specific, applicable safety standards" (Norero v 99-105 Third Ave. Realty, LLC, 96 AD3d 727, 728 [2d Dept 2012]). Moreover, plaintiff must demonstrate that a defendant's alleged violation of the specific regulation was a proximate cause of the accident (see Creese v Long Is. Light. Co., 98 AD3d 708, 710 [2d Dept 2012]). "A failure to identify the Industrial Code provision in the

complaint or bill of particulars is not fatal to such a claim" (Jara v New York Racing Assn., Inc., 85 AD3d 1121, 1123 [2d Dept 2011] [internal quotation marks omitted]).

Plaintiff's complaint alleges that the County violated Industrial Code § 23-1.7. The complaint does not specify the specific subsection under section 23-1.7 that the County purportedly violated. However, the complaint alleges that the County "fail[ed] to provide accessway that was not in an icy, slippery and dangerous condition" (Krassowski complaint at ¶ 19, NYSCEF Doc No. 1). Based thereon, it is evident that plaintiff intended to claim a violation of 12 NYCRR § 23-1.7 (d), which provides that "[e]mployers shall not suffer or permit any employee to use a floor, passageway, walkway, scaffold, platform or other elevated working surface which is in a slippery condition. Ice, snow, water, grease and any other foreign substance which may cause slippery footing shall be removed, sanded or covered to provide safe footing." Moreover, the court notes that the County cannot claim any prejudice insofar as it sought summary judgment dismissing this particular regulation.

In support of its motion dismissing this claim, the County argues that because it did not have actual or constructive notice of the icy condition which caused plaintiff to fall, plaintiff's claim premised upon a violation of this section of the Labor Law and this regulation of the Industrial Code fails as a matter of law (see Micciche memorandum of law in support at p. 5). While such argument is sufficient to establish entitlement to dismissal under section 200 of the Labor Law (see Temes v Columbus Ctr. LLC, 48 AD3d 281, 281 [1st Dept 2008]), it is insufficient, standing alone, to establish prima facie entitlement to judgment as a matter of law dismissing the plaintiff's claim predicated upon section 241 (6) of the Labor Law (see Rizzuto v L.A. Wenger Contr. Co., 91 NY2d 343, 350-351 [1998]; Reynoso v Bovis Lend Lease LMB, Inc., 125 AD3d 740, 742 [2d Dept 2015]). In any event, as noted above, questions of fact remain as to whether plaintiff was the sole proximate cause of the accident (cf. Gittleson v Cool Wind Ventilation Corp., 46 AD3d 855, 856 [2d Dept 2007]). Accordingly, this branch of the County's motion seeking dismissal of the plaintiff's claim premised upon a violation of Labor Law § 241 (6) is denied without regard to the sufficiency of the plaintiff's opposing papers.

The court next addresses that branch of the cross-motion (#04) which seeks leave to supplement the bill of particulars to assert further violations of the Industrial Code. A motion to amend or supplement a bill of particulars is governed by the same standard as a motion to amend a pleading under CPLR 3025 (see Cedano v New York Racing Assn., Inc., 171 AD3d 1126, 1127 [2d Dept 2019]; Scarangello v State of New York, 111 AD2d 798, 798 [2d Dept 1985]). CPLR 3025 (b) provides, in relevant part, that "[a]ny motion to amend or supplement pleadings shall be accompanied by the proposed amended or supplemental pleading clearly showing the changes or additions to be made to the pleading."

Here, in contravention of CPLR 3025 (b), plaintiff failed to submit a proposed supplemental bill of particulars with his cross motion. Accordingly, this branch of the cross motion is denied (see Cedano, 171 AD3d at 1127; Scialdone v Stepping Stones Assoc., L.P., 148 AD3d 950, 952 [2d Dept 2017]).

All other arguments raised on the motions and evidence submitted by the parties in connection thereto have been considered by the court, notwithstanding the specific absence of reference thereto. Based on the foregoing, it is hereby:

ORDERED that the motion (#02) by the defendant County of Westchester seeking summary judgment is granted to the extent that the plaintiff's claim alleging a violation of Labor Law § 200 is dismissed, and the motion is otherwise denied as to the plaintiff's claims alleging a violation of Labor Law §§ 240 (1) and 241 (6); and it is further

ORDERED that the branch of the cross-motion (#04) by the plaintiff seeking leave to supplement his bill of particulars is denied; and it is further

ORDERED the matter shall be scheduled for a settlement conference on a date and time set by the clerk.

ENTER,

Dated: White Plains, New York March 17, 2022

HON YOAN B. LEFKOWITZ, J.

To:

All counsel of record via NYSCEF

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Krassowski, Jacek NO FISCAL IMPACT PROJECTED			
OPERATING BUDGET IMPACT (To be completed by operating department and reviewed by Budget Department)			
A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)			
B) EXPENSES AND REVENUES			
Total Current Year Cost \$ 750,000			
Total Current Year Revenue \$			
Source of Funds (check one): Current Appropriations			
☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☒ Other (explain) Identify Accounts: 6N Fund: 615 59 0700 4410 4280 04			
6N Fund:			
Potential Related Operating Budget Expenses: Annual Amount \$ N/A			
Describe: Settlement of General Liability Claim (G200022 Krassowski, Jacek)			
Potential Related Revenues: Annual Amount \$ N/A			
Describe:			
Anticipated Squings to County and/or Impact on Department Operations			
Anticipated Savings to County and/or Impact on Department Operations: Current Year:			
N/A			
Next Four years: N/A			
Prepared by: Giacomo G. Micciche Reviewed By			
P# 1300 = 7 00 Z			
Title: Assistant County Attorney Budget Director			
Department: Law			
If you need more space, please attach additional sheets.			

BOARD OF LEGISLATORS COUNTY OF WESTCHESTER

Your Committee is in receipt of a transmittal from the County Attorney recommending the adoption of an Act that, if approved by this Board, would authorize the settlement of the lawsuit of <u>Jacek Krassowski v. County of Westchester, et al.</u>, in the amount of \$750,000.00.

This matter is pending in the Westchester County Supreme Court before the Honorable Joan B. Lefkowitz. The matter tentatively settled pending this Board's approval of a settlement in the amount of \$750,000.00. Bruce E. Cohen, Esq., Law Offices of Bruce E. Cohen & Associates, P.C., 425 Broadhollow Road, Suite 310, Melville, New York 11747, represents the Plaintiff.

This matter arises out of a construction accident that occurred on March 2, 2020, during Plaintiff's employment as a roofing laborer with non-party KDA Roofing, a subcontractor of codefendant Sony NY Management & Construction Corporation ("Sony"), in connection with Contract 15-518 between the County and Sony for the replacement of, *inter alia*, various portions of the roofs of the Westchester County Department of Correction's ("WCDOC") facilities at 10 Woods Road, Valhalla, New York.

The accident purportedly occurred when Plaintiff slipped on ice located on the north-sloped portion of the WCDOC J-Block facility roof, causing him to fall approximately fifteen feet to the ground, hitting a barbed-wired fence in the process. Plaintiff had with him at the time of his fall a safety harness and a safety line which was unsecured. Plaintiff was taken by ambulance to the Westchester Medical Center for treatment. Plaintiff alleges that he suffered compression fractures of the T6 and T10 vertebrae, a non-displaced fracture of the anterior sternum, and mild compressions of the C6-C7, T1-T2 and T10-11 vertebrae as a result of his fall. After discharge from Westchester Medical Center, Plaintiff was treated by an orthopedic spine surgeon and an anesthesiologist and pain management physician. On June 17, 2022, a lumbar block was done at

three levels of Plaintiff's lumbar spine. Plaintiff currently complains of persistent pain and spasms in his lumbar region, which he claims precludes him from resuming his employment as a roofing laborer.

At the close of discovery, the County moved for summary judgment. The basis of the County's motion was that Plaintiff failed to properly use the safety harness and safety line provided prior to stepping onto the north-sloped portion of the J-Block roof, thus proximately causing his fall. In its March 17, 2022 Decision and Order, a copy of which is attached, the Court granted the County's motion in part and denied the County's motion in part. The basis of the Court's denial was (a) that the County had a non-delegable duty to provide a safety device to Plaintiff while working on the J-Block roof, and (b) the absence of evidence that the County or Sony instructed Plaintiff where to anchor his safety line precludes a finding that the County satisfied its non-delegable.

Co-defendant Sony has failed to appear in this action. All efforts to contact representatives of Sony have gone unanswered. Pursuant to the County's contract with Sony, Sony was required to (a) indemnify and safe the County harmless from all suites of any kind and nature whatsoever from or on account of the construction contemplated by the contract, and (b) provide the County proof of liability insurance and a certificate naming the County as an additional insured. Demands for indemnification were served on both Sony and its insurance provider; however, the certificate of liability insurance naming the County as an additional insured expired prior to the date of Plaintiff's accident, and there is no evidence that the certificate was ever renewed. Notwithstanding, the County still has an active cross-claim against Sony for indemnification.

The requested settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled <u>Jacek Krassowski v. County of Westchester, et al.</u>, in the amount of \$750,000.00, Westchester County Supreme Court Index No. 59834/2020. An affirmative vote of a majority of the Board is required to pass this Legislation.

Dated: White Plains, New York

January 9th, 2023

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COMMITTEE ON

Budget & Appropriations

Law & Major Contracts

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken

Budget & Appropriations

Law & Major Contracts

ACT NO. 1 -2023

AN ACT authorizing the County Attorney to settle the lawsuit of <u>Jacek Krassowski v. County of Westchester</u>, et al., Westchester County Supreme Court Index No. 59834/2020, in the amount of \$750,000.00

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit of <u>Jacek Krassowski v.</u>

<u>County of Westchester, et al.</u>, Westchester County Supreme Court Index No. 59834/2020, in the amount of \$750,000.00 inclusive of attorney's fees. The County will pay \$750,000.00 out of the self-insured retention fund.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

SUPREME COURT: STATE OF NEW YORK IAS PART WESTCHESTER COUNTY PRESENT: HON. JOAN B. LEFKOWITZ, J.S.C.

advised to serve a copy of this order, with

notice of entry, upon all parties.

JACEK KRASSOWSKI,

DECISION & ORDER

Index No: 59834/2020

To commence the statutory time period for appeals as of right (CPLR 5513[a]), you are

Plaintiff,

-against-

Motion Sequence Nos. 02 and 04

COUNTY OF WESTCHESTER, THE COUNTY OF WESTCHESTER DEPARTMENT OF CORRECTION and SONY NY MANAGEMENT & CONSTRUCTION CORP.,

Defendants.

The following papers (NYSCEF document nos. 25-40; 50-53; 55-56) were read on: (1) the motion by the defendants, County of Westchester and The County of Westchester Department of Correction (collectively, the County of Westchester), for an order, pursuant to CPLR 3212, granting summary judgment dismissing so much of the complaint that asserts a cause of action against it (sequence no. 02); and (2) that branch of the crossmotion by the plaintiff for an order, pursuant to CPLR 3025 (b), granting him leave to supplement the bill of particulars in order to allege certain provisions of the Industrial Code (sequence no. 04).

Motion Sequence No. 02

Notice of Motion-Statement of Facts-Affirmation-Affidavit-Exhibits (A-I)-Memo of Law Reply Affirmation in Further Support and in Opposition-Reply Memo of Law

Motion Sequence No. 04

Notice of Cross-Motion-Affirmation in Support and in Opposition-Affidavit

Upon reading the foregoing papers, the motions are determined as follows:

Plaintiff sues to recover monetary damages for personal injuries allegedly sustained in a construction accident that occurred on March 2, 2020, during the course of his employment as a roofing laborer with non-party subcontractor, KDA Roofing (hereinafter, KDA), on premises owned by the defendant-movant, County of Westchester (hereinafter, County), known as the Westchester County Jail, located at 10 Woods Road, Valhalla, New York.

KDA was retained by the general contractor and defendant, Sony NY Management & Construction Corp. (hereinafter, Sony), to perform the roofing work at the Jail. Sony was retained by the County pursuant to a written contract to perform the roofing work at the Jail which involved the replacement of various portions of roofs. The accident purportedly occurred when the plaintiff slipped on ice located on an upper portion of a sloped roof while attempting to attach his safety harness, which was provided by KDA, to a ventilation box located near the center of said sloped roof.

As relevant herein, plaintiff alleges that the County is liable for his injuries based on the County's purported violations of Labor Law §§ 200, 240 (1), and 241 (6) and Industrial Code § 23-1.7. More specifically, plaintiff alleges "[t]hat the negligence of the defendants consisted, amongst other things, in failing to take precautions to avoid the occurrence herein, in causing and/or permitting the claimant to work in [an] unsafe area; in failing to have in place protective equipment as well as the failure to provide accessway that was not in an icy, slippery and dangerous condition" (Krassowski complaint at ¶ 19, NYSCEF Doc No. 1).

Following the completion of discovery, the County moves (#02) for an order, pursuant to CPLR 3212, granting summary judgment dismissing so much of the complaint that asserts a cause of action against it. Plaintiff opposes the motion and cross-moves (#04) for an order, pursuant to CPLR 3025 (b), granting him leave to supplement the bill of particulars to allege further violations of the Industrial Code. The County opposes the cross-motion. The court consolidates the motions for joint disposition herein.

In support of its motion for summary judgment, the County proffers, among other things, the deposition transcript and affidavit of Edward Duffy (hereinafter, Duffy), Construction Coordinator for the County's Department of Public Works. Based thereon, the County submits that judgment should be granted to it as a matter of law. Regarding plaintiff's claim that the County is liable under Labor Law § 200, the County argues that pursuant to the contract between it and Sony, Sony was responsible for the means and methods of the project's completion. As such, the County asserts that it did not exercise supervisory control over the injury-producing work. The County further asserts that it had no notice, actual or constructive, of any ice condition on the roof and did not create said condition. Accordingly, the County submits that it cannot be held liable under section 200 of the Labor Law. In any event, the County notes that pursuant to the contract, Sony

¹ By order dated and entered November 3, 2021, the court denied, as untimely, that branch of the plaintiff's cross-motion which sought an order, pursuant to CPLR 3212, granting him summary judgment on the issue of liability. The court further referred that branch of the cross-motion which sought an order, pursuant to CPLR 3025 (b), granting plaintiff leave to supplement his bill of particulars, to the IAS Part for determination (*see* NYSCEF Doc No. 57). The court considers that remaining branch of the plaintiff's cross-motion herein and further considers the cross-motion to the extent that it contains opposition to the County's summary judgment motion.

possessed the right to determine whether weather conditions permitted work on any given day. For the same reasons, the County argues that it cannot be held liable under Labor Law § 241 (6) which is premised upon the County's purported violation of 12 NYCRR § 23-1.7 (d). Regarding plaintiff's claim that the County is liable under Labor Law § 240 (1), the County contends that plaintiff was provided with an adequate safety device (a harness) and that the plaintiff's failure to properly secure his safety harness to a proper tie-in point (i.e. to the air conditioning unit located on the flat portion of the roof connected to the building) was the sole proximate cause of the accident. Since plaintiff was the sole proximate cause of the accident, the County further submits that it cannot be held liable under Labor Law § 240 (1).

In opposition, plaintiff contends, among other things, that he was not the sole proximate cause of his accident. Plaintiff asserts that the nearest ventilation box that he was told by his supervisor to secure his safety harness to was about 5-7 feet away from the point where he entered the second roof and that he had never been told by anyone to use any other places on the roof to connect his safety line, including any air conditioning units. Thus, plaintiff argues that because the County failed to provide him with more suitable protection to prevent his fall, he asserts that the County's motion should be denied.

In reply, the County argues, among other things, that plaintiff has not submitted opposition to the branch of the County's motion seeking dismissal of the claim premised upon violation of section 200 of the Labor Law. The County further asserts that plaintiff has failed to raise an issue of fact regarding its contention that he was the sole proximate cause of the accident. The County notes that plaintiff concedes that he observed ice on the roof that morning and, notwithstanding said observation, proceeded to walk onto the sloped roof. The County thus submits that plaintiff was the substantial cause of the events which produced his injuries and, as such, its motion should be granted.

On a motion for summary judgment the court's function is to determine whether triable issues of fact exist or whether judgment can be granted to a party on the proof submitted as a matter of law (see CPLR 3212 [b]; Andre v Pomeroy, 35 NY2d 361, 364 [1974]). In determining the motion, the court must view the evidence in a light most favorable to the nonmovant and is obliged to draw all reasonable inferences in the nonmovant's favor (see Negri v Stop & Shop, 65 NY2d 625, 626 [1985]; Stukas v Streiter, 83 AD3d 18, 22 [2d Dept 2011]). Such a motion may be granted only if the movant tenders sufficient evidence in admissible form demonstrating the absence of triable issues of material fact (see Zuckerman v City of New York, 49 NY2d 557, 562 [1980]). If the movant satisfies its prima facie burden, the burden of going forward shifts to the opponent of the motion to produce evidentiary proof in admissible form establishing the existence of material issues of fact requiring a trial (see Zuckerman, 49 NY2d at 562).

Labor Law § 200

"Section 200 of the Labor Law is a codification of the common-law duty imposed upon an owner or general contractor to provide construction site workers with a safe place to work" (Comes v New York State Elec. & Gas Corp., 82 NY2d 876, 877 [1993]). "Cases involving Labor Law § 200 fall into two broad categories: namely, those where workers are injured as a result of dangerous or defective premises conditions at a worksite, and those involving the manner in which the work is performed" (Ortega v Puccia, 57 AD3d 54, 61 [2d Dept 2008]). Where, as here, "a plaintiff's injuries arise not from the manner in which the work was being performed, but rather from an allegedly dangerous condition on the property,...a property owner will be liable under a theory of common-law negligence, as codified by Labor Law § 200, only when the owner created the complained-of condition, or when the owner failed to remedy a dangerous or defective condition of which it had actual or constructive notice" (Martinez v City of New York, 73 AD3d 993, 997 [2d Dept 2010]).

Here, the County established its prima facie entitlement to judgment as a matter of law dismissing the plaintiff's claim premised upon violation of section 200 of the Labor Law by demonstrating that it did not create the alleged dangerous condition on the roof nor did it have notice, actual or constructive, of the alleged icy condition on the roof. Accordingly, the burden of going forward shifted to the plaintiff to raise a triable issue of material fact (see Zuckerman, 49 NY2d at 557).

In opposition, the plaintiff, who did not oppose this branch of the County's motion, failed to raise a triable issue of material fact (see CPLR 3212 [b]). Accordingly, this branch of the County's motion is granted, and this claim is dismissed.

Labor Law § 240 (1)

"Labor Law § 240 (1) imposes upon owners and general contractors, and their agents, a nondelegable duty to provide safety devices necessary to protect workers from risks inherent in elevated work sites" (McCarthy v Turner Constr., Inc., 17 NY3d 369, 374 [2011]; see also Ross v Curtis-Palmer Hydro-Elec. Co., 81 NY2d 494, 500 [1993] ["[i]t is by now well established that the duty imposed by Labor Law § 240(1) is nondelegable and that an owner or contractor who breaches that duty may be held liable in damages regardless of whether it has actually exercised supervision or control over the work."]). The Court of Appeals has explained that "the statute is to be construed as liberally as may be for the accomplishment of the purpose for which it was framed" (Ross, 81 NY2d at 500 [internal quotation marks and ellipses omitted]). "To prevail on a cause of action alleging a violation of Labor Law § 240 (1), a plaintiff must establish that the statute was violated and that the violation was a proximate cause of his or her injuries" (Morocho v Plainview-Old Bethpage Cent. Sch. Dist., 116 AD3d 935, 936 [2d Dept 2014]). "Where a plaintiff's actions are the sole proximate cause of his injuries, liability under Labor Law § 240 (1) does not attach. Instead, the owner or contractor must breach the statutory duty under

section 240 (1) to provide a worker with adequate safety devices, and this breach must proximately cause the worker's injuries. These prerequisites do not exist if adequate safety devices are available at the job site, but the worker either does not use or misuses them" (Robinson v East Med. Ctr., LP, 6 NY3d 550, 554 [2006] [internal quotation marks, citations, brackets and ellipses omitted]). "'[T]he fact that a worker falls at a construction site, in itself, does not establish a violation of Labor Law § 240(1),' and when 'there are questions of fact as to whether the [structure] provided adequate protection,' summary judgment is not warranted" (Giordano v Tishman Constr. Corp., 152 AD3d 470, 470-471 [1st Dept 2017], quoting O'Brien v Port Auth. of N.Y. & N.J., 29 NY3d 27, 33 [2017]).

Here, the County failed to establish its prima facie entitlement to judgment as a matter of law dismissing the claim premised upon a violation of section 240 (1) of the Labor Law. The County failed to eliminate all triable issues of material fact regarding its contention that plaintiff was the sole proximate cause of the accident (see Cahill v Triborough Bridge & Tunnel Auth., 4 NY3d 35, 40 [2004]; Scruton v Acro-Fab Ltd., 144 AD3d 1502, 1505 [4th Dept 2016]). The affidavit of Duffy, proffered in support of the motion, is insufficient to eliminate all triable issues of fact as to whether the plaintiff's failure to use a more appropriate anchorage point (the air conditioning unit) to which the safety harness could have been tied-off, according to Duffy, was the sole proximate cause of the accident (see Giordano, 152 AD3d at 471; Scruton, 144 AD3d at 1505; cf. Anderson v MSG Holdings, L.P., 146 AD3d 401, 404 [1st Dept 2017] ["[t]he fact that both Caro and O'Shaughnessy, as well as defendants' expert, later claimed in affidavits that plaintiff could have tied off to a raker beam above his head is of no moment, inasmuch as there is no evidence in the record that plaintiff was ever instructed or knew to use such points to tie off."]; Miglionico v Bovis Lend Lease, Inc., 47 AD3d 561, 565 [1st Dept 2008]).

Since the County failed to establish its prima facie entitlement to judgment as a matter of law, the court need not consider the sufficiency of the opposing papers (see Winegrad v New York Univ. Med. Ctr., 64 NY2d 851, 853 [1985]). Accordingly, this branch of the County's motion seeking dismissal of the plaintiff's claim premised upon a violation of Labor Law § 240 (1) is denied.

Labor Law § 241 (6)

Labor Law § 241 (6) imposes upon owners and contractors a nondelegable duty "to provide reasonable and adequate protection and safety for workers and to comply with the specific safety rules and regulations promulgated by the Commissioner of the Department of Labor" (Ross, 81 NY2d at 501-502 [internal quotation marks omitted]). "To prevail on a cause of action alleging a violation of Labor Law § 241 (6), a plaintiff must establish the violation of an Industrial Code provision that sets forth specific, applicable safety standards" (Norero v 99-105 Third Ave. Realty, LLC, 96 AD3d 727, 728 [2d Dept 2012]). Moreover, plaintiff must demonstrate that a defendant's alleged violation of the specific regulation was a proximate cause of the accident (see Creese v Long Is. Light. Co., 98 AD3d 708, 710 [2d Dept 2012]). "A failure to identify the Industrial Code provision in the

complaint or bill of particulars is not fatal to such a claim" (Jara v New York Racing Assn., Inc., 85 AD3d 1121, 1123 [2d Dept 2011] [internal quotation marks omitted]).

Plaintiff's complaint alleges that the County violated Industrial Code § 23-1.7. The complaint does not specify the specific subsection under section 23-1.7 that the County purportedly violated. However, the complaint alleges that the County "fail[ed] to provide accessway that was not in an icy, slippery and dangerous condition" (Krassowski complaint at ¶ 19, NYSCEF Doc No. 1). Based thereon, it is evident that plaintiff intended to claim a violation of 12 NYCRR § 23-1.7 (d), which provides that "[e]mployers shall not suffer or permit any employee to use a floor, passageway, walkway, scaffold, platform or other elevated working surface which is in a slippery condition. Ice, snow, water, grease and any other foreign substance which may cause slippery footing shall be removed, sanded or covered to provide safe footing." Moreover, the court notes that the County cannot claim any prejudice insofar as it sought summary judgment dismissing this particular regulation.

In support of its motion dismissing this claim, the County argues that because it did not have actual or constructive notice of the icy condition which caused plaintiff to fall, plaintiff's claim premised upon a violation of this section of the Labor Law and this regulation of the Industrial Code fails as a matter of law (see Micciche memorandum of law in support at p. 5). While such argument is sufficient to establish entitlement to dismissal under section 200 of the Labor Law (see Temes v Columbus Ctr. LLC, 48 AD3d 281, 281 [1st Dept 2008]), it is insufficient, standing alone, to establish prima facie entitlement to judgment as a matter of law dismissing the plaintiff's claim predicated upon section 241 (6) of the Labor Law (see Rizzuto v L.A. Wenger Contr. Co., 91 NY2d 343, 350-351 [1998]; Reynoso v Bovis Lend Lease LMB, Inc., 125 AD3d 740, 742 [2d Dept 2015]). In any event, as noted above, questions of fact remain as to whether plaintiff was the sole proximate cause of the accident (cf. Gittleson v Cool Wind Ventilation Corp., 46 AD3d 855, 856 [2d Dept 2007]). Accordingly, this branch of the County's motion seeking dismissal of the plaintiff's claim premised upon a violation of Labor Law § 241 (6) is denied without regard to the sufficiency of the plaintiff's opposing papers.

The court next addresses that branch of the cross-motion (#04) which seeks leave to supplement the bill of particulars to assert further violations of the Industrial Code. A motion to amend or supplement a bill of particulars is governed by the same standard as a motion to amend a pleading under CPLR 3025 (see Cedano v New York Racing Assn., Inc., 171 AD3d 1126, 1127 [2d Dept 2019]; Scarangello v State of New York, 111 AD2d 798, 798 [2d Dept 1985]). CPLR 3025 (b) provides, in relevant part, that "[a]ny motion to amend or supplement pleadings shall be accompanied by the proposed amended or supplemental pleading clearly showing the changes or additions to be made to the pleading."

Here, in contravention of CPLR 3025 (b), plaintiff failed to submit a proposed supplemental bill of particulars with his cross motion. Accordingly, this branch of the cross motion is denied (see Cedano, 171 AD3d at 1127; Scialdone v Stepping Stones Assoc., L.P., 148 AD3d 950, 952 [2d Dept 2017]).

All other arguments raised on the motions and evidence submitted by the parties in connection thereto have been considered by the court, notwithstanding the specific absence of reference thereto. Based on the foregoing, it is hereby:

ORDERED that the motion (#02) by the defendant County of Westchester seeking summary judgment is granted to the extent that the plaintiff's claim alleging a violation of Labor Law § 200 is dismissed, and the motion is otherwise denied as to the plaintiff's claims alleging a violation of Labor Law §§ 240 (1) and 241 (6); and it is further

ORDERED that the branch of the cross-motion (#04) by the plaintiff seeking leave to supplement his bill of particulars is denied; and it is further

ORDERED the matter shall be scheduled for a settlement conference on a date and time set by the clerk.

ENTER,

Dated: White Plains, New York March 17, 2022

HON YOAN B. LEFKOWITZ, J.S.

To:

All counsel of record via NYSCEF

FISCAL IMPACT STATEMENT SUBJECT: Lawsuit Settlement: Krassowski, Jacek NO FISCAL IMPACT PROJECTED OPERATING BUDGET IMPACT (To be completed by operating department and reviewed by Budget Department) A) X GENERAL FUND ☐ AIRPORT SPECIAL REVENUE FUND (Districts) **B) EXPENSES AND REVENUES Total Current Year Cost** \$ 750,000 Total Current Year Revenue \$ ____ ☐ Current Appropriations Source of Funds (check one): ☐ Transfer of Existing Appropriations Additional Appropriations ○ Other (explain) Identify Accounts: 6N Fund: 615 59 0700 4410 4280 04 6N Fund: Potential Related Operating Budget Expenses: Annual Amount \$ N/A Describe: Settlement of General Liability Claim (G200022 Krassowski, Jacek) Potential Related Revenues: Annual Amount \$ N/A Describe: _____ Anticipated Savings to County and/or Impact on Department Operations: **Current Year:** N/A Next Four years: N/A Reviewed By Prepared by: Giacomo G. Micciche

PH

Title:

Assistant County Attorney

Department: Law

If you need more space, please attach additional sheets.

Budget Director

STATE OF NEW YORK)	
)	SS
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 1 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County Board of Legislators

County of Westchester, New York



BOARD OF LEGISLATORS COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if enacted by your Board, would authorize the settlement of the lawsuit of County of Westchester v. Unity Mechanical Corp., The Netherlands Insurance Company, and Excelsior Insurance Company, through the payment of \$2,100,000.00 to the County.

This Honorable Board authorized the County Attorney's Office to commence this action by Act __-2016, and sought reimbursement from the defendants for defense and indemnification costs in a related action involving an injury to Joseph Gragnaniello, an employee of Unity Mechanical Corp. ("Unity"). The County settled the Gragnaniello action for \$2,875,000.00, which was approved by Act 40-2017.

Your Committee is informed that the County won summary judgment on liability against both Unity and its primary insurance carrier Netherlands. The trial court found that both Unity and Netherlands had a duty to defend and indemnify the County, and rejected counter-arguments from Unity regarding unsubstantiated negligence by the County. Your Committee is further informed that the only issues remaining for trial were the reasonableness of the County's settlement, and the amount of attorneys' fees the County was entitled to recover.

Your Committee notes that subsequent thereto, the County settled with Netherlands for the full amount the County could legally obtain against Netherlands—the policy limit, statutory interest, and defense costs—and therefore the approval by this Board was not required.

Your Committee is informed that Unity has appealed from the partial grant of summary judgment in favor of the County, which is still pending and the matter has been set for trial.

Your Committee is told that the parties have reached a settlement in the amount of \$2,100,000.00. When combined with the settlement with Netherlands, this more than makes the County whole—it covers the original \$2,875,000 paid, the County's defense costs and attorneys' fees in both the Gragnaniello action and this action, as well as approximately \$200,000 in interest. Alternatively, if the County proceeds to trial, it could risk a finding by the jury that results in a significantly lower recovery by the County.

The County Attorney has recommended that the County accept this settlement as a fair and equitable resolution of this action. Your Committee concurs with this recommendation and recommends that this Honorable Board adopt the proposed Act.

Dated: White Plains, New York

January

, 2023

COMMITTEE ON

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

	,
Catherine F. Parken	Catherine F. Parken
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Budget & Appropriations

ACT NO.

2022

AN ACT authorizing the County Attorney to settle the lawsuit of County of Westchester v. Unity Mechanical Corp., et al., pending in the Supreme Court of the State of New York, Westchester County Index No. 59897/2016

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is hereby authorized to settle the lawsuit of *County of Westchester v. Unity Mechanical Corp.*, et al., by acceptance of a payment to the County in an amount of \$2,100,000.00

Section 2. The County Attorney or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purposes hereof.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: La	awsuit Settlement: Unity Mechanical	NO FISCA	L IMPACT PROJECTED
To	OPERATING BUDGET IN Be Completed by Submitting Department		Budget
	SECTION A - FUND		
X GENERAL FUND	AIRPORT FUND	SPECIAL D	DISTRICTS FUND
	SECTION B - EXPENSES AND I	REVENUES	
Total Current Year Expen	nse N/A		
Total Current Year Reve	nue \$ 2,100,000		
Source of Funds (check of	one): Current Appropriations	Transfer of	of Existing Appropriations
Additional Appropri	ations	Other (ex	plain)
Identify Accounts: 6	N: 615-59-0693-3710-4280/04		
Potential Related Opera Describe:	ting Budget Expenses:	annual Amount	
Potential Related Opera Describe: A Mechanical Corp.	ting Budget Revenues: A n Act authorizing the County Attorney t	nnual Amount to settle the laws	\$2,100,000 suit with Unity
Anticipated Savings to C Current Year:	ounty and/or Impact on Department C	perations:	
Next Four Years:			
1	ebra Ogden . Budget Analyst	Reviewed By:	A
·	udget		Budget Director
-			auget Director
Date: No	ovember 4, 2022	Date:	114/22

ACT 2 - 2023

BOARD OF LEGISLATORS COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act which, if enacted by your Board, would authorize the settlement of the lawsuit of County of Westchester v. Unity Mechanical Corp., The Netherlands Insurance Company, and Excelsior Insurance Company, through the payment of \$2,100,000.00 to the County.

This Honorable Board authorized the County Attorney's Office to commence this action by Act 140-2016, and sought reimbursement from the defendants for defense and indemnification costs in a related action involving an injury to Joseph Gragnaniello, an employee of Unity Mechanical Corp. ("Unity"). The County settled the Gragnaniello action for \$2,875,000.00, which was approved by Act 40-2017.

Your Committee is informed that the County won summary judgment on liability against both Unity and its primary insurance carrier Netherlands. The trial court found that both Unity and Netherlands had a duty to defend and indemnify the County, and rejected counter-arguments from Unity regarding unsubstantiated negligence by the County. Your Committee is further informed that the only issues remaining for trial were the reasonableness of the County's settlement, and the amount of attorneys' fees the County was entitled to recover.

Your Committee notes that subsequent thereto, the County settled with Netherlands for the full amount the County could legally obtain against Netherlands—the policy limit, statutory interest, and defense costs—and therefore the approval by this Board was not required.

Your Committee is informed that Unity has appealed from the partial grant of summary judgment in favor of the County, which is still pending and the matter has been set for trial.

Your Committee is told that the parties have reached a settlement in the amount of \$2,100,000.00. When combined with the settlement with Netherlands, this more than makes the County whole—it covers the original \$2,875,000 paid, the County's defense costs and attorneys' fees in both the Gragnaniello action and this action, as well as approximately \$200,000 in interest. Alternatively, if the County proceeds to trial, it could risk a finding by the jury that results in a significantly lower recovery by the County.

The County Attorney has recommended that the County accept this settlement as a fair and equitable resolution of this action. Your Committee concurs with this recommendation and recommends that this Honorable Board adopt the proposed Act.

Dated: White Plains, New York

, 2023

COMMITTEE ON

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken
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er e	
	-1

Budget & Appropriations

ACT NO. 2 - 2023

AN ACT authorizing the County Attorney to settle the lawsuit of County of Westchester v. Unity Mechanical Corp., et al., pending in the Supreme Court of the State of New York, Westchester County Index No. 59897/2016

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is hereby authorized to settle the lawsuit of *County of Westchester v. Unity Mechanical Corp.*, et al., by acceptance of a payment to the County in an amount of \$2,100,000.00

Section 2. The County Attorney or his designee is hereby authorized to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purposes hereof.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT:	Lawsuit Settlement: Unity Mechanical	NO FISCAL IMPACT PROJECTED
	OPERATING BUDGET I To Be Completed by Submitting Departmen	
	SECTION A - FUN	D
X GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND
	SECTION B - EXPENSES AND	REVENUES
Total Current Year Ex	pense N/A	
Total Current Year Re	\$ 2,100,000	
Source of Funds (chec	ck one): Current Appropriations	Transfer of Existing Appropriations
Additional Appro	priations	Other (explain)
Identify Accounts:	6N: 615-59-0693-3710-4280/04	
Potential Related Ope	erating Budget Expenses:	Annual Amount
Potential Related Ope	erating Budget Revenues: An Act authorizing the County Attorney	Annual Amount \$2,100,000 to settle the lawsuit with Unity
Mechanical Corp	•	
Anticipated Savings t	o County and/or impact on Department	Operations:
Next Four Years:		
	. O	1
Prepared by:	Debra Ogden	
Title:	Sr. Budget Analyst	Reviewed By:
Department:	Budget	Budget Director
Date:	November 4, 2022	Date: $II(4)$

STATE OF NEW YORK)	
)	SS
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 2 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County Board of Legislators

County of Westchester, New York



HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act transmitted by the County Attorney, which, if adopted by your Honorable Board, would authorize the County of Westchester ("County") to amend its agreement (the "Agreement") with the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP (the "Firm"), pursuant to which the Firm serves in an "Of Counsel" capacity to the County Attorney in connection with various legal issues relating to the upgrade of the County Trunk Sewer System located on River Street in the Village of Hastings-on-Hudson on certain real property owned by ARCO Environmental Remediation LLC ("ARCO"), which is classified as Inactive Hazardous Waste Disposal Site (the "Superfund Site"), in order to extend the term thereof through November 28, 2023 and change the name of the Firm to Abrams Fensterman, LLP.

On October 4, 2021 by Act No. 2021-183, your Honorable Board authorized the County to enter into the Agreement with the Firm for a term commencing upon execution and continuing for a one (1) year term for an amount not-to-exceed of Seventy-Five Thousand (\$75,000.00) Dollars at various hourly rates for various personnel. Subsequent to the adoption of the Act, the County entered into the Agreement with Firm, dated November 29, 2021.

The County Attorney has advised that, with the assistance of Edward Smith, the lead partner in the Firm, the County and ARCO have commenced negotiating an easement agreement, pursuant to which the County would be granted the right to upgrade the County trunk sanitary sewers and pumping station located on the Superfund Site. While the negotiations are ongoing, the Agreement with the Firm expired on November 28, 2022, and the name of the Firm has since changed from Abrams, Fensterman, Fensterman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP. In addition, the County continues to need Mr. Smith's expertise in the area of environmental law and CERCLA liability with regard to the negotiations with ARCO. Accordingly, authority is hereby requested to amend the Agreement to extend the term thereof through November 28, 2023 and change the name of the Firm from Abrams, Fensterman,

Fensterman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP. All other terms and conditions of the Agreement shall remain in full force and effect.

The County Attorney has advised that the County originally procured the services of this Firm in accordance with Section 7(a) of the Westchester County Procurement Policy and Procedures (the "Policy"), and the proposed amendment is a no-cost time extension with no additional funds being requested. Of the \$75,000.00 not to exceed amount authorized for the Agreement, approximately \$16,194.00 in services have been spent to date. Moreover, the proposed amendment will allow the County to continue to avail itself of the Firm's expertise in the area of environmental law and CERCLA liability and, thereby, protect the County's rights with respect to the County trunk sanitary sewers and pumping station located on the Superfund Site. Based upon these factors, a resolution has been approved by the Board of Acquisition and Contract to exempt the procurement of the amendment from the application of the Policy pursuant to Section 3(a)(xxi) thereof.

The Planning Department has advised that this is not an action subject to the State Environmental Quality Review Act. Therefore, no further environmental review is required. Your Committee concurs with the Planning Department's conclusion.

An affirmative vote of a majority of the voting strength of the Board is required for approval of the attached Act.

Accordingly, your Committee recommends approval of the attached Act.

Dated: January 9th , 2023	
White Plains, New York Vedat Paki Culture San Self Committee on	dedat formi Cabrum h Money Epan Volis CAA
Budget & Appropriations Dettille	Law & Major Contracts

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken
Calkernet. Parker	Catherine T. Parker
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Budget & Appropriations

FISCAL IMPACT STATEMENT

SUBJECT: No Cost 1 year Extension to Abrams Fensterman Agt NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT (To be completed by operating department and reviewed by Budget Department)
A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)
B) EXPENSES AND REVENUES
Total Current Year Cost \$
Total Current Year Revenue \$
Source of Funds (check one): Current Appropriations
☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☐ Other (explain) Identify Accounts:
identity Addodnics
Potential Related Operating Budget Expenses: Annual Amount \$
Describe: To extend the agreement with the law firm of Abrams, Fensterman, Fensterman, Eisman
Formato, Ferrara, Wolf & Carone, LLP by one year through November 28, 2023
Potential Related Revenues: Annual Amount \$
Describe:
Anticipated Savings to County and/or Impact on Department Operations:
Current Year:
Current real.
Next Four years:
Prepared by: William Olli Reviewed By:
Fitle: Assistant Budget Director Budget Director
Department: Budget
f you need more space, please attach additional sheets.

ACT NO. 2022 - ____

AN ACT authorizing the County of Westchester to amend the agreement with the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP for "Of Counsel" legal services in connection the County Trunk Sanitary Sewer System located on the real property owned by ARCO Environmental Remediation LLC and classified as an Inactive Hazardous Waste Disposal Site on River Street in the Village of Hastings-on-Hudson to extend the term by one (1) year from November 28, 2022 to November 28, 2023 and the change the name of the law firm from Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP.

BE IT ENACTED by the Board of Legislators of the County of Westchester, as follows:

Section 1. The County of Westchester ("County") is hereby authorized to amend the agreement dated November 29, 2021 (the "Agreement") with the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP (the "Firm"), for the provision of "Of Counsel" legal services in connection with the portion of the County Trunk Sanitary Sewer System located on certain real property owned by ARCO Environmental Remediation LLC and classified as an Inactive Hazardous Waste Disposal Site on River Street in the Village of Hastings-on-Hudson, by extending the term thereof for one (1) year from November 28, 2022 through November 28, 2023 and changing the name of the Firm from Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP.

- §2. That except as otherwise expressly amended hereby, all other terms and conditions of the Agreement, shall remain in full force and effect.
- §3. The County Executive or his authorized designee, be and hereby is authorized to execute all instruments and to take all actions reasonably necessary to carry out the purposes of this Act.
 - §4. This Act shall take effect immediately.

HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act transmitted by the County Attorney, which, if adopted by your Honorable Board, would authorize the County of Westchester ("County") to amend its agreement (the "Agreement") with the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP (the "Firm"), pursuant to which the Firm serves in an "Of Counsel" capacity to the County Attorney in connection with various legal issues relating to the upgrade of the County Trunk Sewer System located on River Street in the Village of Hastings-on-Hudson on certain real property owned by ARCO Environmental Remediation LLC ("ARCO"), which is classified as Inactive Hazardous Waste Disposal Site (the "Superfund Site"), in order to extend the term thereof through November 28, 2023 and change the name of the Firm to Abrams Fensterman, LLP.

On October 4, 2021 by Act No. 2021-183, your Honorable Board authorized the County to enter into the Agreement with the Firm for a term commencing upon execution and continuing for a one (1) year term for an amount not-to-exceed of Seventy-Five Thousand (\$75,000.00) Dollars at various hourly rates for various personnel. Subsequent to the adoption of the Act, the County entered into the Agreement with Firm, dated November 29, 2021.

The County Attorney has advised that, with the assistance of Edward Smith, the lead partner in the Firm, the County and ARCO have commenced negotiating an easement agreement, pursuant to which the County would be granted the right to upgrade the County trunk sanitary sewers and pumping station located on the Superfund Site. While the negotiations are ongoing, the Agreement with the Firm expired on November 28, 2022, and the name of the Firm has since changed from Abrams, Fensterman, Fensterman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP. In addition, the County continues to need Mr. Smith's expertise in the area of environmental law and CERCLA liability with regard to the negotiations with ARCO. Accordingly, authority is hereby requested to amend the Agreement to extend the term thereof through November 28, 2023 and change the name of the Firm from Abrams, Fensterman,

Fensterman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP. All other terms and conditions of the Agreement shall remain in full force and effect.

The County Attorney has advised that the County originally procured the services of this Firm in accordance with Section 7(a) of the Westchester County Procurement Policy and Procedures (the "Policy"), and the proposed amendment is a no-cost time extension with no additional funds being requested. Of the \$75,000.00 not to exceed amount authorized for the Agreement, approximately \$16,194.00 in services have been spent to date. Moreover, the proposed amendment will allow the County to continue to avail itself of the Firm's expertise in the area of environmental law and CERCLA liability and, thereby, protect the County's rights with respect to the County trunk sanitary sewers and pumping station located on the Superfund Site. Based upon these factors, a resolution has been approved by the Board of Acquisition and Contract to exempt the procurement of the amendment from the application of the Policy pursuant to Section 3(a)(xxi) thereof.

The Planning Department has advised that this is not an action subject to the State Environmental Quality Review Act. Therefore, no further environmental review is required. Your Committee concurs with the Planning Department's conclusion.

An affirmative vote of a majority of the voting strength of the Board is required for approval of the attached Act.

Accordingly, your Committee recommends approval of the attached Act.

c:ran

White Plains, New York

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Self Committee on

Budget & Appropriations

Law & Major Contracts

Dated: January 9th , 2023

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken
~	

Budget & Appropriations

FISCAL IMPACT STATEMENT

SUBJECT: No Cost 1 year Extension to Abrams Fensterman Agt

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT (To be completed by operating department and reviewed by Budget Department)		
A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)		
B) EXPENSES AND REVENUES		
Total Current Year Cost \$		
Total Current Year Revenue \$		
Source of Funds (check one): Current Appropriations		
☐ Transfer of Existing Appropriations ☐ Additional Appropriations ☐ Other (explain) Identify Accounts:		
Potential Related Operating Budget Expenses: Annual Amount \$		
Describe: To extend the agreement with the law firm of Abrams, Fensterman, Fensterman, Eisman		
Formato, Ferrara, Wolf & Carone, LLP by one year through November 28, 2023		
Potential Related Revenues: Annual Amount \$		
Describe:		
Anticipated Savings to County and/or Impact on Department Operations:		
Current Year:		
Next Four years:		
Prepared by: William Olli		
Title: Assistant Budget Director Budget Director		
Department: Budget		
If you need more space, please attach additional sheets.		

ACT NO. 2023 - 3

AN ACT authorizing the County of Westchester to amend the agreement with the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP for "Of Counsel" legal services in connection the County Trunk Sanitary Sewer System located on the real property owned by ARCO Environmental Remediation LLC and classified as an Inactive Hazardous Waste Disposal Site on River Street in the Village of Hastings-on-Hudson to extend the term by one (1) year from November 28, 2022 to November 28, 2023 and the change the name of the law firm from Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP.

BE IT ENACTED by the Board of Legislators of the County of Westchester, as follows:

Section 1. The County of Westchester ("County") is hereby authorized to amend the agreement dated November 29, 2021 (the "Agreement") with the law firm of Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP (the "Firm"), for the provision of "Of Counsel" legal services in connection with the portion of the County Trunk Sanitary Sewer System located on certain real property owned by ARCO Environmental Remediation LLC and classified as an Inactive Hazardous Waste Disposal Site on River Street in the Village of Hastings-on-Hudson, by extending the term thereof for one (1) year from November 28, 2022 through November 28, 2023 and changing the name of the Firm from Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP to Abrams Fensterman, LLP.

- §2. That except as otherwise expressly amended hereby, all other terms and conditions of the Agreement, shall remain in full force and effect.
- §3. The County Executive or his authorized designee, be and hereby is authorized to execute all instruments and to take all actions reasonably necessary to carry out the purposes of this Act.
 - §4. This Act shall take effect immediately.

STATE OF NEW YORK)	
)	SS
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 3 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County Board of Legislators

County of Westchester, New York



BOARD OF LEGISLATORS COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the settlement of the lawsuit of <u>Beth Green v County of Westchester et al.</u>, in the amount of \$850,000.00 inclusive of attorney's fees.

This lawsuit is pending in the Westchester County Supreme Court before the Honorable Lewis Lubell. The matter tentatively settled pending this Board's approval of a settlement in the amount of \$850,000.00, inclusive of attorney's fees.

Matthew Levy, Esq. of Gallo Vitucci Klar, LLP, 1 Bridge Street, Suite 140, Irvington, New York 10533, is representing the plaintiff, Beth Green.

This lawsuit arises out of a slip and fall accident which occurred at Saxon Woods Golf Course on September 20, 2019 at approximately 5:15 p.m. The plaintiff was attempting to walk over the third hole foot bridge with her right foot when she placed her foot on the first wooden plank and slipped and fell off of the bridge. She suffered a complete tear and avulsion of her right hamstring and was told she was not a good candidate for corrective surgery. She thereafter engaged in physical therapy to strengthen the muscles surrounding the hamstring for approximately one year. Shortly after completing physical therapy for the hamstring she began to complain of right hip pain. She began a course of physical therapy for the right hip, which culminated in a total hip replacement in June of 2022. Plaintiff claims that the non-skid matting on the foot bridge was worn thin and, therefore, the bridge was slipperier than it appeared to be.

The bridge was replaced after the claim was filed but before the plaintiff's expert had a chance to examine it. The Court granted plaintiff's motion for spoliation and precluded the County from offering evidence or disputing plaintiff's claim that the foot bridge was slippery and dangerous. The Court, thereafter, granted the plaintiff's motion for summary judgment and, as a result, the only issue before the Court is damages.

The Court has already determined that the County was negligent for allowing the foot bridge to exist in a slippery and dangerous condition. The plaintiff will further argue that the County's negligence was the proximate cause of her injuries and that there is a causal connection between the hamstring injury and the resulting hip replacement surgery.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled of <u>Beth Green v County of Westchester et al</u>, in the amount of \$850,000.00, Westchester County Supreme Court Index No. 64292/2019, inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled Beth Green v County of Westchester et al., in the amount of \$850,000.00,

Westchester County Supreme Court Index No. 64292/2019, inclusive of attorney's fees.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York

January 9th , 2023

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COMMITTEE ON

Budget & Appropriations

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parker

Budget & Appropriations

ACT NO. -2022

AN ACT authorizing the County Attorney to settle the lawsuit of Beth Green v County of Westchester, et al, Westchester County Supreme Court Index No. 64292/2019, in the amount of \$850,000.00, inclusive of attorney's fees

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit of <u>Beth Green v.</u>

<u>County of Westchester, et al.</u> Westchester County Supreme Court Index No. 64292/2019, in the amount of \$850,000.00, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

	Lawsuit Settlement: Beth Green NO FISCAL IMPACT PROJECTED
	OPERATING BUDGET IMPACT To Be Completed by Submitting Department and Reviewed by Budget
	SECTION A - FUND
X GENERAL FUND	AIRPORT FUND SPECIAL DISTRICTS FUND
	SECTION B - EXPENSES AND REVENUES
Total Current Year E	\$ 850,000
Total Current Year R	Revenue \$ -
Source of Funds (che	eck one): Current Appropriations Transfer of Existing Appropriations
Additional Appr	opriations X Other (explain)
Identify Accounts:	6N Fund: 615 59 0698/4210 4280/04
Potential Related Or	perating Budget Expenses: Annual Amount N/A
Describe:	Settlement of General Liability Claim G180207 Green, Beth
	State of Carlot at Clubbins, Clubbin G199207 Green, Beth
Potential Related Op	perating Budget Revenues: Annual Amount N/A
	perating Budget Revenues: Annual Amount N/A
	perating Budget Revenues: Annual Amount N/A
Describe:	berating Budget Revenues: Annual Amount N/A to County and/or Impact on Department Operations:
Describe:	
Describe: Anticipated Savings	to County and/or Impact on Department Operations:
Describe: Anticipated Savings	to County and/or Impact on Department Operations: N/A
Describe: Anticipated Savings to Current Year:	to County and/or Impact on Department Operations: N/A
Describe: Anticipated Savings to Current Year:	to County and/or Impact on Department Operations: N/A
Describe: Anticipated Savings to Current Year:	to County and/or Impact on Department Operations: N/A
Describe: Anticipated Savings to Current Year:	to County and/or Impact on Department Operations: N/A : N/A Jane Hogan felix
Describe: Anticipated Savings (Current Year: Next Four Years	to County and/or Impact on Department Operations: N/A : N/A Jane Hogan felix
Describe: Anticipated Savings to Current Year: Next Four Years Prepared by: Title:	Ito County and/or Impact on Department Operations: N/A : N/A Jane Hogan felix Associate County Attorney Reviewed By:
Describe: Anticipated Savings (Current Year: Next Four Years	to County and/or Impact on Department Operations: N/A : N/A Jane Hogan felix

BOARD OF LEGISLATORS COUNTY OF WESTCHESTER

Your Committee is in receipt of a proposed Act, which if enacted by your Board, would authorize the settlement of the lawsuit of <u>Beth Green v County of Westchester et al.</u>, in the amount of \$850,000.00 inclusive of attorney's fees.

This lawsuit is pending in the Westchester County Supreme Court before the Honorable Lewis Lubell. The matter tentatively settled pending this Board's approval of a settlement in the amount of \$850,000.00, inclusive of attorney's fees.

Matthew Levy, Esq. of Gallo Vitucci Klar, LLP, 1 Bridge Street, Suite 140, Irvington, New York 10533, is representing the plaintiff, Beth Green.

This lawsuit arises out of a slip and fall accident which occurred at Saxon Woods Golf Course on September 20, 2019 at approximately 5:15 p.m. The plaintiff was attempting to walk over the third hole foot bridge with her right foot when she placed her foot on the first wooden plank and slipped and fell off of the bridge. She suffered a complete tear and avulsion of her right hamstring and was told she was not a good candidate for corrective surgery. She thereafter engaged in physical therapy to strengthen the muscles surrounding the hamstring for approximately one year. Shortly after completing physical therapy for the hamstring she began to complain of right hip pain. She began a course of physical therapy for the right hip, which culminated in a total hip replacement in June of 2022. Plaintiff claims that the non-skid matting on the foot bridge was worn thin and, therefore, the bridge was slipperier than it appeared to be.

The bridge was replaced after the claim was filed but before the plaintiff's expert had a chance to examine it. The Court granted plaintiff's motion for spoliation and precluded the County from offering evidence or disputing plaintiff's claim that the foot bridge was slippery and dangerous. The Court, thereafter, granted the plaintiff's motion for summary judgment and, as a result, the only issue before the Court is damages.

The Court has already determined that the County was negligent for allowing the foot bridge to exist in a slippery and dangerous condition. The plaintiff will further argue that the County's negligence was the proximate cause of her injuries and that there is a causal connection between the hamstring injury and the resulting hip replacement surgery.

The settlement takes into consideration the uncertainty of litigation and the potential costs of trial, subsequent proceedings and potential appeal. The accompanying Act will authorize settlement of the lawsuit entitled of <u>Beth Green v County of Westchester et al</u>, in the amount of \$850,000.00, Westchester County Supreme Court Index No. 64292/2019, inclusive of attorney's fees.

Your Committee has carefully considered the subject matter, the settlement proposal, the attached Act and recommends authorizing the County Attorney or his designee to settle the lawsuit entitled Beth Green v County of Westchester et al., in the amount of \$850,000.00,

Westchester County Supreme Court Index No. 64292/2019, inclusive of attorney's fees.

An affirmative vote of a majority of the Board is required to pass this legislation.

Dated: White Plains, New York

January 9th , 2023

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COMMITTEE ON

Budget & Appropriations

Dated: January 9, 2023

White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken
-	·

Budget & Appropriations

ACT NO. 4 - 2023

AN ACT authorizing the County Attorney to settle the lawsuit of <u>Beth Green v County of Westchester</u>, et al., Westchester County Supreme Court Index No. 64292/2019, in the amount of \$850,000.00, inclusive of attorney's fees

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The County Attorney is authorized to settle the lawsuit of <u>Beth Green v.</u>

<u>County of Westchester, et al.</u> Westchester County Supreme Court Index No. 64292/2019, in the amount of \$850,000.00, inclusive of attorney's fees.

Section 2. The County Attorney or his designee is hereby authorized and empowered to execute and deliver all documents and take such actions as the County Attorney deems necessary or desirable to accomplish the purpose of this Act.

Section 3. This Act shall take effect immediately.

FISCAL IMPACT STATEMENT

SUBJECT: Lawsuit Settlement: Beth Green NO FISCAL IMPACT PROJECT	TED				
OPERATING BUDGET IMPACT To Be Completed by Submitting Department and Reviewed by Budget					
SECTION A - FUND					
X GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND					
SECTION B - EXPENSES AND REVENUES					
Total Current Year Expense \$ 850,000					
Total Current Year Revenue \$ -	ĺ				
Source of Funds (check one): Current Appropriations Transfer of Existing Approp	riations				
Additional Appropriations X Other (explain)					
Identify Accounts: 6N Fund: 615 59 0698/4210 4280/04					
Potential Related Operating Budget Expenses: Annual Amount N/A					
Describe: Settlement of General Liability Claim G180207 Green, Beth					
Potential Related Operating Budget Revenues: Describe:					
Anticipated Savings to County and/or Impact on Department Operations: Current Year: N/A					
Next Four Years: N/A					
Prepared by: Jane Hogan felix	$\langle \rangle$				
Title: Associate County Attorney Reviewed By:	ر ۵۵ م				
Department: Law Budget Director	;				
Date: November 22, 2022 Date:	22				

STATE OF NEW YORK)	
)	SS
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing Act, Act No. 4 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York



2023-3

Reference B0116

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 ("Bond Act") in the amount of \$500,000, to authorize the County of Westchester ("County") to finance capital project B0116– Infrastructure Rehabilitation, Peekskill District Office (2021-2025) ("B0116").

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, LLP would finance the cost of design associated with the replacement of windows and storefronts at the Peekskill District Office. The Department of Public Works and Transportation has advised that these windows and storefronts have reached the end of their useful lives and are in need of replacement. The replacement windows and storefronts will be thermally broken, Low-E double glazed.

Following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by outside consultants. Construction is estimated to take nine (9) months and will begin after award and execution of the construction contracts, subject to your Honorable Board's approval of construction funding.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

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

Dated: January 17th, 2023 White Plains, New York

Budget & Appropriations

Public Works & Transportation

Dated: January 9, 2023

White Plains, New York

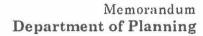
The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

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Budget & Appropriations

Public Works & Transportation





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B0116 Infrastructure Rehabilitation, Peekskill District Office (2021-2025)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2031)

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)(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

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

ACT NO. - 20___

BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 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 IMPROVEMENTS TO THE PEEKSKILL DISTRICT OFFICE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$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, \$500,000 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 planning the replacement of windows and storefronts at the Peekskill District Office; 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 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 \$500,000. The plan of financing includes the issuance of \$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.

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 \$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 \$500,000 as the estimated total cost of the aforesaid 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.

* * 71 71 10 40

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 WESTCHESTER)	5
I HEREBY CERTIFY that	I have compared the foregoing Act No20 with the
original on file in my office, and that the s	ame is a correct transcript therefrom and of the whole of
the said original Act, which was duly adop	eted by the County Board of Legislators of the County of
Westchester on , 20 and approv	red 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
(SEAL)	The Clerk and Chief Administrative Officer of the County Board of Legislators
	County of Westchester, New York

LEGAL NOTICE

Legislators on, 20 and the hereafter contested only if such County of Westchester, in the provisions of law which should were not substantially complied	y of which is published herewith, has been adopted by the Board of, 20 and approved by the County Executive on e validity of the obligations authorized by such Bond Act may be obligations were authorized for an object or purpose for which the State of New York, is not authorized to expend money or if the have been complied with as of the date of publication of this Notice d with, and an action, suit or proceeding contesting such validity is ys after the publication of this Notice, or such obligations were rovisions of the Constitution.
inspection during normal busin	he Bond Act summarized herewith shall be available for public less hours at the Office of the Clerk of the Board of Legislators of the lork, for a period of twenty days from the date of publication of this
ACT NO20	
WESTCHESTER, OR SO MUCOST OF PREPARATION SPECIFICATIONS AND EST THE PEEKSKILL DISTRICTHEREOF IS \$500,000; STATISSUANCE OF \$500,000 BON	THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF JCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE OF SURVEYS, PRELIMINARY AND DETAILED PLANS, IMATES NECESSARY FOR PLANNING IMPROVEMENTS TO OFFICE, STATING THE ESTIMATED MAXIMUM COST TING THE PLAN OF FINANCING SAID COST INCLUDES THE IDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO ID INTEREST ON SAID BONDS. (Adopted , 20)
specificati windows a	the cost of preparation of surveys, preliminary and detailed plans, ons and estimates necessary for planning the replacement of and storefronts at the Peekskill District Office; all as set forth in the Current Year Capital Budget, as amended.
amount of obligations to be issuand period of probable usefulne	
Dated:, 20 White Plains, New York	
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

HDW 3732780.1 045751 LEG

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:B0116	NO FISCAL IMPACT PROJECTED						
	SECTION A - CAPITAL BUD To Be Completed by	- Particular (NETATOR) Control of the Control of						
X GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND						
	Source of County Funds (check one):	X Current Appropriations						
		Capital Budget Amendment						
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance								
Total Principal	\$ 500,000 PPU	5 Anticipated Interest Rate 2.57%						
Anticipated An	nual Cost (Principal and Interest):	\$ 107,704						
Total Debt Serv	vice (Annual Cost x Term):	\$ 538,520						
Finance Depart	tment: Interest rates from December	5, 2022 Bond Buyer - ASBA						
S	ECTION C - IMPACT ON OPERATING BUDG To Be Completed by Submitting Departme							
Potential Relat	red Expenses (Annual): \$							
	red Revenues (Annual): \$							
Anticipated say	vings to County and/or impact of departmental for current and next four years):	nent operations						
	SECTION D - EMPLO	YMENT						
As	per federal guidelines, each \$92,000 of a	ppropriation funds one FTE Job						
Number of Full	Time Equivalent (FTE) Jobs Funded:	5						
	SECTION E - EXPECTED DESIGN	WORK PROVIDER						
County Staff	X Consultant	Not Applicable						
Prepared by:	Jonna Robins							
Title:	Capital Planning Program Administrato	Reviewed By:						
Department:	Department of Public Works and Trans	Willbill Budget Director						
Date:	12/5/22	Date:						

CAPITAL PROJECT FACT SHEET

Project ID:* B0116	□ CE	BA			act Sheet 1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		1	egislative.	District	ID:	
2023	INFR REH	ASTRUCTURE ABILITATION, PE RICT OFFICE (202		1				
Category*	Depa	rtment:*			CP Unique	e ID:		
BUILDINGS, LAND & MISCELLANEOUS	-	PUBLIC WORKS			031			
Overall Project Description								
This project funds the rehabilitat	ion of building e	xteriors, interiors, b	uilding sy	stems and	sitework	at the Pee	kskill Dist	rict Office
■ Best Management Practices	× En	ergy Efficiencies		×	Infrastru	cture		
Life Safety	□ Pro	oject Labor Agreeme	ent		Revenue	:		
☐ Security	□ Oth	ner						
FIVE-YEAR CAPITAL PROC	GRAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,000	0	3,000	0	0	0	0	
Less Non-County Shares	0	0	0	0	0	0	0	
Net	3,000	0	3,000	0	0	0	0	
Current Bond Description: Fu Peekskill District Office. Financing Plan for Current Re Non-County Shares: Bonds/Notes:		ed for design associ	ated with	the replac	ement of	windows a	nd storefr	onts at the
Bonds/Notes: Cash:		500,000						
Total:		\$ 500,000						
SEQR Classification: TYPE II		000,000						
Amount Requested: 500,000								
Comments:								
Energy Efficiencies: THE REPLACEMENT WINDO WINDOWS AND STOREFRON	WS AND STOF	REFRONTS WILL	BE THER	RMALLY	BROKEN	i, LOW-E	DOUBLE	E GLAZE
Total Financing History:								

12-05-2022 12:17:54 PM

Récommended By:

Department of Planning

WBB4

Date 09-23-2022

Department of Public Works

RJB4

Date

09-23-2022

Budget Department

LMYI

Date

09-23-2022

Requesting Department

JZR7

Date

09-23-2022

INFRASTRUCTURE REHABILITATION, PEEKSKILL DISTRICT OFFICE (2021-2025) (B0116)

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	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	3,000		3,000					
Total	3,000		3,000					

Project Description

This project funds the rehabilitation of building exteriors, interiors, building systems and sitework at the Peekskill District Office.

Current Year Description

The current year request funds replacement of windows and storefronts.

Current Yea	r Financing Plan		国民 党 (1000年)	
Year	Bonds	Cash	Non County Shares	Total
2023	3,000,000			3,000,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$500,000, to authorize the County of Westchester ("County") to finance capital project B0116—Infrastructure Rehabilitation, Peekskill District Office (2021-2025) ("B0116").

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, LLP would finance the cost of design associated with the replacement of windows and storefronts at the Peekskill District Office. The Department of Public Works and Transportation has advised that these windows and storefronts have reached the end of their useful lives and are in need of replacement. The replacement windows and storefronts will be thermally broken, Low-E double glazed.

Following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by outside consultants. Construction is estimated to take nine (9) months and will begin after award and execution of the construction contracts, subject to your Honorable Board's approval of construction funding.

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 SEOR documentation and concurs with this conclusion.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

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

Dated: January 9Th White Plains, New York

COMMITTEE ON

k/jpg/12-02-22

Budget & Appropriations

Public Works & Transportation

Dated: January 9, 2023

White Plains, New York

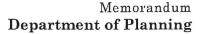
The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken

Budget & Appropriations

Public Works & Transportation





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B0116 Infrastructure Rehabilitation, Peekskill District Office (2021-2025)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2031)

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)(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

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

ACT NO. 5 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 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 IMPROVEMENTS TO THE PEEKSKILL DISTRICT OFFICE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 01/09, 2023)

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, \$500,000 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 planning the replacement of windows and storefronts at the Peekskill District Office; 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 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

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preliminary costs and costs incidental thereto and the financing thereof is \$500,000. The plan of financing includes the issuance of \$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.

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 \$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 \$500,000 as the estimated total cost of the aforesaid 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.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #:	B0116	NO FISCAL IMPACT PROJECTED						
	SECTION A - CAPITAL BUD To Be Completed by							
X GENERAL FUND		SPECIAL DISTRICTS FUND						
	Source of County Funds (check one):	X Current Appropriations						
		Capital Budget Amendment						
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance								
Total Principal	\$ 500,000 PPU	5 Anticipated Interest Rate 2.57%						
Anticipated An	nual Cost (Principal and Interest):	\$ 107,704						
Total Debt Serv	ice (Annual Cost x Term):	\$ 538,520						
Finance Depart	ment: Interest rates from December	5, 2022 Bond Buyer - ASBA						
SE	To Be Completed by Submitting Departme	•						
Potential Relate	ed Expenses (Annual): \$	-						
Potential Relate	ed Revenues (Annual): \$	-						
	rings to County and/or impact of departn tail for current and next four years):	ment operations						
	SECTION D - EMPLO							
	per federal guidelines, each \$92,000 of a Time Equivalent (FTE) Jobs Funded:	ppropriation funds one FTE Job 5						
	SECTION E - EXPECTED DESIGN	WORK PROVIDER						
County Staff	X Consultant	Not Applicable						
Prepared by:	Jonna Robins							
Title:	Capital Planning Program Administrator	Reviewed By:						
Department:	Department of Public Works and Trans	WILLIE Budget Director						
Date:	12/5/22	Date: DIF 22						

CAPITAL PROJECT FACT SHEET

	CAII	IALIKOJECI	TACI	SHEET				
Project ID:* B0116	□ CI	BA			act Sheet 1-03-2023			
Fact Sheet Year:* 2023	Project Title:* INFRASTRUCTURE REHABILITATION, PEEKSKILL DISTRICT OFFICE (2021-2025)			1,	_	District l	D:	
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS				P Unique 031	ID:		
Overall Project Description This project funds the rehabilitation	on of building e	exteriors, interiors, b	uilding sy	stems and	sitework a	at the Peek	cskill Dist	rict Office.
■ Best Management Practices	≭ En	ergy Efficiencies		×] Infrastru	cture	4	
Life Safety	□ Pro	oject Labor Agreeme	ent		Revenue			
☐ Security	Ot	her						
FIVE-YEAR CAPITAL PROG	RAM (in thou	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,000	0	3,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,000	0	3,000	. 0	0	0	0	0
Expended/Obligated Amount (i						3	le la	
Current Bond Description: Fur Peekskill District Office.	nding is request	ted for design associ	ated with	the replace	ement of v	vindows a	nd storefr	onts at the
Financing Plan for Current Rec	<u> juest:</u>							
Non-County Shares:		\$ 0						
Bonds/Notes:		500,000						
Cash:		0						
Total:		\$ 500,000					- 6	
SEQR Classification: TYPE II								
Amount Requested: 500,000								
Comments:								
Energy Efficiencies: THE REPLACEMENT WINDOWS AND STOREFRON		REFRONTS WILL	BE THER	MALLY	BROKEN	, LOW-E	DOUBLI	E GLAZED
Total Financing History:								

12-05-2022 12:17:54 PM Page 1 of 2 **94**

Recommended By:

Department of Planning

WBB4

Date 09-23-2022

Date

Department of Public Works RJB4

09-23-2022

Budget Department

LMY1

Date

09-23-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 12-05-2022 12:17:54 PM

95

INFRASTRUCTURE REHABILITATION, PEEKSKILL DISTRICT OFFICE (2021-2025) (B0116)

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

Under Review

Gross

3,000

3,000

2023

Non County Share

Total 3,000 3,000

Project Description

Year

This project funds the rehabilitation of building exteriors, interiors, building systems and sitework at the Peekskill District Office.

Current Year Description

The current year request funds replacement of windows and storefronts.

Current Year Financing Plan

Bonds

Cash **Non County Shares**

Total

2023

3,000,000

3,000,000

Impact on Operating Budget

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

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 January 9, 2023 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 January 5, 2023

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 January 5, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 10, 2023.

anderberg,

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 Margaret Cunzio Legislator Vedat Gashi Legislator Christopher Johnson Legislator Damon Maher Legislator James Nolan Legislator Catherine Parker Legislator Erika Pierce Legislator Colin Smith Legislator David Tubiolo Legislator Jewel Williams-Johnson Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

APPROVED BY THE COUNTY EXECUTIVE

Date: 1-17-13

STATE OF NEW YORK)	
)	SS
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 5 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York



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 \$4,050,000 to authorize the County of Westchester (the "County") to finance the following three (3) capital projects:

A0134 – HVAC Upgrades, Terminal Building

A0138 – Ramp Service Equipment

A0140 – Electrical, Data and Security Systems Upgrades

Your Committee is advised that the Bond Act, prepared by the law firm of Harris Beach, PLLC, would authorize the County to issue bonds in the total amount of \$4,050,000 to finance various capital projects at the Westchester County Airport, including:

- (i) Design and construction associated with the first phase of the HVAC unit replacement project at the terminal building.
- (ii) The purchase of three (3) new push-backs, which will replace units that were originally purchased in 2003, 2010, 2011. Additionally, one (1) new air start will also be purchased.
- (iii) Design and construction associated with upgrades to the electrical infrastructure at the Airport parking garage and the upper rental car service area. The project will also include the installation of components to allow for the future use of electrical vehicle charging stations in the parking structure. Additionally, the project will fund upgrades to the Airport's access control, emergency alert system, video and badging system.

Your Committee is advised that the anticipated cost, anticipated project timeline, and whether the design is anticipated to be undertaken in-house staff or by consultants for each capital project is set forth below:

BOND ACT - AIRPORT CAPITAL PROJECTS

Cap ID	Project	Anticipated Amount	Design	40.0000	ime Frame (Months)
947 Variable (1944)		Amount	Assignment	Design	Const/Delivery
A0134	HVAC Upgrades, Terminal Building	\$750,000	Consultant	4	6
A0138	Ramp Service Equipment	\$800,000	N/A	N/A	12
A0140	Electrical, Data and Security Systems Upgrades	2,500,000	Consultant	12	12
Total:		\$4,050,000			

Your Committee is advised that the proposed Bond Act authorizes financing for like objects or purposes in connection with three (3) capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

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.

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: January 23¹, 2023 White Plains, New York

Head tall
Silver John
Vedat tall
James Bour
Vall
Colon John
Colon John

John Jak

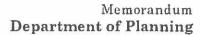
COMMITTEE ON

k/jpg/11/30/2022

Budget & Appropriations

LUNDA

Public Works & Transportation





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

A0134 HVAC UPGRADES TERMINAL BUILDING

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2045)

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)(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.

COMMENTS: None.

DSK/cnm

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Brian Hegt, Assistant to the Commissioner, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

January 11, 2023

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

A0138 RAMP SERVICE EQUIPMENT

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

01-10-2023 (Unique ID: 2046)

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)(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/cnm

cc: Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Brian Hegt, Assistant to the Commissioner, Dept. of Public Works & Transportation

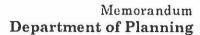
Robert Abbamont, Director of Operations, Department of Public Works & Transportation

Dianne Vanadia, Senior Budget Analyst

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

A0140 ELECTRICAL, DATA AND SECURITY SYSTEMS UPGRADE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2048)

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)(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/cnm

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Brian Hegt, Assistant to the Commissioner, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

REFERENCES A0134, A1038 and A0140

ACT NO. -20

A CARLOT

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,050,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR AND THE CONSTRUCTION OF IMPROVEMENTS TO THE COUNTY AIRPORT, STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS \$4,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,050,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$4,050,000 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 equipment for and the construction of improvements to the County Airport comprised of the following capital projects: A0134, A1038 and A0140, all as set forth in the County's current year Capital Budget, as amended. The total estimated maximum cost of said objects or purposes,

including preliminary costs and costs incidental thereto and the financing thereof is \$4,050,000. The plan of financing includes the issuance of \$4,050,000 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 the bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 14 of the Law, is ten (10) 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 \$4,050,000. 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.

* * *

STATE OF NEW YORK)
	: ss.:
COUNTY OF WESTCHESTER)
I HEREBY CERTIFY	that I have compared the foregoing Act No20 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	n 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 WHERI	EOF, 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 Officer of the
(SEAL)	County Board of Legislators County of Westchester, New York

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 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 NO20
BOND ACT AUTHORIZING THE ISSUANCE OF \$4,050,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR AND THE CONSTRUCTION OF IMPROVEMENTS TO THE COUNTY AIRPORT; STATING THE ESTIMATED TOTAL MAXIMUM COST THEREOF IS \$4,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,050,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20)
object or purpose: to finance the cost of the acquisition of equipment for and the construction of improvements to the County Airport for various departments comprised of the following capital projects: A0134, A1038 and A0140; all as set forth in the County's current year Capital Budget, as amended.
amount of obligations to be issued: and period of probable usefulness: \$4,050,000, ten (10) 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
1 N/ 1 10 20 4:

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BU To Be Completed b	
GENERAL FUN		SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
A0134; A0138; A01	140	Capital Budget Amendment
	SECTION B - BONDING AL	JTHORIZATIONS
	To Be Completed by	
Total Principal	I \$ 4,050,000 PPU	10 Anticipated Interest Rate 2.69%
Anticipated A	nnual Cost (Principal and Interest):	\$ 464,889
Total Debt Ser	rvice (Annual Cost x Term):	\$ 4,648,890
Finance Depar	rtment: Interest rates from December	er 5, 2022 Bond Buyer - ASBA
S	SECTION C - IMPACT ON OPERATING BUE	
	To Be Completed by Submitting Departm	nent and Keviewed by Budget
Potential Rela	ted Expenses (Annual): \$	-
Potential Rela	ted Revenues (Annual): \$	•
	vings to County and/or impact of depart etail for current and next four years):	ment operations
(uescribe iii de	etail for current and next four years):	
-		
	CECTION D. PANIS	OVERFEIT
As	SECTION D - EMPLO s per federal guidelines, each \$92,000 of a	S-2015-00-00-00-00-00
	l Time Equivalent (FTE) Jobs Funded:	44
	SECTION E - EXPECTED DESIGN	N WORK PROVIDER
County Staff	X Consultant	Not Applicable
Prepared by:	Brian Hegt	
Title:	Assistant to the Commissioner	Reviewed By:
Department:	Public Works & Transportation	dv 1216/12 Budget Director
Date:	12/7/22	Date: 13 7 33

CAPITAL PROJECT FACT SHEET

Project ID:* A0134	□ CE	ВА		-	act Sheet 1-03-2023				
Fact Sheet Year:* 2023	HVA	ect Title:* C UPGRADES, TE DING	RMINAL		Legislative District ID: 6,				
Category* AIRPORT	Depa AIRP		P Unique 045	2 ID:					
Overall Project Description This project funds removal of exilimited to, upgrades to electrical s (BMS).	sting HVAC un systems, modific	its and replacement cations to structural	with energ supports a	gy efficier and upgrac	t units. Ples to the	roject also building n	includes, nanagemer	but is not it system	
■ Best Management Practices	En En	ergy Efficiencies		x] Infrastru	cture			
☐ Life Safety	□ Pro	oject Labor Agreeme	ent] Revenue				
☐ Security	☐ Oth								
FIVE-YEAR CAPITAL PROG		sands)							
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Gross	3,150	350	750	2.050	0	0	0	(
Less Non-County Shares Net	3,150	350	0 750	2,050	0	0	0	(
HVAC unit replacements. Financing Plan for Current Rec Non-County Shares: Bonds/Notes: Cash:	•	\$ 0 750,000	ction and c	construction	on manage	ement of the	ne first pha	ase of the	
Total:		\$ 750,000							
SEQR Classification: TYPE II Amount Requested: 750,000									
Comments:									
Energy Efficiencies: PROJECT INCLUDES REPLACEMENT	EMENT WITH	ENERGY EFFICI	ENT ROO	FTOP UN	IITS.				
Appropriation History:									
Year 2017	Amount 350,00	00 DESIGN.		Des	cription				
Total Appropriation History: 350,000									
Total Financing History:									

113

Recommended By: **Department of Planning**

WBB4

Date 09-23-2022

Department of Public Works

RJB4

Date

09-23-2022

Budget Department

LMYI

Date

09-26-2022

Requesting Department

RJB4

Date

09-27-2022

HVAC UPGRADES, TERMINAL BUILDING (A0134)

User Department:

Airport/DOT

Managing Department(s):

Airport/DOT ; 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 App	propriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	3,150	350		750	2,050				
Total	3,150	350		750	2,050				

Project Description

This project funds removal of existing HVAC units and replacement with energy efficient units. Project also includes, but is not limited to, upgrades to electrical systems, modifications to structural supports and upgrades to the building management system (BMS).

Current Year Description

The current year request funds Phase I.

Curre	ent Year	Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
	2023	750,000		NEW 2003-017	750,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount Description	Status
2017	350,000 Design.	AWAITING BOND AUTHORIZATION
Total	350,000	

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	350,000		350,000
Total	350,000		350,000

CAPITAL PROJECT FACT SHEET

<u> </u>	- Colonial III							
Project ID:* A0138	□СВ		Fact Sheet Date:* 01-03-2023					
Fact Sheet Year:*	Proje	ct Title:*		L	Legislative District 1D:			
2023		P SERVICE EQUIP	MENT		6,			
Colombia		C	P Unique	In.				
Category*	Depa		r Omque)46	ID.				
AIRPORT	AIRF	ORT/DOT	20	J 4 0				
Overall Project Description								
This project provides for the pure the safe and efficient operation of	hase of replacen the Airport's To	nent and new ramp s erminal Ramp.	service eq	uipment th	nat is nece	ssary and	required to	o maintain
■ Best Management Practices	□ Enc	ergy Efficiencies		x	Infrastru	cture		
☐ Life Safety	□ Pro	ject Labor Agreeme	ent		Revenue			
☐ Security	□ Oti	ner						
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	800	0	800	0	0	0	0	(
Q1033				0	0	0	0	
Less Non-County Shares	0	0)	0	VI.	01			
Less Non-County Shares Net Expended/Obligated Amount (i	800 n thousands) a	0 0 s of: 0	800	0	0	0	0	
Expended/Obligated Amount (i Current Bond Description: The replacing units that were original	n thousands) as is request will fi y purchased in	s of: 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: Threplacing units that were original Financing Plan for Current Recognitions	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011.	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: Threplacing units that were original Financing Plan for Current Reconstruction Plan for Current	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally Financing Plan for Current Reconstruction Plan for Current Plan for Current Reconstruction Plan for Current P	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: Threplacing units that were originall Financing Plan for Current Recommon-County Shares: Bonds/Notes: Cash:	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally Financing Plan for Current Reconstruction Plan for Current Plan for Current Reconstruction Plan for Current P	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: Threplacing units that were originall Financing Plan for Current Recommon-County Shares: Bonds/Notes: Cash:	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally Financing Plan for Current Reconstruction Shares: Bonds/Notes: Cash: Total:	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally financing Plan for Current Reconstruction Plan for Current Plan for Current Plan for Current Reconstruction Plan for Current Plan for Curr	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally Financing Plan for Current Research Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally financing Plan for Current Reconstruction Plan for Current Plan for Current Plan for Current Reconstruction Plan for Current Plan for Curr	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally Financing Plan for Current Research Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally financing Plan for Current Reconstruction Plan for Current Re	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally financing Plan for Current Received Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 800,000 Comments:	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,
Expended/Obligated Amount (i Current Bond Description: The replacing units that were originally financing Plan for Current Reconstruction Plan for Current Plan for Current Reconstruction Plan for Current Reconstruction Pl	n thousands) as is request will fi y purchased in	s of: 0 und the purchase of 2003, 2010, 2011. A \$ 0 800,000 0	800 one (1) el	0	0 n-back, an	0 d two (2)	diesel pus	h backs,

Recommended By:

Department of Planning
WBB4
Date
01-10-2023

Department of Public WorksDateRJB401-10-2023

Budget Department Date

DEV9 01-11-2023

Requesting Department Date
RJB4 01-11-2023

01-11-2023 01:23:13 PM Page 2 of 2 **117**

RAMP SERVICE EQUIPMENT (A0138)

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	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	800		800					
Total	800		800					

Project Description

This project provides for the purchase of replacement and new ramp service equipment that is necessary and required to maintain the safe and efficient operation of the Airport's Terminal Ramp.

Current Year Description

The current year request funds this project.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	900 000		Silares	800,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

CAPITAL PROJECT FACT SHEET

Project ID:* A0140	:* □ CBA					Date:*		
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District !	ID:	
2023	ELECTRICAL, DATA AND SECURITY				,			
	SYST	TEMS UPGRADES						
Category* Department:*						ID:		
AIRPORT AIRPORT/DOT								
Overall Project Description								
This project provides for upgrades along with maintaining the Airpor						ease in rel	iability ar	d safety
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
☐ Life Safety	□ Pro	oject Labor Agreeme	en1		Revenue			
☐ Security	□ Oti	her						
e ²								
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate	Appropriated	2023	2024	2025	2026	2027	Under
	Total Cost	Appropriated	2023	2024	2025	2020	2027	Review
Gross	5,150	0	2,500	1,750	900	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,150	0	2,500	1,750	900	0	0	0
Expended/Obligated Amount (in Current Bond Description: Th	is request will f	und the design, cons	struction a	nd constru	action mai	nagement	of the upg	rades to
electrical infrastructure for the Ai installation of components to allo- access control, emergency alert sy	w for the future	use of EV charging	er Rental stations.	Car Servion This will a	ce Area. T also fund t	he project he upgrad	scope will les to the A	ll include Airport's
Financing Plan for Current Rec	uest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		2,500,000						
Cash:		0						
Total:		\$ 2,500,000		1040				
SEQR Classification: TYPE II								
Amount Requested:								
2,500,000								
2,500,000								
Comments:								
Energy Efficiencies:								
Total Financing History:								
0								

Recommended By:

Department of Planning

Date WBB4 09-23-2022

Department of Public Works

Date RJB4 09-23-2022

Budget Department

09-26-2022 LMYI

Date

Date

Requesting Department

RJB4 09-27-2022

Page 2 of 2 120 01-20-2023 10:24:20 AM

ELECTRICAL, DATA AND SECURITY SYSTEMS UPGRADES (A0140)

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	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	5,150		2,500	1,750	900			997/3222 2 9 0
Total	5,150		2,500	1,750	900			

Project Description

This project provides for upgrades to electrical, data and security systems that will result in an increase in reliability and safety along with maintaining the Airport's compliance with the TSA's regulations and best practices.

Current Year Description

The current year request funds upgrades to the Airport's access control, emergency alert system, video and badging system.

1	Current Yea	r Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
1	2023	2,500,000		Julios	2,500,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

2023-6

Reference B014E B0124 BPF39

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 \$13,300,000 to authorize the County of Westchester (the "County") to finance the following three (3) capital projects:

B014E– Exterior Infrastructure Improvement, White Plains Complex (2021-2025)

B0124- White Plains Complex Lighting Systems

BPF39- Electric Vehicle Charging Stations and Infrastructure

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 \$13,300,000 to finance various capital projects, including:

- (i) Design, construction management and construction associated with the rehabilitation of the coping at the Richard J. Daronco Courthouse and the stucco at the Low Rise Building.
- (ii) Design, construction management and construction associated with the replacement of the existing lighting system at the Michaelian Office Building.
- (iii) Installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations.

Your Committee is advised that the anticipated cost, anticipated project timeline, and whether the design is anticipated to be undertaken in-house staff or by consultants for each capital project is set forth below:

BOND ACT - BUILDINGS AND PARKING FACILITIES

Cap ID	Project	Anticipated Amount	Design Assignment	Time Frame (Months)		
			Assignment	Design	Construction	
B014E	Exterior Infrastructure Improvement, White Plains Complex (2021-2025)	\$500,000	Staff	3	6	
B0124	B0124- White Plains Complex Lighting Systems	\$4,800,000	NYPA	Currently underway. To be completed by the 4 th quarter of 2022	9	
BPF39	Electric Vehicle Charging Stations and Infrastructure	8,000,000	Staff	Will vary by location	Will vary by location	
Total:		\$13,300,000			<u>-</u>	

Your Committee is advised that the proposed Bond Act authorizes financing for like objects or purposes in connection with three (3) capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

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.

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: January 9th , 2023 White Plains, New York

COMMITTEE ON

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Budget & Appropriations

Sylve I Outring & Many&Ban

public works & Transportation

Dated: January 9, 2023

White Plains, New York

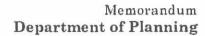
The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

9.00	
Catherine F. Parker	Catherine F. Parken
2.	
-	

Budget & Appropriations

Public Works & Transportation





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B014E Exterior Infrastructure Repairs, White Plains Complex (2021-2025)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2030)

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)(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.

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

Lorraine Marzola, Associate Budget Director

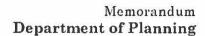
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B0124 WHITE PLAINS COMPLEX LIGHTING SYSTEMS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2074)

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)(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.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

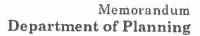
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner





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:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

BPF39 Electric Vehicle Charging Stations and Infrastructure

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2077)

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)(9): construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- 617.5(c)(13): extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- 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:
- 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: The project will fund the purchase of electric vehicle charging stations to be added to existing or new county parking facilities to support/promote the use of electric vehicles, which will help to reduce greenhouse gas emissions. Purchase and installation of charging stations at existing parking facilities with nearby electrical access may be classified as Type II under the aforementioned sections. The addition of electric vehicle charging stations at new parking facilities or where electric service is not readily available at or near the project site will be reviewed further

for SEQR compliance at the time funding approval is being sought for the larger project or prior to contract approval for construction.

DSK/cnm

cc: Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$13,300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$13,300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$13,300,000 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 objects or purposes, including preliminary costs and

costs incidental thereto and the financing thereof is \$13,300,000. The plan of financing includes the issuance of \$13,300,000 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	В
\$500,000	the design, construction management and construction associated with the rehabilitation of the coping at the Richard J. Daronco Courthouse and the stucco at the Low Rise Building
\$4,800,000	the design, construction management and construction associated with the replacement of the existing lighting system at the Michaelian Office Building with new energy efficient LED lighting, lighting controls, and related work
\$8,000,000	the cost of the acquisition and installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations

Section 2. The periods of probable usefulness ("PPU") of the objects or purposes for which said \$13,300,000 bonds authorized by this Act are to be issued, within the limitations of the respective subdivisions of Section 11.00.a of the Law, are as follows:

Amount	Subdivision	PPU
\$500,000	12(a)(2)	fifteen (15) years
\$4,800,000	13	ten (10) years
\$8,000,000	90	ten (10) years

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

\$13,300,000. This Act is a declaration of official intent adopted pursuant to the requirements of

Treasury Regulation Section 1.150-2.

Section 3.

Section 4. The estimate of \$13,300,000 as the estimated total cost of the aforesaid 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 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 Board of Legislators County of County (SEAL) Westchester, New York

LEGAL NOTICE

Legislators on	y of the obligation of the obligation of the obligation of the date of proceeding contents.	which is published herewith, has been adopted by the Board of D and approved by the County Executive on ions authorized by such Bond Act may be hereafter contested only or an object or purpose for which the County of Westchester, in the dot to expend money or if the provisions of law which should have publication of this Notice were not substantially complied with, and sting such validity is commenced within twenty days after the obligations were authorized in violation of the provisions of the
inspection during non	mal business ho	nded Bond Act summarized herewith shall be available for public ours at the Office of the Clerk of the Board of Legislators of the for a period of twenty days from the date of publication of this
WESTCHESTER, OR OF THE CONSTRUCTHE ESTIMATED FINANCING SAID	DRIZING THE A SO MUCH TH CTION OF VA TOTAL COS' COST INCLU O PROVIDING	ISSUANCE OF \$13,300,000 BONDS OF THE COUNTY OF HEREOF AS MAY BE NECESSARY, TO FINANCE THE COST RIOUS PURPOSES IN AND FOR THE COUNTY; STATING T THEREOF IS \$13,300,000; STATING THE PLAN OF JDES THE ISSUANCE OF \$13,300,000 BONDS HEREIN FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST, 20)
object or purpose:	at the Low F construction as the Michaelian controls, and re	n, construction management and construction associated with the of the coping at the Richard J. Daronco Courthouse and the stucco Rise Building, (ii) the design, construction management and ssociated with the replacement of the existing lighting system at a Office Building with new energy efficient LED lighting, lighting elated work, and (iii) the cost of the acquisition and installation of the (EV) charging stations and associated infrastructure at various ons
amount of obligations and periods of probabl		\$ 500,000; fifteen (15) years \$12,800,000; ten (10) years
Dated: White Plains, I	_, 20 New York	
		Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:B014E	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUD To Be Completed by	
X GENERAL FUNI	D AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
		Capital Budget Amendment
	SECTION B - BONDING AUT	
#1 	To Be Completed by F	
Total Principal	\$ 500,000 PPU	15 Anticipated Interest Rate 2.92%
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 41,160
Total Debt Ser	vice (Annual Cost x Term):	\$ 617,400
Finance Depar	tment: Interest rates from December	5, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUDG To Be Completed by Submitting Departme	
Patantial Palat		and neverted by budget
	ted Expenses (Annual): \$	*
Potential Relat	ted Revenues (Annual): \$	
	vings to County and/or impact of departnetail for current and next four years):	nent operations
	SECTION D - EMPLO	YMENT
As	s per federal guidelines, each \$92,000 of a	
Number of Ful	l Time Equivalent (FTE) Jobs Funded:	5
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
X County Staff	Consultant	Not Applicable
Prepared by:	Jonna Robins	
Title:	Capital Planning Program Administrator	Reviewed By:
Department:	Department of Public Works and Trans	Willows Budget Director
Date:	12/5/22	Date:

CAPITAL PROJECT FACT SHEET

Project ID:* B014E Fact Sheet Year:* 2023 Project Title:* EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMM (2021-2025) Category* BUILDINGS, LAND & PUBLIC WORKS Overall Project Description This project funds the rehabilitation of building exteriors and other sitework for	PLEX	,	3			
2023 EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMI (2021-2025) Category* BUILDINGS, LAND & MISCELLANEOUS Overall Project Description	PLEX	,	e District			
BUILDINGS, LAND & PUBLIC WORKS MISCELLANEOUS Overall Project Description		CP Unique	Legislative District ID: 8,			
		CP Unique ID: 2030				
Project rands the remarkation of outland exteriors and other site work for	r the Whit	e Plains C	Complex.			
■ Best Management Practices	×] Infrastru	cture			
■ Life Safety □ Project Labor Agreement] Revenue				
□ Security □ Other						
FIVE-YEAR CAPITAL PROGRAM (in thousands)						
Estimated Ultimate Appropriated 2023 Total Cost	2024	2025	2026	2027	Under Review	
Gross 9,025 3,500 500	5,025	0	0	0	0	
Less Non-County Shares 0 0 0	0	0	0	0	0	
Net 9,025 3,500 500	5,025	0	0	0	0	
Financing Plan for Current Request: Non-County Shares: \$ 0						
SEQR Classification: TYPE II						
Amount Requested: 500,000						
Comments:						
Energy Efficiencies:						
Energy Efficiencies: Appropriation History:						
Appropriation History: Year Amount 2021 3,500,000 REHABILITATION OF BU	UILDING	cription EXTERI	ORS ANI	OTHER		
Appropriation History: Year Amount	UILDING	EXTERI	ORS ANI MPLEX	OTHER		
Appropriation History: Year Amount 2021 3,500,000 REHABILITATION OF BU SITEWORK FOR THE WI Total Appropriation History: 3,500,000	UILDING	EXTERI	ORS ANI MPLEX	OTHER		
Appropriation History: Year Amount 2021 3,500,000 REHABILITATION OF BU SITEWORK FOR THE WE	UILDING	EXTERI	ORS ANI MPLEX Descri			

Total Financing History:

3,500,000

Recommended By:

Department of Planning

WBB4

Date 09-22-2022

Department of Public Works RJB4

Date

09-23-2022

Budget Department

LMYI

Date

09-23-2022

Requesting Department

JZR7

Date

09-23-2022

138

EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2021-2025) (B014E)

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 2023 2024 2025 2026 2027 Under Review Gross 500 9,025 3,500 25 5,025 **Non County Share** Total 25 500 9,025 3,500 5,025

Project Description

This project funds the rehabilitation of building exteriors and other sitework for the White Plains Complex."

Current Year Description

The current year request funds the rehabilitation of coping and stucco on the Courthouse and Low Rise Buildings.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	500,000			500,000

Impact on Operating Budget

3,500,000

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

Appropriation History

Substitute State S	The second secon		
Year	Amount	Description	Status
2021	3,500,000	Rehabilitation of building exteriors and other sitework for the White Plains Complex	DESIGN
Total	3,500,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	3,500,000		3,500,000
Total	3 500 000		3,500,000

Bonds Authorize	ed			
Bond Act	Amount	Date Sold	Amount Sold	Balance
21 21	3,500,000			3,500,000
Total	3,500,000			3,500,000

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	t:	NO FISCAL IMPACT PROJECTED					
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget							
X GENERAL FUNI	D AIRPORT FUND	SPECIAL DISTRICTS FUND					
	Source of County Funds (check one):	X Current Appropriations					
B0124; BPF39		Capital Budget Amendment					
	SECTION B - BONDING AU To Be Completed by	- No. /					
Total Principal	\$ 12,800,000 PPU	10 Anticipated Interest Rate 2.69%					
Anticipated An	nnual Cost (Principal and Interest):	\$ 1,469,277					
Total Debt Serv	vice (Annual Cost x Term):	\$ 14,692,770					
Finance Depart	tment: Interest rates from December	r 5, 2022 Bond Buyer - ASBA					
S	To Be Completed by Submitting Departm						
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 - EMPLO	504 VGD64 M300 VGCT0000					
As per federal guidelines, each \$92,000 of appropriation funds one FTE Job							
Number of Full	Time Equivalent (FTE) Jobs Funded:	139					
[]	SECTION E - EXPECTED DESIGN	5. 549 And Colonia (1997) (1997) (1997)					
X County Staff	X Consultant	Not Applicable					
Prepared by:	Robert Abbamont						
Title:	Dir. Of Op. (Cap PLN)	Reviewed By:					
Department:	DPW&T	WINNER Budget Director					
Date:	12/7/22	Date: 12 7 22					

CAPITAL PROJECT FACT SHEET

	CAFI	IAL PROJECT	FACI	SHEEL				
Project ID:* B0124	□СВА				Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:* 2023	Project Title:* WHITE PLAINS COMPLEX LIGHTING SYSTEMS				Legislative District ID: 3 8,			
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS				CP Unique ID: 2074			
Overall Project Description This project will fund the replace lighting control system.	ment of the exis	ting fluorescent ligh	t fixtures	to LED lig	ght fixture	es and upg	rade of the	e associated
■ Best Management Practices	x En	ergy Efficiencies		x] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreeme	ent		Revenue			
☐ Security	Otl	ner						
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	4,800	0	4,800	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,800	0	4,800	0	0	0	0	0
Current Bond Description: Fureplacement of the existing system and related work. Financing Plan for Current Revolution Shares:	m at the Michae	lian Office Building \$ 0	ruction ma with new	anagemen energy ef	t and cons ficient LE	struction as ED lighting	ssociated v g, lighting	with the controls
Bonds/Notes:		4,800,000						
Cash:		0						
Total:		\$ 4,800,000						
SEQR Classification: TYPE II								
Amount Requested: 4,800,000								
Comments:								
Energy Efficiencies: THIS PROJECT WILL REPLA LIGHTING FIXTURES AND STATE ENERGY CONSERVA	PROVIDE ENI	STING LIGHTING ERGY EFFICIENT	G FIXTU LIGHTI	RES WI'	TH NEW TROLS	ENERG AS REQL	Y EFFICI	IENT LED Y THE NY

Total Financing History:

0

Recommended By:

Department of Planning

WBB4

Date

09-22-2022

Department of Public Works RJB4

09-23-2022

Budget Department

LMYI

Date

Date

09-23-2022

Requesting Department

JZR7

Date

09-23-2022

12-05-2022 12:18:38 PM

WHITE PLAINS COMPLEX LIGHTING SYSTEMS (B0124)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

TBD

Planning Board Recommendation:

FIVE YEAR CAPITAL PROGRAM (in thousands)

Est Ult Cost Appropriated Exp / Obl 2023 2024 2025 2026 2027 Under Review

Gross

4,800

4,800

4,800

4,800

Non County Share

Total

Project Description

This project will fund the replacement of the existing fluorescent light fixtures to LED light fixtures and upgrade of the associated lighting control system.

Current Year Description

The current request funds work at the Michaelian Office Building.

Current Yea	er Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	4.800.000			4,800,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* BPF39	□СВА				Fact Sheet Date:* 01-03-2023				
Fact Sheet Year:*	Proje	Project Title:*				Legislative District ID:			
2023	ELEC	ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE				Legislative District ID.			
Catagoryt	Dona	rtmant+#		,	'P Heigu	. ID.			
Category*	12.000	rtment:*			CP Unique 077	e ID:			
BUILDINGS, LAND & MISCELLANEOUS	POBI	PUBLIC WORKS							
Overall Project Description									
This project funds the installation locations. The County will work available for this project.	of electric vehi with NYSERDA	cle (EV) charging st	tations and DEC to exp	l associate olore any	d infrastr Non-Cour	ucture at v ity funding	arious Co g that may	unty be	
■ Best Management Practices	≥ En	ergy Efficiencies		×] Infrastru	cture			
☐ Life Safety	□ Pro	ject Labor Agreeme	ent] Revenue				
☐ Security	□ Oth	ner			4.				
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)							
	Estimated							H-dan	
	Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Gross	82,000	2,000	18,000	25,000	25,000	12,000	0	0	
Less Non-County Shares	0	0	0	0	0	0	0	0	
Net	82,000	2,000	18,000	25,000	25,000	12,000	0	0	
Current Bond Description: Fu infrastructure at various County le Financing Plan for Current Red Non-County Shares: Bonds/Notes: Cash:	ocations.	\$ 0 8,000,000 0							
Total:		\$ 8,000,000							
SEQR Classification: TYPE II Amount Requested: 8,000,000									
Comments:									
Energy Efficiencies: THIS PROJECT PROMOTES TEMISSIONS.	THE USE OF E	LECTRIC VEHIC	LES WHI	СН НЕС	PS TO RI	EDUCE G	REENHO	OUSE GAS	
Appropriation History:									
Year	Amount			Des	cription				
2020	1,000.00	00 FUNDING FOR	INITIAL		-				
2022		00 ADDITIONAL I	INSTALL		F ELECT	RIC VEH	ICLE (EV	/)	
Total Appropriation History:									

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2,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	84	1,000,000	143,750	INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS ACROSS COUNTY
21	220	1,000,000	0	ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE

09-23-2022

Total Financing History:

2,000,000

RJB4

Recommended By:

Department of Planning
WBB4
09-22-2022

Department of Public Works
RJB4
09-23-2022

Budget Department
LMY1
09-23-2022

Requesting Department
Date

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

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** 2023 2024 2025 2026 2027 Under Exp / Obl Review Gross 582 18,000 82,000 2,000 25,000 12,000 25,000 **Non County Share** Total 582 18,000 82,000 2,000 25,000 25,000 12,000

Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSERDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

Current Year Description

The current year request funds additional EV charging stations.

Current Ye	ar Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	18,000,000			18,000,000

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
2020	1,000,000	Funding for initial phase	IN PROGRESS
2022	1,000,000	Additional installation of electric vehicle (EV) charging stations	IN PROGRESS
Total	2,000,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	2,000,000	143,750	1,856,250
Total	2,000,000	143,750	1,856,250

Bonds Au	thoriz	ed			
Bond A	ct	Amount	Date Sold	Amount Sold	Balance
84	20	1,000,000	12/01/21	143,750	856,250
220	21	1,000,000			1,000,000
To	tal	2,000,000		143,750	1,856,250

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 \$13,300,000 to authorize the County of Westchester (the "County") to finance the following three (3) capital projects:

B014E- Exterior Infrastructure Improvement, White Plains Complex (2021-2025)

B0124—White Plains Complex Lighting Systems

BPF39- Electric Vehicle Charging Stations and Infrastructure

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 \$13,300,000 to finance various capital projects, including:

- (i) Design, construction management and construction associated with the rehabilitation of the coping at the Richard J. Daronco Courthouse and the stucco at the Low Rise Building.
- (ii) Design, construction management and construction associated with the replacement of the existing lighting system at the Michaelian Office Building.
- (iii) Installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations.

Your Committee is advised that the anticipated cost, anticipated project timeline, and whether the design is anticipated to be undertaken in-house staff or by consultants for each capital project is set forth below:

BOND ACT - BUILDINGS AND PARKING FACILITIES

Cap ID	Project	Anticipated Amount	Design Assignment	Time Fra (Month	
		Amount	Assignment	Design	Construction
B014E	Exterior Infrastructure Improvement, White Plains Complex (2021-2025)	\$500,000	Staff	3	6
B0124	B0124– White Plains Complex Lighting Systems	\$4,800,000	NYPA	Currently underway. To be completed by the 4 th quarter of 2022	9
BPF39	Electric Vehicle Charging Stations and Infrastructure	8,000,000	Staff	Will vary by location	Will vary by location
Total:		\$13,300,000			

Your Committee is advised that the proposed Bond Act authorizes financing for like objects or purposes in connection with three (3) capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

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.

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: January 9th, 2023 White Plains, New York

COMMITTEE ON

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Budget & Appropriations

Public works & Transportation

Dated: January 9, 2023

White Plains, New York

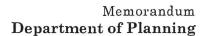
The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken
4	
	3

Budget & Appropriations

Public Works & Transportation





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B014E Exterior Infrastructure Repairs, White Plains Complex (2021-2025)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2030)

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)(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.

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

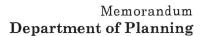
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B0124 WHITE PLAINS COMPLEX LIGHTING SYSTEMS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2074)

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)(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.

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

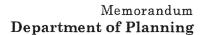
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

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

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

BPF39 Electric Vehicle Charging Stations and Infrastructure

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2077)

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)(9): construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities:
- 617.5(c)(13): extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- 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;
- 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: The project will fund the purchase of electric vehicle charging stations to be added to existing or new county parking facilities to support/promote the use of electric vehicles, which will help to reduce greenhouse gas emissions. Purchase and installation of charging stations at existing parking facilities with nearby electrical access may be classified as Type II under the aforementioned sections. The addition of electric vehicle charging stations at new parking facilities or where electric service is not readily available at or near the project site will be reviewed further

for SEQR compliance at the time funding approval is being sought for the larger project or prior to contract approval for construction.

DSK/cnm

cc: Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

ACT NO. 6 -2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$13,300,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS PURPOSES IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$13,300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$13,300,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 01/09, 2023)

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 objects or purposes, including preliminary costs and

costs incidental thereto and the financing thereof is \$13,300,000. The plan of financing includes the issuance of \$13,300,000 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	В						
\$500,000	the design, construction management and construction associated with the						
	rehabilitation of the coping at the Richard J. Daronco Courthouse and the						
	stucco at the Low Rise Building						
\$4,800,000	the design, construction management and construction associated with the replacement of the existing lighting system at the Michaelian Office						
	Building with new energy efficient LED lighting, lighting controls, and						
	related work						
\$8,000,000	the cost of the acquisition and installation of electric vehicle (EV)						
	charging stations and associated infrastructure at various County						
	locations						

Section 2. The periods of probable usefulness ("PPU") of the objects or purposes for which said \$13,300,000 bonds authorized by this Act are to be issued, within the limitations of the respective subdivisions of Section 11.00.a of the Law, are as follows:

Amount	Subdivision	PPU
\$500,000	12(a)(2)	fifteen (15) years
\$4,800,000	13	ten (10) years
\$8,000,000	90	ten (10) 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 \$13,300,000. 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 \$13,300,000 as the estimated total cost of the aforesaid 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 in accordance with Section 107.71 of the Westchester County Charter.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:B014E	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUD To Be Completed by	3.2.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.0.
X GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
· · · · · · · · · · · · · · · · · · ·		Capital Budget Amendment
· · · · · · · · · · · · · · · · · · ·	SECTION B - BONDING AUT To Be Completed by F	
Total Principal	\$ 500,000 PPU	15 Anticipated Interest Rate 2.92%
Anticipated An	nual Cost (Principal and Interest):	\$ 41,160
Total Debt Serv	vice (Annual Cost x Term):	\$ 617,400
Finance Depart	tment: Interest rates from December	5, 2022 Bond Buyer - ASBA
	To Be Completed by Submitting Departme ed Expenses (Annual): \$	•
Potential Relat	ed Revenues (Annual): \$	
-	vings to County and/or impact of departn tail for current and next four years):	nent operations
	· · · · · · · · · · · · · · · · · · ·	
	SECTION D - EMPLO per federal guidelines, each \$92,000 of a	and control and the
	Time Equivalent (FTE) Jobs Funded:	5
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
X County Staff	Consultant	Not Applicable
Prepared by:	Jonna Robins	
Title:	Capital Planning Program Administrator	Reviewed By:
Department:	Department of Public Works and Trans	Budget Director
Date:	12/5/22	Date:

CAPITAL PROJECT FACT SHEET

	CAPI	IAL PROJECT	FACI	SHEET				
Project ID:*	□ CI	BA		F	act Sheet	Date:*		
B014E				0	1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		L	Legislative District ID:			
2023	EXT	ERIOR INFRASTR		8,	_			
		REPAIRS, WHITE PLAINS COMPLEX (2021-2025)						
Category*	Depa	rtment:*		C	P Unique	ID:		
BUILDINGS, LAND & MISCELLANEOUS	PUB	LIC WORKS		20	030			
Overall Project Description								
This project funds the rehabilitat	ion of building e	xteriors and other si	tework for	r the White	e Plains C	omplex.		
■ Best Management Practices					Infrastru	cture		
x Life Safety	□ Pro	oject Labor Agreem	ent		Revenue			
☐ Security	□ Ot	her						
FIVE-YEAR CAPITAL PROC	GRAM (in thous	sands)		· · · · · · · · · · · · · · · · · · ·				
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	9,025	3,500	500	5,025	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	9,025	3,500	500	5,025	0	0	0	0
Expended/Obligated Amount (in thousands) a	s of: 25						
Current Bond Description: Further Bond Description: Further Bond Description: Further Bond Description:	inding is request Richard J. Dard	ted for design, const onco Courthouse and	ruction ma	anagement o at the Lo	and cons	truction as	sociated v	vith the
Financing Plan for Current Re	auest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		500,000						
Cash:		0						
Total:		\$ 500,000						
SEQR Classification:								
TYPE II								
Amount Requested:								
500,000								
Comments:								
Energy Efficiencies:								
Appropriation History:								
Voor	Amount			Doc	crintian			

Year	Amount	Description	
2021	3,500,000	REHABILITATION OF BUILDING EXTERIORS AND OTHER	
	· · · · · ·	SITEWORK FOR THE WHITE PLAINS COMPLEX	

Total Appropriation History:

3,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	21	3,500,000		0 EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2021-2025)

Total Financing History:

3,500,000

Recommended By:

Department of Planning

WBB4

Date

09-22-2022

Department of Public Works

RJB4

Date

09-23-2022

Budget Department

LMY1

Date

Date

09-23-2022

Requesting Department

JZR7

09-23-2022

Page 2 of 2 161

EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2021-2025) (B014E)

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.

IVE YEAR CAPITAL P	ROGRAM (in th	nousands)		Service of the servic	"有是"。这里是是				
	Est Ult Cost Ap	propriated	Exp / Obi	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	9,025	3,500	25	500	5,025				
Total	9,025	3,500	25	500	5,025				

Project Description

This project funds the rehabilitation of building exteriors and other sitework for the White Plains Complex.

Current Year Description

The current year request funds the rehabilitation of coping and stucco on the Courthouse and Low Rise Buildings.

Current Year	Financing Plan	9 1 3 1 3 dt		national and while writer
Year	Bonds	Cash	Non County Shares	Total
2023	500.000		Silates	500,000

Impact on Operating Budget

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

Year	Amount	Description	Status
2021	3,500,000	Rehabilitation of building exteriors and other sitework for the White Plains Complex	DESIGN

Prior Appropriations				Bonds Authorize	ed	THE RESERVE	
Control of the State of State of the State of St	Appropriated	Collected	Uncollected	Bond Act	Amount	Date Sold	Amount Sold
Bond Proceeds	3,500,000		3,500,000	21 21	3,500,000		
Total	3,500,000		3,500,000	Total	3,500,000		· · · · · · · · · · · · · · · · · · ·

Balance 3,500,000 3,500,000

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:	NO FISCAL IMPACT PROJECTED						
	SECTION A - CAPITAL BUI To Be Completed by							
X GENERAL FUNI		SPECIAL DISTRICTS FUND						
	Source of County Funds (check one):	X Current Appropriations						
B0124; BPF39		Capital Budget Amendment						
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance								
Total Principal	\$ 12,800,000 PPU	10 Anticipated Interest Rate 2.69%						
Anticipated An	nual Cost (Principal and Interest):	\$ 1,469,277						
Total Debt Serv	vice (Annual Cost x Term):	\$ 14,692,770						
Finance Depart	tment: Interest rates from Decembe	r 5, 2022 Bond Buyer - ASBA						
S	SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)							
Potential Relat	To Be Completed by Submitting Department and Reviewed by Budget							
	Potential Related Expenses (Annual): \$ -							
	ted Revenues (Annual): \$							
	vings to County and/or impact of departi etail for current and next four years):	ment operations						
	SECTION D - EMPLO							
	s per federal guidelines, each \$92,000 of a							
Number of Full	Time Equivalent (FTE) Jobs Funded:	139						
	SECTION E - EXPECTED DESIGN	WORK PROVIDER						
X County Staff	X Consultant	Not Applicable						
Prepared by:	Robert Abbamont							
Title:	Dir. Of Op. (Cap PLN)	Reviewed By:						
Department:	DPW&T	Budget Director						
Date:	12/7/22	Date: 12 7 23						

Project ID:* B0124					act Sheet 1-03-2023				
Fact Sheet Year:*	Proje	Project Title:*			Legislative District ID:				
2023	WHITE PLAINS COMPLEX LIGHTING SYSTEMS				3 8,				
Category*	Depa	rtment:*		C	P Unique	ID:			
BUILDINGS, LAND & MISCELLANEOUS	PUBI	PUBLIC WORKS				2074			
Overall Project Description This project will fund the replace lighting control system.	ement of the exis	ting fluorescent ligh	it fixtures	to LED lig	ght fixture	s and upgr	ade of the	associated	
■ Best Management Practices	× Ene	ergy Efficiencies		x	Infrastru	cture			
Life Safety	☐ Pro	ject Labor Agreeme	ent		Revenue				
☐ Security	Other								
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)							
FIVE-YEAR CAPITAL PROG	Estimated Ultimate Total Cost	ands) Appropriated	2023	2024	2025	2026	2027	Under Review	
FIVE-YEAR CAPITAL PROC	Estimated Ultimate		2023 4,800	2024	2025	2026	2027		
	Estimated Ultimate Total Cost	Appropriated						Review	

Financing Plan for Current Request:

Non-County Shares:

0

Bonds/Notes:

4,800,000

Cash:

Total:

\$4,800,000

SEQR Classification:

TYPE II

Amount Requested:

4,800,000

Comments:

Energy Efficiencies:

THIS PROJECT WILL REPLACE THE EXISTING LIGHTING FIXTURES WITH NEW ENERGY EFFICIENT LED LIGHTING FIXTURES AND PROVIDE ENERGY EFFICIENT LIGHTING CONTROLS AS REQUIRED BY THE NY STATE ENERGY CONSERVATION CODE.

Total Financing History:

0

Recommended By:

Department of Planning

WBB4

Department of Public Works

RJB4

Budget Department

LMY1

Requesting Department

JZR7

Date

09-22-2022

Date

09-23-2022

Date

09-23-2022

Date

09-23-2022

12-05-2022 12:18:38 PM Page 2 of 2 **165**

WHITE PLAINS COMPLEX LIGHTING SYSTEMS (B0124)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

TBD

Planning Board Recommendation:

	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	4,800		4,800					Kevicii
Total	4,800		4,800					

Project Description

This project will fund the replacement of the existing fluorescent light fixtures to LED light fixtures and upgrade of the associated lighting control system.

Current Year Description

The current request funds work at the Michaelian Office Building.

V	D I	A1-	Apodri Alica di Casa d	make of the last through the said
Year	Bonds	Cash	Non County	Total
			Shares	
2023	4,800,000			4,800,000

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* BPF39	□СВА	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* ELECTRIC VEHICLE CHARGING	Legislative District ID:
	STATIONS AND INFRASTRUCTURE	
Category*	Department:*	CP Unique ID:
BUILDINGS, LAND & MISCELLANEOUS	PUBLIC WORKS	2077
Overall Project Description		
	ric vehicle (EV) charging stations and assoc SERDA, NYPA and NYSDEC to explore an	
■ Best Management Practices	➤ Energy Efficiencies	▼ Infrastructure
☐ Life Safety	☐ Project Labor Agreement	Revenue
☐ Security	☐ Other	
FIVE-YEAR CAPITAL PROGRAM (i	n thousands)	
Estin	nated	

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	82,000	2,000	18,000	25,000	25,000	12,000	0	0
Less Non-County Shares	0	0	0	0	0	0	_0	0
Net	82,000	2,000	18,000	25,000	25,000	12,000	0	0

Expended/Obligated Amount (in thousands) as of: 582

Current Bond Description: Fundamentatructure at various County loca		ion of electric vehicle (EV) charging stations and associated
Financing Plan for Current Reque	est:	
Non-County Shares:	\$ 0	
Bonds/Notes:	8,000,000	
Cash:	0	
Total:	\$ 8,000,000	

SEQR Classification:

TYPE II

Amount Requested:

8,000,000

Comments:

Energy Efficiencies:

THIS PROJECT PROMOTES THE USE OF ELECTRIC VEHICLES WHICH HELPS TO REDUCE GREENHOUSE GAS EMISSIONS.

Appropriation History:

Year	Amount	Description
2020	1,000,000	FUNDING FOR INITIAL PHASE
2022	1,000,000	ADDITIONAL INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS

Total Appropriation History:

2,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	84	1,000,000	143,750	INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS ACROSS COUNTY
21	220	1,000,000	0	ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE

Total Financing History:

2,000,000

Recommended By:

Department of Planning

WBB4

Date

Department of Public Works

RJB4

09-22-2022

Date 09-23-2022

Budget Department

LMY1

Date

09-23-2022

Requesting Department

RJB4

Date

09-23-2022

Page 2 of 2 168

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

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.

	Est Ult Cost Ap	propriated	Exp / Obi	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	82,000	2,000	582	18,000	25,000	25,000	12,000		Keview
Total	82,000	2,000	582	18,000	25,000	25,000	12,000		

Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSERDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

Current Year Description

The current year request funds additional EV charging stations.

			Shares	18,000,
Year	Bonds	Cash	Non County	T

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
2020	1,000,000	Funding for initial phase	IN PROGRESS
2022	1,000,000	Additional installation of electric vehicle (EV) charging stations	IN PROGRESS
Total	2,000,000		

	Appropriated	Collected	Uncollected
Bond Proceeds	2,000,000	143,750	1,856,250
Total	2,000,000	143,750	1,856,250

Bonds Au	thoriz	ed		The second of the second	And the second second
Bond A	ct	Amount	Date Sold	Amount Sold	Balance
84	20	1,000,000	12/01/21	143,750	856,250
220	21	1,000,000			1,000,000
Total		2.000.000		143.750	1,856,250

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STATE OF NEW YORK )
COUNTY OF WESTCHESTER )
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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 January 9, 2023 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 January 5, 2023

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 January 5, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators Annuary 10, 2023.

X la la

Sinday Vanderberg, Cler

Westchester County Board of Legislators

170

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 Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator Erika Pierce
Legislator David Tubiolo
Legislator Jewel Williams-Johnson

Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

APPROVED BY THE COUNTY EXECUTIVE

Date: 1-/2-23

STATE OF NEW YORK)	
)	SS.
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 6 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County Board of Legislators

County of Westchester, New York



* 2023-7

References RB210, RB212, RB214 RB233, RB234, RB235, RB236, RB237, P0032

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 aggregate amount of \$16,640,000 to authorize the County of Westchester (the "County") to finance the following nine (9) capital projects:

RB210 - Pelham Shore Rd, CR 65A, Pelham

RB212 - Bryant Ave, CR 153, White Plains

RB214 - Lake St, CR 32B, White Plains

RB233 - Virginia Rd, CR 35/51, Mt. Pleasant/ North Castle

RB234 - Heathcote Bypass, CR 143, Scarsdale

RB235 - Pearl St, CR 43, Port Chester

RB236 - North Division St/South St, CR 63II, Peekskill

RB237 - East/West Main St, CR 25/25I, Peekskill

P0032 - Playland Parkway, CR 152, Rye

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 \$16,640,000 to finance the cost of design and construction associated with the rehabilitation of various County roads and related work, including:

- (i) Rehabilitation of approximately 0.32 miles of Pelham Shore Road from the Pelham Manor/New Rochelle line to the Bronx line. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.
- (ii) Rehabilitation of approximately 0.64 miles of Bryant Avenue from North Street to Westchester Avenue eastbound. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.
- (iii) Rehabilitation of approximately 0.23 miles of Lake Street from the entrance to Delfino Park to Harrison Boulevard. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

- (iv) Rehabilitation of approximately 0.26 miles of Virginia Road from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters. The work will include milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (v) Rehabilitation of approximately 0.61 miles of the Heathcote Bypass from the pedestrian overpass to Secor Road. The work will include milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (vi) Rehabilitation of approximately 0.11 miles of Pearl Street from Irving Avenue to King Street. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (vii) Rehabilitation of approximately 0.54 miles of North Division Street/South Street from Highland Avenue to Washington Avenue. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (viii) Rehabilitation of approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (ix) rehabilitation of approximately 1.14 miles of roadway from Playland Parkway

 Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the

 Boston Post Road Access Ramp. The work will include milling; resurfacing;

 concrete curb replacement; drainage repairs; new traffic loops; new pavement

 markings and related work.

Your Committee is advised that the anticipated cost estimates, anticipated project timeline, and whether the design is anticipated to be undertaken in-house or by consultants for each capital project is set forth below:

ROND ACT - ROAD RESURFACING PROJECTS

Cap ID	Project	Anticipated Amount	PCI	AADT	Design Assignment	Time Frame (Months)	
						Design	Const
RB210	Pelham Shore Rd, CR 65A, Pelham	\$800,000	62	10,642	Staff	6	4
RB212	Bryant Ave, CR 153, White Plains	\$2,500,000	64	7,129	Consultant	8	6
RB214	Lake St, CR 32B, White Plains	\$425,000	54	13,208	Staff	5	4
RB233	Virginia Rd, CR 35/51, Mt. Pleasant/ North Castle	\$600,000	61	7,626	Staff	6	4
RB234	Heathcote Bypass, CR 143, Scarsdale	\$775,000	62	4,740	Staff	6	8
RB235	Pearl St, CR 43, Port Chester	\$420,000	69	5,469	Staff	6	4
RB236	North Division St/South St, CR 63II, Peekskill	\$1,620,000	75	5,993	Consultant	9	6
RB237	East/West Main St, CR 25/25I, Peekskill	\$6,150,000	76	12,346	Consultant	12	8
P0032	Playland Parkway, CR 152, Rye	\$3,350,000	68	6,016	Consultant	9	6
Total:		\$16,640,000	- T-197				

Your Committee is advised that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department has advised your Committee that based on its review, the above-referenced capital projects have 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.

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: January 1th, 20<u>23</u>
White Plains, New York

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COMMITTEE ON

jpg/11-30-22

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Cuhune by Yancy Dan

Budget & Appropriations

Public Works & Transportation

Dated: January 9, 2023

White Plains, New York

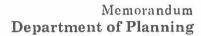
The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parken	Catherine F. Parken
88 888 15	

Budget & Appropriations

Public Works & Transportation





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB210 PELHAM SHORE ROAD, CR 65A, PELHAM

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

<u>09-20-2022</u> (Unique ID: <u>2034</u>)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

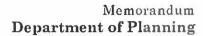
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB212 BRYANT AVENUE, CR 153, WHITE PLAINS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2035)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;

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

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

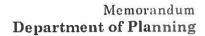
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB214 LAKE STREET, CR 32B, WHITE PLAINS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2036)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;

• 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

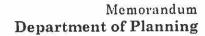
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB233 VIRGINIA ROAD, CR 35/51, MOUNT PLEASANT/NORTH CASTLE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2037)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

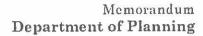
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB234 HEATHCOTE BYPASS, CR 143, SCARSDALE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2038)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

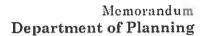
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB235 PEARL STREET, CR 43, PORT CHESTER

PROJECT/ACTION: Per Capit

Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2039)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

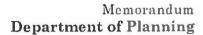
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB236 NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2040)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/dvw

Andrew Ferris. Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

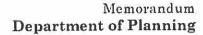
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB237 EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2041)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: Drainage work under this classification is limited to repair, rehabilitation, or modification of existing facilities not exceeding 4,000 square feet of new disturbance or resulting in significant alterations to flow or discharges that would impact the environment. Any drainage improvements exceeding such thresholds will be subject to further review pursuant to SEQR.

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

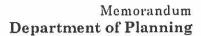
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

P0032 PLAYLAND PARKWAY, CR 152, RYE

PROJECT/ACTION:

Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2033)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: Drainage work under this classification is limited to repair, rehabilitation, or modification of existing facilities not exceeding 4,000 square feet of new disturbance or resulting in significant alterations to flow or discharges that would impact the environment. Any drainage improvements exceeding such thresholds will be subject to further review pursuant to SEQR.

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

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

REFERENCE P0032 RB210 RB212 RB214 RB233 RB234 RB235 RB236

RB237

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$16,640,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS COUNTY ROADWAY IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,640,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,640,000 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 design, construction and construction management associated with the rehabilitation of the following respective County roadways 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 \$16,640,000. The plan of financing includes the issuance of \$16,640,000 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	В
\$3,350,000	approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
800,000	approximately 0.32 miles of roadway from Pelham Manor/New Rochelle line to Bronx line including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
2,500,000	approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
425,000	approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work
600,000	approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters including milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
775,000	approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road including milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work
420,000	approximately 0.11 miles of roadway from Irving Avenue to King Street including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work

1,620,000	approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work
6,150,000	approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9 including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$16,640,000 bonds authorized by this Act are to be issued, 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 total amount of \$16,640,000. 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 \$16,640,000 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 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 , 20 and approved by the County Executive on the County of Westchester 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

Legislators on20 and the validity if such obligations we State of New York, is been complied with as an action, suit or pro-	y of the obligation authorized for authorized so fit the date of proceeding conte	which is published herewith, has been adopted by the Board of D and approved by the County Executive on, ions authorized by such Bond Act may be hereafter contested only or an object or purpose for which the County of Westchester, in the d to expend money or if the provisions of law which should have publication of this Notice were not substantially complied with, and esting such validity is commenced within twenty days after the obligations were authorized in violation of the provisions of the
inspection during non	mal business he	nded Bond Act summarized herewith shall be available for public ours at the Office of the Clerk of the Board of Legislators of the for a period of twenty days from the date of publication of this
WESTCHESTER, OR OF THE CONSTRUC THE COUNTY; STA' THE PLAN OF FINA HEREIN AUTHORIZ	DRIZING THE SO MUCH THE CTION OF VAIR TING THE ESTANCING SAID PROCESSING SAID SAID PROCESSING SAID SAID PROCESSING SAID SAID SAID SAID SAID SAID SAID SAID	ISSUANCE OF \$16,640,000 BONDS OF THE COUNTY OF HEREOF AS MAY BE NECESSARY, TO FINANCE THE COST RIOUS COUNTY ROADWAY IMPROVEMENTS IN AND FOR TIMATED TOTAL COST THEREOF IS \$16,640,000; STATING COST INCLUDES THE ISSUANCE OF \$16,640,000 BONDS OVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND sted on, 20)
object or purpose:	rehabilitation	construction management and construction associated with the of various County roadways in and for the County; all as set forth is Current Year Capital Budget, as amended
amount of obligations and period of probable		\$16,640,000; fifteen (15) years
Dated: White Plains,	_, 20 New York	
	5 C 4	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #		NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUD To Be Completed by 8	
X GENERAL FUNC		SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
RB210, RB212, RB2	14, RB233, RB234, RB235, RB236, RB237,	Capital Budget Amendment P0032
	SECTION B - BONDING AUT	
	To Be Completed by F	Colonia de Mandre Colonia
Total Principal	\$ 16,640,000 PPU	15 Anticipated Interest Rate 2.92%
Anticipated An	nnual Cost (Principal and Interest):	\$ 1,369,792
Total Debt Serv	vice (Annual Cost x Term):	\$ 20,546,880
Finance Depart	tment: Interest rates from December	5, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUDG To Be Completed by Submitting Departme	1.57
Potential Pelat	ted Expenses (Annual): \$	_
Potential Relat	ted Revenues (Annual): \$	•
	vings to County and/or impact of departnetall for current and next four years):	nent operations
(describe in de	tall for current and next four yearsy.	
,		
-	SECTION D - EMPLO	ARAIT
As	s per federal guidelines, each \$92,000 of a	NAME OF THE PROPERTY OF THE PR
Number of Full	Time Equivalent (FTE) Jobs Funded:	181
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
X County Staff	X Consultant	Not Applicable
Prepared by:	Jonna Robins	1
Title:	Capital Planning Program Administrato	Reviewed By:
Department:	Department of Public Works and Trans	Budget Director
Date:	12/5/22	Date: 12 7 22

Project ID:* RB210	□СВ	SA.	<u> </u>		act Sheet 1-03-2023		<u>S</u>	
Fact Sheet Year:* 2023	PELH	Project Title:* PELHAM SHORE ROAD, CR 65A, PELHAM			Legislative District ID:			
Category* Department:* ROADS & BRIDGES PUBLIC WORKS					CP Unique 034	e ID:		
Overall Project Description This project will fund the rehabiline.	itation of approx	imately 0.32 miles	of roadwa	y from Pe	Iham Man	or/New R	ochelle lir	ne to Bronx
■ Best Management Practices	□ Enc	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pro	ject Labor Agreem	ent] Revenue			
☐ Security	☐ Oth							
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	800	0	800	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	800	0	800	0	0	0	0	0
Current Bond Description: Furehabilitation of approximately 0 resurfacing; concrete curb replace. Financing Plan for Current Rec	nding is requested. 32 miles of road ement; drainage	ed for design, const	Manor/Ne	w Rochell	e line to E	Bronx line	including	milling;
Non-County Shares:	quest.	S 0						
Bonds/Notes:		800,000						
Cash:		0						
Total:		\$ 800,000						
SEQR Classification: TYPE II								
Amount Requested: 800,000								
Comments: PCI: 62 (2019); AADT: 10,642								
Energy Efficiencies:								
Total Financing History: 0								

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

Date 09-20-2022

Budget Department

LMYI

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 196

PELHAM SHORE ROAD, CR 65A, PELHAM (RB210)

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 2023 2024 2025 2026 2027 Under Review

Gross

800

800

80

Non County Share

Total 800

800

Project Description

This project will fund the rehabilitation of approximately 0.32 miles of roadway from Pelham Manor/New Rochelle line to Bronx line.

Current Year Description

The current year request funds design, construction and construction management.

Current Ye	ar Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	800.000			800,000

Impact on Operating Budget

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

Project ID:* RB212	□СВА					Date:*		
Fact Sheet Year:* 2023	Project Title:* BRYANT AVENUE, CR 153, WHITE PLAINS				egislative	District I	D:	
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS				P Unique	ID:		
Overall Project Description This project will fund the rehabilit eastbound.	tation of approx	timately 0,64 miles	of roadway	/ from No	rth Street	to Westch	ester Ave	nue
■ Best Management Practices	□ En	ergy Efficiencies		ж	Infrastru	cture		
■ Life Safety		oject Labor Agreeme	ent		Revenue			
□ Security	□ Otl	3						
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	2,500	0	2,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
ATTENDED TO THE PROPERTY OF TH			0.500				0	
Net Expended/Obligated Amount (in	2,500	0	2,500	0	0	0	0	0
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace Financing Plan for Current Requirements	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, constitution with the second secon	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.6 resurfacing; concrete curb replace Financing Plan for Current Req Non-County Shares:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace Financing Plan for Current Req Non-County Shares: Bonds/Notes:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, constitution with the state of th	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.4 resurfacing; concrete curb replace Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic \$ 0 2,500,000 0	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.4 resurfacing; concrete curb replace Financing Plan for Current Red Non-County Shares: Bonds/Notes: Cash: Total:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic \$ 0 2,500,000 0	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur renabilitation of approximately 0.4 resurfacing; concrete curb replace Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic \$ 0 2,500,000 0	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace Financing Plan for Current Red Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic \$ 0 2,500,000 0	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic \$ 0 2,500,000 0	ruction ma	nagement	and cons	truction as	sociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.0 resurfacing; concrete curb replace Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 2,500,000 Comments:	2,500 n thousands) a nding is request 64 miles of roa ment; drainage	s of: 0 ed for design, const dway from North St repairs; new traffic \$ 0 2,500,000 0	ruction ma	nagement	and cons	truction as	sociated v	vith the

Recommended By:

Department of Planning

WBB4 09-20-2022

Date

Date

Date

Department of Public Works

Date RJB4 09-20-2022

Budget Department

LMYI 09-22-2022

Requesting Department

JZR7 09-23-2022

Page 2 of 2 199 12-05-2022 12:50:15 PM

BRYANT AVENUE, CR 153, WHITE PLAINS (RB212)

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 P	ROGRAM (in thousands)							
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	2,500		2,500					
Total	2,500		2,500					

Project Description

This project will fund the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound.

Current Year Description

The current year request funds design, construction and construction management.

Current Yea	r Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	2,500,000			2,500,000

Impact on Operating Budget

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

Project ID:* RB214	_	act Sheet 1-03-2023						
Fact Sheet Year:* 2023	Project Title:* LAKE STREET, CR 32B, WHITE PLAINS				egislative	District	ID:	
Category* ROADS & BRIDGES	Department:* GES PUBLIC WORKS					e ID:		
Overall Project Description This project will fund the rehabilit Boulevard.	ation of approx	cimately 0.23 miles	of roadwa _y	y from the	entrance	to Delfino	Park to F	larrison
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
Life Safety ✓	□ Pro	oject Labor Agreeme	ent		Revenue			
☐ Security	□ Oil	57 35						
FIVE-YEAR CAPITAL PROGI	Property Section 1997	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	. 425	0	425	0	0	0	0	0
Lass Non County Change	0	0	0	0	0	0	0	0
Less Non-County Shares	The state of the s			and the same of				
Net Expended/Obligated Amount (in	425	0	425	0	0	0	0	0
Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaces	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ted for design, const dway from the entra repairs; new traffic	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ted for design, const dway from the entra repairs; new traffic \$ 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ted for design, const dway from the entra repairs; new traffic \$ 0 425,000	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const dway from the entra repairs; new traffic \$ 0 425,000 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ted for design, const dway from the entra repairs; new traffic \$ 0 425,000	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const dway from the entra repairs; new traffic \$ 0 425,000 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const dway from the entra repairs; new traffic \$ 0 425,000 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const dway from the entra repairs; new traffic \$ 0 425,000 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaced Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const dway from the entra repairs; new traffic \$ 0 425,000 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.2 resurfacing; concrete curb replaces Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 425,000 Comments:	425 1 thousands) and ding is request 23 miles of roamment; drainage	s of: 0 ded for design, const dway from the entra repairs; new traffic \$ 0 425,000 0	425	0 nnagemen fino Park	t and cons	truction as	ssociated v	vith the

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

Date 09-20-2022

Budget Department

LMYI

Date

Requesting Department

JZR7

09-22-2022

Date

09-23-2022

Page 2 of 2 202

LAKE STREET, CR 32B, WHITE PLAINS (RB214)

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	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	425		425					
Total	425		425					

Project Description

This project will fund the rehabilitation of approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard.

Current Year Description

The current year request funds design, construction and construction management.

C	urrent Year	Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
	2023	425,000			425,000

Impact on Operating Budget

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

Project ID:* RB233	□СВ	A		-	act Sheet 1-03-2023			,
Fact Sheet Year:* 2023	VIRG	et Title:* INIA ROAD, CR 3 SANT/NORTH CA			.egislative ,	District	ID:	
Category* ROADS & BRIDGES	7.5	rtment:* JC WORKS			CP Unique 037	: ID:		
Overall Project Description This project will fund the rehabili the Bronx River Parkway and from					Bronx R	iver Parkv	vay to 270	north of
■ Best Management Practices	□ Enc	ergy Efficiencies		(X] Infrastru	cture		
■ Life Safety] Revenue			
☐ Security	□ Oth							
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)	-C000/w	197				
>	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	600	0	600	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	600	0	600	0	0	0	0	0
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0. and from North Broadway to Was replacement; drainage work; new	nding is requeste 26 miles of road hington's Heado	ed for design, const lway from the Bron quarters including n	x River Pa nilling; res	rkway to surfacing;	270' north guide rail	of the Br	onx River	vith the Parkway
Financing Plan for Current Rec	uest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		600,000						
Cash:		0						
Total:		\$ 600,000			333			
SEQR Classification: TYPE II								
Amount Requested: 600,000								
Comments: PCI: 61 (2019); AADT: 7,626								
Energy Efficiencies:								
Total Financing History:								

Recommended By:

Department of Planning

Date WBB4 09-20-2022

Department of Public Works

Date RJB4 09-20-2022

Budget Department

LMYI 09-22-2022

Date

Date

Requesting Department

JZR7 09-23-2022

Page 2 of 2 205 12-05-2022 12:23:30 PM

VIRGINIA ROAD, CR 35/51, MOUNT PLEASANT/NORTH CASTLE (RB233)

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	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	600		600					
Total	600		600					

Project Description

This project will fund the rehabilitation of approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters.

Current Year Description

The current year request funds design, construction and construction management.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	600,000		37010101370	600,000

Impact on Operating Budget

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

roject ID:* CBA B234 act Sheet Year:* Project Title:*				107/12	act Sheet 1-03-2023	875 (F5-7) 7013			
Fact Sheet Year:* 2023	HEAT	et Title:* FHCOTE BYPASS RSDALE	, CR 143,	L 5.	- T	District l	D:		
Category* ROADS & BRIDGES	Court States	rtment;* LIC WORKS			P Unique 038	ID:			
Overall Project Description This project will fund the rehabilit	ation of approx	imately 0.61 miles	of roadw ay	y from the	pedestria	n overpas:	s to Secor	Road.	
■ Best Management Practices	□ Enc	ergy Efficiencies		×	■ Infrastructure				
■ Life Safety	□ Pro	oject Labor Agreeme	ent		Revenue				
□ Security □ Other									
FIVE-YEAR CAPITAL PROGI	RAM (in thous	ands)				· · · · · · · · · · · · · · · · · · ·		e e	
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Course	775	0	775	0	0	0	0	0	
Gross				0	0	0	0	0	
Less Non-County Shares	775	0	775				-	7000	
- ALC - VIII - V	775	0	775	0	0	0	0	0	
Less Non-County Shares Net	775 1 thousands) as adding is requested miles of road	s of: 0 ed for design, const	775	nnagement	and cons	0 truction as	0	0	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6	775 1 thousands) as adding is requested miles of roacyork; new traffic	s of: 0 ed for design, const	775	nnagement	and cons	0 truction as	0	0 vith the	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w	775 1 thousands) as adding is requested miles of roacyork; new traffic	s of: 0 ed for design, const	775	nnagement	and cons	0 truction as	0	0 vith the	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes:	775 1 thousands) as adding is requested miles of roacyork; new traffic	s of: 0 ed for design, const tway from the peder e signal loops; new \$ 0 775,000	775	nnagement	and cons	0 truction as	0	0 vith the	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash:	775 1 thousands) as adding is requested miles of roacyork; new traffic	ed for design, const dway from the pedes c signal loops; new \$ 0 775,000 0	775	nnagement	and cons	0 truction as	0	0	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes:	775 1 thousands) as adding is requested miles of roacyork; new traffic	s of: 0 ed for design, const tway from the peder e signal loops; new \$ 0 775,000	775	nnagement	and cons	0 truction as	0	0 vith the	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash:	775 1 thousands) as adding is requested miles of roacyork; new traffic	ed for design, const dway from the pedes c signal loops; new \$ 0 775,000 0	775	nnagement	and cons	0 truction as	0	0 vith the	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification:	775 1 thousands) as adding is requested miles of roacyork; new traffic	ed for design, const dway from the pedes c signal loops; new \$ 0 775,000 0	775	nnagement	and cons	0 truction as	0	0	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:	775 1 thousands) as adding is requested miles of roacyork; new traffic	ed for design, const dway from the pedes c signal loops; new \$ 0 775,000 0	775	nnagement	and cons	0 truction as	0	0	
Less Non-County Shares Net Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.6 guide rail replacement; drainage w Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 775,000 Comments:	775 1 thousands) as adding is requested miles of roacyork; new traffic	ed for design, const dway from the pedes c signal loops; new \$ 0 775,000 0	775	nnagement	and cons	0 truction as	0	0 vith the	

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

09-20-2022

Date

Budget Department

LMY1

Date 09-22-2022

Requesting Department

JZR7

Date

09-23-2022

12-05-2022 12:24:07 PM Page 2 of 2 **208**

HEATHCOTE BYPASS, CR 143, SCARSDALE (RB234)

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	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	775		775					
Total	775		775					

Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road.

Current Year Description

The current year request funds design, construction and construction management.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	775,000			775,000

Impact on Operating Budget

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

	CAIT	IABIROJECI	IACI	OIII E				
Project ID:* RB235	□CE	BA			act Sheet 1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District	ID:	
2023	PEAI	RL STREET, CR 43 STER	, PORT	6	**			
Category*	Depa	rtment:*		C	P Unique	: 1D:		
ROADS & BRIDGES		LIC WORKS			039			
Overall Project Description This project will fund the rehabili	tation of approx	simately 0.11 miles	of roadwa	y from Irv	ing Aveni	ue to King	Street.	
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
Life Safety	□ Pro	oject Labor Agreem	ent		Revenue			
☐ Security								
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	420	0	420	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	420	0	420	0	0	0	0	0
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0, replacement; drainage work; new	nding is request	ed for design, const Iway from Irving A	venue to k	Cing Street	t including	truction as g milling;	ssociated v resurfacin	vith the g; curb
Financing Plan for Current Rec								
Non-County Shares:	120511	S 0						
Bonds/Notes:		420,000						
Cash:		0						
Total:		\$ 420,000						
SEQR Classification: TYPE II								
Amount Requested: 420,000								
Comments: PCI: 69 (2019); AADT: 5,469								
Energy Efficiencies:								
Total Financing History:								

Recommended By:

Department of Planning

Date WBB4 09-20-2022

Department of Public Works

Date 09-20-2022 RJB4

Date

Budget Department

LMYI 09-22-2022

Requesting Department Date

JZR7 09-23-2022

Page 2 of 2 211 12-05-2022 12:24:42 PM

PEARL STREET, CR 43, PORT CHESTER (RB235)

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 P	ROGRAM (in thousands)							
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	420		420					
Total	420		420					

Project Description

This project will fund the rehabilitation of approximately 0.11 miles of roadway from Irving Avenue to King Street.

Current Year Description

The current year request funds design, construction and construction management.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	420,000			420,000

Impact on Operating Budget

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

Project 1D:* RB236	□СВ	A			act Sheet 1-03-2023			
Fact Sheet Year:* 2023	NOR'	et Title:* TH DIVISION STR EET, CR 6311, PEER			.egislativo ,	District	ID:	
Category* ROADS & BRIDGES		rtment:* LIC WORKS			CP Unique 040	: ID:		
Overall Project Description This project will fund the rehability	tation of approx	imately 0.54 miles	of roadwa	y from Hi	ghland Av	enue to V	/ashingtor	ı Avenue.
■ Best Management Practices	□ Enc	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pro	ject Labor Agreem	ent] Revenue			
☐ Security	☐ Other							
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)		,				,,
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	1,620	1,000	620	0	0	0	0	(
Less Non-County Shares Net	1,620	1,000	620	0	0	0	0	(
resurfacing; curb replacement; dra Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total:	1 23 3 24	\$ 0 1,620,000 0 \$ 1,620,000	ss, new pa		arkings u	ia remica	work.	
SEQR Classification: TYPE II		3 1,020,000						
Amount Requested: 1,620,000								
Comments: PCI: 75 (2019); AADT: 5,992								
Energy Efficiencies:								
Appropriation History:								
Year 2022 Total Appropriation History: 1,000,000	Amount 1,000,00	00 DESIGN, CONS	STRUCTI		cription CONSTR	UCTION	MANAG	EMENT
Total Financing History:								

Recommended By:

Department of Planning

WBB4 09-20-2022

Date

Date

Date

Date

Department of Public Works

RJB4 09-20-2022

Budget Department

LMY1 09-22-2022

Requesting Department

JZR7 09-23-2022

12-05-2022 12:25:09 PM Page 2 of 2 **214**

NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL (RB236)

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** 2023 Exp / Obl 2024 2025 2026 2027 Under Review Gross 620 1,620 1,000 **Non County Share** Total 620 1,620 1,000

Project Description

This project will fund the rehabilitation of approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue.

Current Year Description

The current year request funds additional costs for this project.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	620,000		011111	620,000

Impact on Operating Budget

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

opriation	History					
Year	Amount	Description	Status			
2022	1,000,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION			
Total	1,000,000					

Prior Appropriations				
	Appropriated	Collected	Uncollected 1,000,000	
Bond Proceeds	1,000,000			
Total	1.000.000		1,000,000	

<u> </u>									
Project ID:* RB237	□СВА			200	Fact Sheet Date:* 01-03-2023				
Fact Sheet Year:* 2023	EAST	Project Title:* EAST/WEST MAIN STREET, CR25/251, PEEKSKILL				Legislative District ID:			
Category* ROADS & BRIDGES	no marifer care	Department:* PUBLIC WORKS			CP Unique ID: 2041				
Overall Project Description This project will fund the rehabili Broad Street and approximately 0	tation of approx	timately 1.4 miles o t Main Street from	f East Mai North Div	in Street fi ision Stree	rom from et to Route	the Cortla	ndt/Peeks	kill Line to	
■ Best Management Practices	☐ Energy Efficiencies			x	■ Infrastructure				
■ Life Safety	☐ Project Labor Agreement				Revenue				
☐ Security	□ Other								
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)							
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Gross	6,150	2,500	3,650	0	0	0		0	
Less Non-County Shares	0	0	0	0	0	0		0	
Net	6,150	2,500	3,650	0	0	0	0	0	
Current Bond Description: Furchabilitation of approximately 1. approximately 0.5 miles of West replacement; drainage work; new Financing Plan for Current Reconstruction Shares: Bonds/Notes: Cash:	4 miles of East Main Street fror traffic signal lo	Main Street from the North Division St	e Cortland reet to Ro	lt/Peekski ute 9 incli	Il Line to a	Broad Str	eet and		
Total:	\$ 6,150,000								
SEQR Classification: TYPE II Amount Requested: 6,150,000									
Comments: PCI: 76 (2019); AADT: 12,346									
Energy Efficiencies:									
Appropriation History:									
Year 2022 Total Appropriation History: 2,500,000	Amount 2,500,00	00 DESIGN, CONS	STRUCTI		cription CONSTR	UCTION	MANAG	EMENT	
Total Financing History:									

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

09-20-2022

Date

Budget Department

LMYI

Date 09-22-2022

Requesting Department

JZR7

Date

09-23-2022

12-05-2022 12:25:43 PM Page 2 of 2 **217**

EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL (RB237)

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 P	ROGRAM (in	thousands)							
	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	6,150	2,500		3,650					
Total	6,150	2,500	The second state of	3,650					

Project Description

This project will fund the rehabilitation of approximately 1.4 miles of East Main Street from the Cortland/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9.

Current Year Description

The current year request funds additional costs for this project.

Current Yea	r Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	3,650,000			3,650,000

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
2022	2,500,000	Design, construction and construct	ion management AWAITING BOND AUTHORIZATION
Total	2,500,000		

Prior Appropriations				
	Appropriated	Collected	Uncollected	
Bond Proceeds	2,500,000		2,500,000	
Total	2,500,000		2,500,000	

CAPITAL PROJECT FACT SHEET

	CAFI	TAL PROJEC	FACI	SHEEL				
Project ID:* □ CBA P0032					Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:* 2023	Project Title:* Legislative District ID: PLAYLAND PARKWAY, CR 152, RYE 7,							
Category* PARKWAYS	Department:* CP Unique ID: PUBLIC WORKS 2033							
Overall Project Description This project will fund the rehabili 147)/Thruway Access Road (CR concrete curb replacement; drains	tation of approx	ximately 1.14 miles	ton Post R	y from Pl	ayland Pa	scluding n	cess Road nilling; res	(CR surfacing;
■ Best Management Practices	□ En	ergy Efficiencies		Я] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue	:		
☐ Security	□ Ot			_		*		
FIVE-YEAR CAPITAL PROG	RAM (in thou	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,350	0	3,350	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Expended/Obligated Amount (in		55						1
Current Bond Description: Fur rehabilitation of approximately 1. 148) to Forest Avenue and the Bo drainage repairs; new traffic loops	14 miles of road ston Post Road s; new pavemen	lway from Playland Access Ramp inclu	Parkway	Access Re	and (CR 1	47)/Thruv	unv Acces	e Road (CR
Financing Plan for Current Req	uest:	•						
Non-County Shares: Bonds/Notes:		\$ 0						
Cash:		3,350,000						
Total:		\$ 3,350,000						
SEQR Classification: TYPE II								
Amount Requested: 3,350,000								
Comments: PCI: 68 (2019); AADT: 6,016								
Energy Efficiencies:								
Total Financing History: 0								

Page 1 of 2 219

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

Date 09-20-2022

Budget Department

LMYI

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

12-05-2022 12:26:10 PM Page 2 of 2 **220**

PLAYLAND PARKWAY, CR 152, RYE (P0032)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL P	PROGRAM (in thousands)				delign, "in years.	TOTAL CHEET		
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	3,350		3,350					***************************************
Total	3,350		3,350					

Project Description

This project will fund the rehabilitation of approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp 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, construction and construction management.

C	urrent Year	Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
	2023	3,350,000			3,350,000

Impact on Operating Budget

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

(BOND ACT 7 - 2023

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 aggregate amount of \$16,640,000 to authorize the County of Westchester (the "County") to finance the following nine (9) capital projects:

RB210 - Pelham Shore Rd, CR 65A, Pelham

RB212 - Bryant Ave, CR 153, White Plains

RB214 - Lake St, CR 32B, White Plains

RB233 - Virginia Rd, CR 35/51, Mt. Pleasant/ North Castle

RB234 - Heathcote Bypass, CR 143, Scarsdale

RB235 - Pearl St, CR 43, Port Chester

RB236 - North Division St/South St, CR 63II, Peekskill

RB237 - East/West Main St, CR 25/25I, Peekskill

P0032 - Playland Parkway, CR 152, Rye

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 \$16,640,000 to finance the cost of design and construction associated with the rehabilitation of various County roads and related work, including:

- (i) Rehabilitation of approximately 0.32 miles of Pelham Shore Road from the Pelham Manor/New Rochelle line to the Bronx line. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.
- (ii) Rehabilitation of approximately 0.64 miles of Bryant Avenue from North Street to Westchester Avenue eastbound. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.
- (iii) Rehabilitation of approximately 0.23 miles of Lake Street from the entrance to Delfino Park to Harrison Boulevard. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

- (iv) Rehabilitation of approximately 0.26 miles of Virginia Road from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters. The work will include milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (v) Rehabilitation of approximately 0.61 miles of the Heathcote Bypass from the pedestrian overpass to Secor Road. The work will include milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (vi) Rehabilitation of approximately 0.11 miles of Pearl Street from Irving Avenue to King Street. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (vii) Rehabilitation of approximately 0.54 miles of North Division Street/South Street from Highland Avenue to Washington Avenue. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- (viii) Rehabilitation of approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.
- rehabilitation of approximately 1.14 miles of roadway from Playland Parkway

 Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the

 Boston Post Road Access Ramp. The work will include milling; resurfacing;

 concrete curb replacement; drainage repairs; new traffic loops; new pavement

 markings and related work.

Your Committee is advised that the anticipated cost estimates, anticipated project timeline, and whether the design is anticipated to be undertaken in-house or by consultants for each capital project is set forth below:

BOND ACT - ROAD RESURFACING PROJECTS

Cap ID	Project	Anticipated Amount	PCI	AADT	Design Assignment		Frame onths)
						Design	Const
RB210	Pelham Shore Rd, CR 65A, Pelham	\$800,000	62	10,642	Staff	6	4
RB212	Bryant Ave, CR 153, White Plains	\$2,500,000	64	7,129	Consultant	8	6
RB214	Lake St, CR 32B, White Plains	\$425,000	54	13,208	Staff	5	4
RB233	Virginia Rd, CR 35/51, Mt. Pleasant/ North Castle	\$600,000	61	7,626	Staff	6	4
RB234	Heathcote Bypass, CR 143, Scarsdale	\$775,000	62	4,740	Staff	6	8
RB235	Pearl St, CR 43, Port Chester	\$420,000	69	5,469	Staff	6	4
RB236	North Division St/South St, CR 63II, Peekskill	\$1,620,000	75	5,993	Consultant	9	6
RB237	East/West Main St, CR 25/25I, Peekskill	\$6,150,000	76	12,346	Consultant	12	8
P0032	Playland Parkway, CR 152, Rye	\$3,350,000	68	6,016	Consultant	9	6
Total:	-	\$16,640,000					

Your Committee is advised that the proposed Bond Act authorizes financing for like objects or purposes in connection with multiple capital projects. It is hoped that by combining projects that have the same objects and purposes into a single bond act, the County can dramatically reduce the amount of bond legislation that your Honorable Board would be required to review, thereby expediting the approval process and avoiding backlogs.

The Planning Department has advised your Committee that based on its review, the above-referenced capital projects have 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.

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: January 1th, 20<u>23</u> White Plains, New York

Vedat fat n.

Manye Dave

COMMITTEE OF

jpg/11-30-22

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Solf Q Cuture by Yang San

Pof

Budget & Appropriations

Public Works & Transportation

Dated: January 9, 2023

White Plains, New York

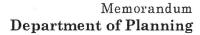
The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

COMMITTEES ON

Catherine F. Parker	Catherine F. Parken

Budget & Appropriations

Public Works & Transportation





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB210 PELHAM SHORE ROAD, CR 65A, PELHAM

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2034)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

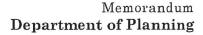
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB212 BRYANT AVENUE, CR 153, WHITE PLAINS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2035)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

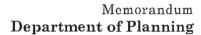
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB214 LAKE STREET, CR 32B, WHITE PLAINS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2036)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

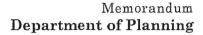
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB233 VIRGINIA ROAD, CR 35/51, MOUNT PLEASANT/NORTH CASTLE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2037)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

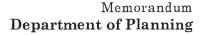
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB234 HEATHCOTE BYPASS, CR 143, SCARSDALE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

<u>09-20-2022</u> (Unique ID: <u>2038</u>)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

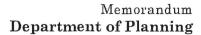
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB235 PEARL STREET, CR 43, PORT CHESTER

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2039)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

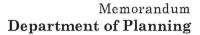
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB236 NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2040)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

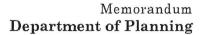
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB237 EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2041)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: Drainage work under this classification is limited to repair, rehabilitation, or modification of existing facilities not exceeding 4,000 square feet of new disturbance or resulting in significant alterations to flow or discharges that would impact the environment. Any drainage improvements exceeding such thresholds will be subject to further review pursuant to SEQR.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

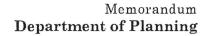
Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner





Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

P0032 PLAYLAND PARKWAY, CR 152, RYE

PROJECT/ACTION:

Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2033)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: Drainage work under this classification is limited to repair, rehabilitation, or modification of existing facilities not exceeding 4,000 square feet of new disturbance or resulting in significant alterations to flow or discharges that would impact the environment. Any drainage improvements exceeding such thresholds will be subject to further review pursuant to SEQR.

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

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

REFERENCE P0032 RB210 RB212 RB214 RB233 RB234

> RB235 RB236

RB237

ACT NO. 7 -2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$16,640,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS COUNTY ROADWAY IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$16,640,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,640,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 01/09, 2023)

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 design, construction and construction management associated with the rehabilitation of the following respective County roadways as

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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 \$16,640,000. The plan of financing includes the issuance of \$16,640,000 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	В
\$3,350,000	approximately 1.14 miles of roadway from Playland Parkway Access
Ψ2,320,000	Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and
	the Boston Post Road Access Ramp including milling; resurfacing;
	concrete curb replacement; drainage repairs; new traffic loops; new
	pavement markings and related work
800,000	approximately 0.32 miles of roadway from Pelham Manor/New Rochelle
	line to Bronx line including milling; resurfacing; concrete curb
	replacement; drainage repairs; new traffic loops; new pavement markings
	and related work
2,500,000	approximately 0.64 miles of roadway from North Street to Westchester
	Avenue eastbound including milling; resurfacing; concrete curb
	replacement; drainage repairs; new traffic loops; new pavement markings
425.000	and related work
425,000	approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard including milling; resurfacing; concrete curb
	replacement; drainage repairs; new traffic loops; new pavement markings
	and related work
600,000	approximately 0.26 miles of roadway from the Bronx River Parkway to
000,000	270' north of the Bronx River Parkway and from North Broadway to
	Washington's Headquarters including milling; resurfacing; guide rail
	replacement; curb replacement; drainage work; new traffic signal loops;
	new pavement markings and related work
775,000	approximately 0.61 miles of roadway from the pedestrian overpass to
	Secor Road including milling; resurfacing; guide rail replacement;
	drainage work; new traffic signal loops; new pavement markings and
	related work
420,000	approximately 0.11 miles of roadway from Irving Avenue to King Street
	including milling; resurfacing; curb replacement; drainage work; new
	traffic signal loops; new pavement markings and related work

1,620,000	approximately 0.54 miles of roadway from Highland Avenue to			
	Washington Avenue including milling; resurfacing; curb replacement;			
	drainage work; new traffic signal loops; new pavement markings and			
	related work			
6,150,000	approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill			
	Line to Broad Street and approximately 0.5 miles of West Main Street			
	from North Division Street to Route 9 including milling; resurfacing;			
	curb replacement; drainage work; new traffic signal loops; new pavement			
	markings and related work			

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$16,640,000 bonds authorized by this Act are to be issued, 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 total amount of \$16,640,000. 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 \$16,640,000 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 in accordance with Section 107.71 of the Westchester County Charter.

* * *

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	l:	NO FISCAL IMPACT PROJECTED						
SECTION A - CAPITAL BUDGET IMPACT								
To Be Completed by Budget								
X GENERAL FUNI	AIRPORT FUND	SPECIAL DISTRICTS FUND						
	Source of County Funds (check one):	X Current Appropriations						
		Capital Budget Amendment						
RB210, RB212, RB2	14, RB233, RB234, RB235, RB236, RB237,	P0032						
	SECTION B - BONDING AUT To Be Completed by I							
Total Principal	\$ 16,640,000 PPU	15 Anticipated Interest Rate 2.92%						
Anticipated An	nual Cost (Principal and Interest):	\$ 1,369,792						
Total Debt Serv	vice (Annual Cost x Term):	\$ 20,546,880						
Finance Depart	tment: Interest rates from December	5, 2022 Bond Buyer - ASBA						
S	ECTION C - IMPACT ON OPERATING BUDG	GET (exclusive of debt service)						
	To Be Completed by Submitting Departme	ent and Reviewed by Budget						
Potential Relat	ed Expenses (Annual): \$	-						
Potential Relat	ed Revenues (Annual): \$	-						
Anticipated say	vings to County and/or impact of departn	nent operations						
-	etail for current and next four years):							
	SECTION D - EMPLO	YMENT						
As	per federal guidelines, each \$92,000 of a	ppropriation funds one FTE Job						
Number of Full Time Equivalent (FTE) Jobs Funded: 181								
SECTION E - EXPECTED DESIGN WORK PROVIDER								
X County Staff	X Consultant	Not Applicable						
Prepared by:	Jonna Robins							
Title:	Capital Planning Program Administrator	Reviewed By:						
Department:	Department of Public Works and Trans	Budget Director						
Date:	12/5/22	Date: 12 7 22						

CAPITAL PROJECT FACT SHEET

Project ID:* RB210	□CI	BA			act Sheet			
KD210				U	1-03-2023	5		
Fact Sheet Year:*	•	ect Title:*			egislative	District 1	ID:	
2023		HAM SHORE ROA HAM	D, CR 65	A, 1	1,			
Category*	Depa	rtment:*		C	CP Unique	e ID:		
ROADS & BRIDGES	PUB	LIC WORKS		2	034			
Overall Project Description This project will fund the rehabili line.	tation of approx	ximately 0.32 miles	of roadwa	y from Pe	lham Man	or/New R	ochelle lir	ne to Bronz
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
Life Safety	□ Pro	oject Labor Agreem	ent		Revenue			
☐ Security	Ot	her						
FIVE-YEAR CAPITAL PROG	RAM (in thou	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	800	0	800	0	0	0	0	(
Less Non-County Shares	0	0	0	0	0	0	0	(
Net	800	. 0	800	0	0	0	0	(
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 0.1 resurfacing; concrete curb replace	nding is request 32 miles of road ment; drainage	ted for design, const dway from Pelham I	Manor/Ne	w Rochell	e line to E	Bronx line	including	with the milling;
Financing Plan for Current Req Non-County Shares:	luest:	\$ 0						
Bonds/Notes:		800,000						
Cash:		0						
Total:		\$ 800,000						
SEQR Classification: TYPE II								
Amount Requested: 800,000								
Comments: PCI: 62 (2019); AADT: 10,642								
. ,,								
Energy Efficiencies:								

Recommended By:

Department of PlanningWBB4

O9-20-2022

Department of Public WorksRJB4

09-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting DepartmentDateJZR709-23-2022

PELHAM SHORE ROAD, CR 65A, PELHAM (RB210)

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.

	Est Illt Cost Ammonisted	Evm / Ohl	2022	2024	2025	2026	2027	l l m al a
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Unde Revie
Gross	800		800					
Non County Share								
Total	800		800					

Project Description

This project will fund the rehabilitation of approximately 0.32 miles of roadway from Pelham Manor/New Rochelle line to Bronx line.

Current Year Description

The current year request funds design, construction and construction management.

Year	Bonds	Cash	Non County	Tota
			Shares	

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB212	□ CE	BA		_	act Sheet 1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District 1	ID:	
2023	BRY. PLAI	ANT AVENUE, CF	R 153, WH	HITE 5	,			
Category*	Depa	rtment:*		C	P Unique	e ID:		
ROADS & BRIDGES	PUBI	LIC WORKS		2	035			
Overall Project Description This project will fund the rehabilitiestbound.	tation of approx	ximately 0.64 miles	of roadwa	y from No	orth Street	to Westch	nester Ave	nue
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent		Revenue	7		
☐ Security	□ Otl							
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	2,500	0	2,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,500	0	2,500	0	0	0	0	0
Expended/Obligated Amount (i Current Bond Description: Furehabilitation of approximately 0. resurfacing; concrete curb replace Financing Plan for Current Rec	nding is request 64 miles of road ement; drainage	ed for design, const	reet to We	estchester	Avenue ea	stbound in	ncluding n	vith the
Non-County Shares:	1 uest.	\$ 0						
Bonds/Notes:		2,500,000						
Cash:		0						
Total:		\$ 2,500,000						
SEQR Classification: TYPE II								
Amount Requested: 2,500,000								
Comments: PCI: 64 (2019); AADT: 7,129								
Energy Efficiencies:								
Energy Efficiencies.								

Recommended By:

Department of Planning

Date WBB4 09-20-2022

Department of Public Works

Date **RJB4** 09-20-2022

Budget Department

LMY1 09-22-2022

Date

Date

Requesting Department

09-23-2022 JZR7

BRYANT AVENUE, CR 153, WHITE PLAINS (RB212)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

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 2023 2024 2025 2027 2026 Under Review

Gross

Total

2,500

2,500

Non County Share

2,500

2,500

Project Description

This project will fund the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound.

Current Year Description

The current year request funds design, construction and construction management.

1			Share
Year	Bonds	Cash	Non Count
Current Year	Financing Plan		

2023 2,500,000 2,500,000

Total

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

	CINI	THE TROOPE						
Project ID:* RB214	□ CF	BA			act Sheet 1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District	ID:	
2023	LAK PLAI	E STREET, CR 32E NS	B, WHITE	5	,			
Category*	Depa	rtment:*		C	P Unique	e ID:		
ROADS & BRIDGES	PUB	LIC WORKS		2	036			
Overall Project Description This project will fund the rehability Boulevard.	tation of approx	cimately 0.23 miles	of roadwa	y from the	e entrance	to Delfino	o Park to F	Iarrison
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
☑ Life Safety	□ Pro	oject Labor Agreem	ent	2] Revenue	-		
☐ Security	□ Otl	her						
FIVE-YEAR CAPITAL PROG	T	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	425	0	425	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	425	0	425	0	0	0	0	0
Expended/Obligated Amount (i	n thousands) a	s of: 0				-		
Current Bond Description: Further rehabilitation of approximately 0. resurfacing; concrete curb replace	23 miles of road	dway from the entra	nce to Del	fino Park	to Harriso	on Boulev	ard includi	ing milling;
Financing Plan for Current Rec	quest:							
Non-County Shares:	•	\$ 0						
Bonds/Notes:		425,000						
Cash:		0						
Total:	3	\$ 425,000						
SEQR Classification:								
TYPE II								
Amount Requested:								
425,000								
Comments:								
PCI: 54 (2019); AADT: 13,208								
Energy Efficiencies:								
Total Financing History:								
0								

Recommended By:

Department of Planning

WBB4 09-20-2022

Date

Department of Public WorksDateRJB409-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

LAKE STREET, CR 32B, WHITE PLAINS (RB214)

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 P	ROGRAM (in thousands)							Act of the second
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	425		425					
Total	425		425					

Project Description

This project will fund the rehabilitation of approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard.

Current Year Description

The current year request funds design, construction and construction management.

and the same of the same	THE RESERVE OF THE PARTY OF THE		China de la confesio de la companya	State of the State
Year	Bonds	Cash	Non County	To
			Shares	

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB233		BA		-	act Sheet 1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District l	ID:	
2023	VIRG	SINIA ROAD, CR 3 ASANT/NORTH CA	5/51, MO ASTLE		_			
Category* ROADS & BRIDGES	_	rtment:* LIC WORKS			P Unique	ID:		
Overall Project Description								
This project will fund the rehabilithe Bronx River Parkway and fro	itation of approx m North Broadv	imately 0.26 miles ovay to Washington's	of roadwa	y from the	Bronx Ri	ver Parkw	vay to 270'	north of
Best Management Practices	□ Enc	ergy Efficiencies		x] Infrastru	cture		
x Life Safety	□ Pro	ject Labor Agreeme	ent		Revenue			
☐ Security	□ Otl	ner						
FIVE-YEAR CAPITAL PROG		ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	600	0	600	0	0	0	0	
T NI C C		Δ.	0	0	0	0	0	
Net Expended/Obligated Amount (i			600	0	0	0	0	
Less Non-County Shares Net Expended/Obligated Amount (i Current Bond Description: Furehabilitation of approximately 0, and from North Broadway to Warreplacement; drainage work; new	n thousands) as nding is request 26 miles of road shington's Head	s of: 0 ed for design, constitution the Brond quarters including m	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (i Current Bond Description: Furehabilitation of approximately 0, and from North Broadway to Was	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	s of: 0 ed for design, constitution the Brond quarters including m	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (i Current Bond Description: Fu rehabilitation of approximately 0 and from North Broadway to Was replacement; drainage work; new	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	s of: 0 ed for design, constitution the Brond quarters including m	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (i Current Bond Description: Furehabilitation of approximately 0, and from North Broadway to Wareplacement; drainage work; new Financing Plan for Current Recognition	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution of the Bromquarters including mops; new pavement	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Further Fund From North Broadway to Wasterplacement; drainage work; new Financing Plan for Current Research Non-County Shares: Bonds/Notes: Cash:	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (i Current Bond Description: Furehabilitation of approximately 0, and from North Broadway to Warreplacement; drainage work; new Financing Plan for Current Reconstruction of the property of the p	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Broniquarters including mops; new pavement \$ 0 600,000	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the Parkway
Expended/Obligated Amount (in Current Bond Description: Further Fund From North Broadway to Wasterplacement; drainage work; new Financing Plan for Current Research Non-County Shares: Bonds/Notes: Cash:	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (i Current Bond Description: Furehabilitation of approximately 0, and from North Broadway to Wasterplacement; drainage work; new Financing Plan for Current Resolution Plan for Current Plan for Current Resolution Plan for Current Plan	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the
Expended/Obligated Amount (in Current Bond Description: Further Fund From North Broadway to Wasterplacement; drainage work; new Financing Plan for Current Research Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification:	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the Parkway
Expended/Obligated Amount (in Current Bond Description: Further Fund Description: Further Fund For Current Bond Broadway to Wasterplacement; drainage work; new Financing Plan for Current Reservations (Cash: Total: SEQR Classification: TYPE II	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the Parkway
Expended/Obligated Amount (in Current Bond Description: Further Fund Fund Fund Fund Fund Fund Fund Fund	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the Parkway
Expended/Obligated Amount (in Current Bond Description: Further Fund of approximately 0. and from North Broadway to Warreplacement; drainage work; new Financing Plan for Current Research Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 600,000 Comments: PCI: 61 (2019); AADT: 7,626	n thousands) as nding is request 26 miles of road shington's Head traffic signal lo	ed for design, constitution on the Brom quarters including mops; new pavement \$ 0 600,000 0	ruction max River Panilling; res	anagement arkway to surfacing;	and cons 270' north guide rail	truction as	ssociated v	vith the

Recommended By:

Department of Planning

Date WBB4 09-20-2022

Department of Public Works

Date RJB4 09-20-2022

Budget Department

LMY1 09-22-2022

Date

Requesting Department

Date JZR7 09-23-2022

VIRGINIA ROAD, CR 35/51, MOUNT PLEASANT/NORTH CASTLE (RB233)

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 P	ROGRAM (in thousands)	A SHE WILLIAM SHE SHE SHE						
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	600		600					
Total	600		600					

Project Description

This project will fund the rehabilitation of approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters.

Current Year Description

The current year request funds design, construction and construction management.

	A PARTICIPATION OF THE PARTICI	TOTAL SOME AT REAL PROPERTY AND PARTY SHAPE OF THE OWNER.	All the study of the market of the recognition of the position of the second of	attanger of Assessed
Year	Bonds	Cash	Non County	Tot
			Shares	

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB234	□СВ	3A			act Sheet 1-03-2023					
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District I	D:			
2023		THCOTE BYPASS, RSDALE	CR 143,	5,						
Category*	Depa	rtment:*		C	P Unique	ID:				
ROADS & BRIDGES	-	LIC WORKS			038					
Overall Project Description This project will fund the rehabili	tation of approx	imately 0.61 miles	of roadway	y from the	pedestria	n overpass	s to Secor	Road.		
■ Best Management Practices	□ En	ergy Efficiencies		▼ Infrastructure						
■ Life Safety	□Pro	☐ Project Labor Agreement				Revenue				
☐ Security	□ Oth	ner .								
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)								
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review		
Gross	775	0	775	0	0	0	0	0		
Less Non-County Shares	0	0	0	0	0	0	0	0		
Net	775	0	775	0	0	0	0	C		
Current Bond Description: Fur rehabilitation of approximately 0. guide rail replacement; drainage v	61 miles of road work; new traffi	lway from the pedes	strian over	pass to Se	cor Road	including	sociated v	vith the esurfacing;		
Financing Plan for Current Rec Non-County Shares:	<u> juest:</u>	\$ 0								
Bonds/Notes:		775,000								
Cash:		0								
Total:		\$ 775,000								
SEQR Classification: TYPE II		\$ 775,000								
SEQR Classification:		\$ 775,000								
SEQR Classification: TYPE II Amount Requested:		\$ 775,000								
SEQR Classification: TYPE II Amount Requested: 775,000 Comments:		\$ 775,000								

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

Date

09-20-2022

Budget Department

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 **255**

HEATHCOTE BYPASS, CR 143, SCARSDALE (RB234)

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 P	ROGRAM (in thousands)	The state of the s						
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	775		775					
Total	775		775					

Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road.

Current Year Description

The current year request funds design, construction and construction management.

Shares	

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

	CILII	IND I ROOLE I	Inci		1.0			
Project ID:* RB235	□ CI	ВА			act Sheet 1-03-2023			
Fact Sheet Year:*	Proje	ect Title:*		L	egislative	District 1	ID:	
2023	PEA	RL STREET, CR 43 STER	, PORT	6				
Category*	Depa	rtment:*		C	P Unique	e ID:		
ROADS & BRIDGES	-	LIC WORKS			039			
Overall Project Description This project will fund the rehabil	itation of approx	ximately 0.11 miles	of roadwa	y from Irv	ing Aven	ue to King	Street.	
Best Management Practices] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	Ot							
_ sociality								
FIVE-YEAR CAPITAL PROG	RAM (in thou	sands)	5					
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	420	0	420	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	420	0	420	0	0	0	0	0
Current Bond Description: Furehabilitation of approximately 0 replacement; drainage work; new Financing Plan for Current Re	inding is request 11 miles of roa traffic signal lo	ted for design, const	venue to k	Ling Stree	t including	truction as g milling;	ssociated v resurfacin	with the g; curb
Non-County Shares:	quest.	\$ 0						
Bonds/Notes:		420,000						
Cash:		0						
Total:		\$ 420,000						
SEQR Classification: TYPE II Amount Requested:								
420,000 Comments:								
PCI: 69 (2019); AADT: 5,469								
Energy Efficiencies:								
Total Financing History: 0								

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

Date

RJB4

09-20-2022

Budget Department

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 **258**

PEARL STREET, CR 43, PORT CHESTER (RB235)

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.

IVE YEAR CAPITAL P	ROGRAM (in thousands)							
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	420		420					1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Non County Share								
Total	420	14 15 15 15	420				1	

Project Description

This project will fund the rehabilitation of approximately 0.11 miles of roadway from Irving Avenue to King Street.

Current Year Description

The current year request funds design, construction and construction management.

Year	Bonds	Cash	Non County	Total
			Shares	

Impact on Operating Budget

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

CAPITAL PROJECT FACT SHEET

	□ CE	BA			act Sheet 1-03-2023				
Fact Sheet Year:* 2023	NOR	ect Title:* TH DIVISION STR EET, CR 6311, PEEK			_	District I	D:		
Category* ROADS & BRIDGES	-	rtment:* LIC WORKS			P Unique 040	ID:			
Overall Project Description This project will fund the rehabi	litation of approx	simately 0.54 miles of	of roadway	y from Hig	ghland Av	enue to W	ashington	Avenue.	
■ Best Management Practices	□ En	ergy Efficiencies		×	Infrastru	cture			
■ Life Safety	□ Pro	☐ Project Labor Agreement			☐ Revenue				
☐ Security	□ Otl	Other							
FIVE-YEAR CAPITAL PRO	GRAM (in thous	ands)							
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Gross	1,620	1,000	620	0	0	0	0		
Less Non-County Shares	1,620	0	0	0	0	0	0		
resurfacing; curb replacement; d			c new na	vement m	arkings an	d related s	ng milling	ξ;	
		w tramic signal loop	s; new pa	vement ma	arkings an	d related v	ng milling work.	;;	
Non-County Shares:		\$ 0	es; new par	vement ma	arkings an	d related v	ng milling work.	;;	
Non-County Shares: Bonds/Notes:		\$ 0 1,620,000	s; new pa	vement ma	arkings an	d related v	ng miling work.	7,	
Non-County Shares:		\$ 0 1,620,000 0	s; new pa	vement ma	arkings an	d related v	ng milling vork.	7.	
Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:		\$ 0 1,620,000	s; new pa	vement ma	arkings an	d related v	ng miling work.	3:	
Total: SEQR Classification: TYPE II Amount Requested: 1,620,000 Comments:		\$ 0 1,620,000 0	s; new pa	vement ma	arkings an	d related v	ng miling work.	3;	
Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 1,620,000 Comments: PCI: 75 (2019); AADT: 5,992 Energy Efficiencies:		\$ 0 1,620,000 0	s; new pa	vement m	arkings an	d related v	ng miling work.	3.	
Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 1,620,000 Comments: PCI: 75 (2019); AADT: 5,992 Energy Efficiencies: Appropriation History:	equest:	\$ 0 1,620,000 0	s; new pa	vement ma	arkings an	d related v	ng miling work.	3;	
Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 1,620,000	Amount	\$ 0 1,620,000 0	s; new pa	Des	cription	d related v	work.		

Page 1 of 2 **260**

Recommended By:

Department of PlanningWBB4

Op-20-2022

Department of Public WorksRJB4

09-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

12-05-2022 12:25:09 PM Page 2 of 2 **261**

NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL (RB236)

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.

IVE YEAR CAPITAL P	making allowing the core on positional limits and a citation of the last making	Superior material force of the surface the public of the surface o			CAMPAGE AND MARKET	W. San Man, S. Office Res.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Sales and Sales and the sales	
	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Reviev
Gross Non County Share	1,620	1,000		620					
Total	1,620	1,000		620					

Project Description

This project will fund the rehabilitation of approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue.

Current Year Description

The current year request funds additional costs for this project.

Current Year	Financing Plan			
Year	Bonds	Cash	Non County Shares	Total
2023	620,000		Silares	620,000

Impact on Operating Budget

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

A	Appropriation H	listory		
	Year	Amount	Description	Status
	2022	1,000,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION
	Total	1,000,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	1,000,000		1,000,000
Total	1,000,000		1,000,000

CAPITAL PROJECT FACT SHEET

Project ID:* RB237	□ CF	3A		_	act Sheet 1-03-2023				
Fact Sheet Year:*	Proje	ect Title:*		I	∟egislativo	District	ID:		
2023	EAS	T/WEST MAIN STI SKILL	REET, CR		_				
Category*	Depa	rtment:*		(CP Unique	e ID:			
ROADS & BRIDGES	PUBLIC WORKS 2041								
Overall Project Description This project will fund the rehabili Broad Street and approximately 0	tation of approx .5 miles of Wes	cimately 1.4 miles of the Main Street from I	f East Mai North Div	n Street f ision Stre	rom from et to Route	the Cortla e 9.	ndt/Peeks	kill Line to	
■ Best Management Practices	□ En	ergy Efficiencies		[2	▼ Infrastructure				
x Life Safety	□ Pro	oject Labor Agreeme	ent		Revenue	;			
☐ Security	☐ Oti	ner							
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)			r				
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Gross	6,150	2,500	3,650	0	0	0	0	(
Less Non-County Shares	0	0	0	0	0	0	0	(
Net	6,150	2,500	3,650	0	0	0	0	(
Expended/Obligated Amount (i									
Current Bond Description: Fur rehabilitation of approximately 1. approximately 0.5 miles of West 1 replacement; drainage work; new	4 miles of East Main Street froi	Main Street from the North Division St	e Cortland reet to Ro	lt/Peekski ute 9 incl	ll Line to uding mill	Broad Stre	eet and		
Financing Plan for Current Rec	uest:								
Non-County Shares:	3	\$ 0							
Bonds/Notes:		6,150,000							
Cash:		0							
Total:		\$ 6,150,000							
SEQR Classification: TYPE II									
Amount Requested: 6,150,000									
Comments: PCI: 76 (2019); AADT: 12,346									
Energy Efficiencies:									
Appropriation History:									
Year	Amount				scription				
2022	2,500,0	00 DESIGN, CONS	STRUCTI	ON AND	CONSTR	UCTION	MANAG	EMENT	
Total Appropriation History: 2,500,000									
Total Financing History:									

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

Date 09-20-2022

Budget Department

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 **264**

EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL (RB237)

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.

	Est Ult Cost Ap	propriated	Exp / Obl	2023	2024	2025	2026	2027	Unde
Gross Non County Share	6,150	2,500		3,650					Revie
Total	6,150	2,500		3,650					

Project Description

This project will fund the rehabilitation of approximately 1.4 miles of East Main Street from the Cortland/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9.

Current Year Description

The current year request funds additional costs for this project.

V	Danda	Cook	Non Country	T-4
Year	Bonds	Cash	Non County	Tot
			Shares	

Impact on Operating Budget

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

propriation	History		
Year	Amount	Description	Status
2022	2,500,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION
Total	2,500,000		

Prior Appropriations	Appropriated	Collected	Uncollected
	Appropriated	Conected	
Bond Proceeds	2,500,000		2,500,000
Total	2,500,000		2,500,000

CAPITAL PROJECT FACT SHEET

Project ID:* P0032	□СВА			-	Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:*	Proje	ct Title:*		1.	Legislative District ID:			
2023		LAND PARKWAY	Y. CR 152	-				
Catagory*								
Category* PARKWAYS	Department:* PUBLIC WORKS			CP Unique ID: 2033				
4	TODI	wordts			333			
Overall Project Description This project will fund the rehabili 147)/Thruway Access Road (CR Concrete curb replacement; draina	148) to Forest A	venue and the Bosto	on Post Ro	ad Acces	Ramp in	cluding m	ess Road (illing; rest	CR irfacing;
■ Best Management Practices	□ Ene	ergy Efficiencies		x	Infrastru	cture		
☑ Life Safety	□ Pro	ject Labor Agreeme	ent		☐ Revenue			
☐ Security	□ Oth	er						
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,350	0	3,350	0	0	0	0	(
Less Non-County Shares	0	0	0	0	0	0	0	(
Net	3,350	0	3,350	0	0	0	0	
Expended/Obligated Amount (in Current Bond Description: Fur rehabilitation of approximately 1.	nding is requeste	ed for design, constr	ruction ma	nagement	and cons	truction as	sociated v	vith the
148) to Forest Avenue and the Bo drainage repairs; new traffic loops	ston Post Road s; new pavemen	Access Ramp include	ding millir	ig; resurfa	cing; con	crete curb	replaceme	ent:
Financing Plan for Current Req	uest:							,
Man Carata Chanas		6 0						,
Non-County Shares:		\$ 0 3 350 000						
Bonds/Notes:		3,350,000						
								,
Bonds/Notes: Cash: Total:		3,350,000						
Bonds/Notes: Cash:		3,350,000						
Bonds/Notes: Cash: Total: SEQR Classification: TYPE II		3,350,000						
Bonds/Notes: Cash: Total: SEQR Classification:		3,350,000						
Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:		3,350,000						
Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 3,350,000 Comments:		3,350,000						

Recommended By:

Department of Planning

WBB4

Date

09-20-2022

Department of Public Works

RJB4

Date 09-20-2022

Budget Department

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 **267** 12-05-2022 12:26:10 PM

PLAYLAND PARKWAY, CR 152, RYE (P0032)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands) **Est Ult Cost Appropriated** Exp / Obl 2023 2024 2025 2026 2027 Under Review 3,350 Gross 3,350 **Non County Share** Total 3,350 3,350

Project Description

This project will fund the rehabilitation of approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp 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, construction and construction management.

rent Yea	r Financing Pla	n		
Year	Bonds	Cash	Non County Shares	Tota
2023	3,350,000		Shares	3,350,00

Impact on Operating Budget

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

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STATE OF NEW YORK )
COUNTY OF WESTCHESTER )
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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 January 9, 2023 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 January 5, 2023

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 January 5, 2023

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 10, 2023.

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 Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson

Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

APPROVED BY THE COUNTY EXECUTIVE

Date: 1-12-72

STATE OF NEW YORK)	
)	SS
WESTCHESTER COUNTY)	

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 7 - 2023, 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 January 9, 2023, and approved by the County Executive on January 12, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 17th day of January, 2023.

Malika Vanderberg

The Clerk of the Westchester County Board of Legislators

County of Westchester, New York



Reference: BPL26 (Unique ID# 2001)

THE HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an amended bond act (the "Amended Bond Act"), which if adopted, would authorize the County of Westchester (the "County") to issue additional bonds in the amount of \$1,500,000.00 to finance a component of capital project BPL26 - Flood Mitigation ("BPL26"). Also, attached is an act (the "Act") authorizing the County to amend the existing intermunicipal agreement (the "IMA") with the Village of Mamaroneck (the "Village").

The Amended Bond Act, in the total amount of \$2,500,000.00, which includes \$1,000,000.00 in previously authorized bonds of the County, would provide additional funding for the County's portion of a municipally proposed flood mitigation project to reconstruct the Hillside Avenue bridge in the Village (the "Project"). The reconstruction of the Hillside Avenue bridge to increase the span and widen the culvert over the Mamaroneck River, has been identified in the U.S. Army Corps of Engineers General Re-evaluation Report for the Mamaroneck and Sheldrake Rivers as having flood mitigation benefits for properties in the area. Additional funds are now needed to complete the Project to offset cost increases. Necessary administrative approvals prevented the project from moving forward for several months. When the approvals were attained, the costs associated with the project increased substantially, as reflected in the proposal put forward by the lowest reasonable bidder, which exceeded the funds available for the project by \$978,000. It was initially believed that NYS DOT funds, which were being administered by the County, could cover the shortfall but this turned out not to be the case. Additionally, since the time the lowest responsible bidder's proposal was accepted, the cost of the project also increased due to material and supply chain issues. Additional funds are now needed to cover the costs of the already completed project.

Your Committee is advised that the Act would authorize the County to amend an IMA with the Village in order to increase the County's contribution toward the Project by an additional \$1,365,429.24, from an amount not-to-exceed \$1,000,000.00 to an amount not-to-exceed \$2,365,429.24. The remaining bond funds will be used to support County review and administration.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with the Project as follows: Bond Act No. 247-2019 in the amount of \$1,000,000.00, which financed the County's initial 50% contribution toward Phase II funding for the Project. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 247-2019 be amended to increase the initial amount authorized by \$1,500,000.00, for a new total authorized amount, as amended, of \$2,500,000.00.

The Planning Department has advised that pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR), the Village classified the Hillside Avenue Bridge replacement project as an Unlisted action. On June 25, 2019, the Village Board of Trustees issued a notice of intent to serve as lead agency and circulated Part 1 of a full Environmental Assessment Form. On August 26, 2019, the Village issued a Negative Declaration for the project. No changes are proposed to the project scope. Since the Village undertook coordinated review and the County was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required to adopt the Amended Bond Act, while the Act authorizing the amendment to the IMA with the Village may be adopted upon an affirmative vote of a majority of the members of your Honorable Board following the adoption of the Amended Bond Act.

Based on the importance of this project to the County, your Committee recommends favorable action on the annexed Acts.

Dated: January 23rd, 2023
White Plains, New York

John John Sull Shift Color John Park

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Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	BPL26	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUI To Be Completed by	965-70 300 1000 0000 10000
X GENERAL FUNI	AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
1921		Capital Budget Amendment
		10 ES7
	SECTION B - BONDING AU	THORIZATIONS
	To Be Completed by	Finance
Total Principal	\$ 2,500,000 PPU	20 Anticipated Interest Rate 3.83%
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 175,312
Total Debt Ser	vice (Annual Cost x Term):	\$ 3,506,240
Finance Depar	tment: Interest rates from Novembe	r 9, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUD	TOUTONS STERROLD CONTROL TOUGHT TO SERVICE STERROLD STERR
	To Be Completed by Submitting Departm	ent and Reviewed by Budget
Potential Relat	ted Expenses (Annual): \$	-
Potential Relat	ted Revenues (Annual): \$	•
THE DESCRIPTION OF THE PROPERTY OF THE PROPERT	vings to County and/or impact of depart etail for current and next four years):	ment operations
Funds will be u	sed towards reconstruction of bridge. Pro	oject is managed and overseen by local
municipality. N	lo impact to department operations.	9-200000 5000 0000
	SECTION D - EMPLO	
A:	s per federal guidelines, each \$92,000 of a	appropriation funds one FTE Job
Number of Ful	l Time Equivalent (FTE) Jobs Funded:	0
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
County Staff	X Consultant	Not Applicable
Prepared by:	David Kvinge	× // //
Title:	Assistant Commissioner	Reviewed By:
Department:	Planning Department	Budget Director
Date:	11/16/22	Date: ull da





TO:

Michelle Greenbaum, Assistant County Attorney

Jeffrey Goldman, Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Director of Environmental Planning

DATE:

October 31, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR

BPL26 FLOOD MITIGATION - Hillside Ave Bridge, Mamaroneck

The Planning Department has reviewed Capital Project BPL26 - Flood Mitigation (Unique ID: 2001) with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The current request will provide additional funding assistance to the Village of Mamaroneck for the replacement of the Hillside Avenue Bridge in the Village of Mamaroneck, amending the previous bond act and IMA. No changes to the project scope are proposed. The existing bridge is in poor condition and is subject to overtopping during flood events. The replacement bridge will be slightly higher, wider, and will have deeper footings. The expanded hydraulic opening of the new bridge will lower upstream surface water elevation during storm events.

Pursuant to SEQR, the Village of Mamaroneck classified the Hillside Avenue Bridge replacement project as an Unlisted action. On June 25, 2019, the Village of Mamaroneck Board of Trustees issued a notice of intent to serve as lead agency and circulated Part 1 of a full Environmental Assessment Form. On August 26, 2019, the Village issued a Negative Declaration for the project. Since the Village of Mamaroneck undertook coordinated review and the County of Westchester was included as an involved agency, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions regarding this matter.

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Yazzetta, Associate Budget Director
William Brady, Chief Planner
Claudia Maxwell, Associate Environmental Planner

REFERENCE: BPL26

ACT NO. -20

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED DECEMBER 3, 2019 IN RELATION TO THE COUNTY'S SHARE OF THE COST OF A FLOOD MITIGATION PROJECT IN THE COUNTY, AT THE MAXIMUM ESTIMATED COST OF \$2,500,000. (Adopted , 20____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$1,000,000 bonds to the County's share of the cost of a flood mitigation project in the Village of Mamaroneck as described in the Village of Mamaroneck's Project Application to the County under the Westchester County Flood Action Program, in particular the reconstruction of the Hillside Avenue bridge in the Village of Mamaroneck, pursuant to Act No. 247-2019 duly adopted on December 3, 2019; and

WHEREAS, it has been determined that additional funds are needed due to materials and supply chain issues that have arisen and resulted in delays and cost increases, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for the 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 December 3, 2019, entitled:

"ACT NO. 247-2019

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE COST OF A FLOOD MITIGATION PROJECT IN THE COUNTY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 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:

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 COUNTY'S SHARE OF THE COST OF A FLOOD MITIGATION PROJECT IN THE COUNTY, STATING THE ESTIMATED MAXIMUM 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, an Intermunicipal Agreement between the County and the Village of Mamaroneck, and to the provisions of other laws applicable thereto; \$2,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the County's share of the cost of a flood mitigation project in the above-referenced municipalities as described in said

municipalities' Project Applications to the County under the Westchester County Flood Action Program, in particular the reconstruction of the Hillside Avenue bridge in the Village of Mamaroneck, 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 total estimated maximum cost of said specific object or purpose, 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.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$2,500,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.10 of the Law, is twenty (20) 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 \$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 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.

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.

* * *

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 , 20 ___ and approved by the County Executive the County of Westchester on , 20____. on IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators day of , 20____. this The Clerk and Chief Administrative Office of the Board of Legislators County of County Westchester, New York (SEAL)

LEGAL NOTICE

A Bond Act, a	a summary of v	which is published here	vith, has been ac	lopted by the Board of
Legislators on Decem	nber 3, 2019 a	nd amended on		and approved, as
amended, by the Cour	nty Executive of	on, 20	and the val	idity of the obligations
authorized by such B	ond Act may b	be hereafter contested o	nly if such oblig	ations were authorized
for an object or purp	ose for which	the County of Westche	ster, in the State	e of New York, is not
authorized to expend	money or if the	provisions of law which	h should have be	en complied with as of
the date of publication	n of this Notic	ce were not substantiall	y complied with.	, and an action, suit or
proceeding contesting	such validity	is commenced within t	wenty days after	the publication of this
Notice, or such obliga	itions were auth	norized in violation of th	e provisions of the	he Constitution.
Complete cop	ies of the am	ended Bond Act summ	arized herewith	shall be available for
public inspection duri	ing normal busi	iness hours at the Office	of the Clerk of the	he Board of Legislators
of the County of Wes	tchester, New '	York, for a period of two	nty days from th	e date of publication of
this Notice.				
ACT NO:	20			
		ISSUANCE OF \$2,50	0.000 BONDS C	F THE COUNTY OF
WESTCHESTER O	R SO MUCH	THEREOF AS MAY E	BE NECESSARY	, TO FINANCE THE
COUNTY'S SHARE	OF THE COS	T OF A FLOOD MITIC	ATION PROJE	CT IN THE COUNTY.
STATING THE EST	TIMATED MA	XIMUM COST THE	REOF IS \$2,500	0.000: STATING THE
PLAN OF FINANC	ING SAID CO	OST INCLUDES THE	ISSUANCE O	F \$2,500,000 BONDS
		OVIDING FOR A TAX		
INTEREST ON SAIL	D BONDS (ad	opted on December 3, 2	019 and amende	d on .
20)	<i>y</i> 20.120. (au	op. 00 0.1 2 000 0 1 , -		
		C	and of flood mi	tigation projects in the
object or purpose:	to finance the	County's share of the	cost of floor in	Mamananali's project
	Village of Ma	amaroneck as described	in the village of	Country flood action
	applications	to the County under	the westchester	County Hood action
		articular the reconstruct		
	100	amaroneck, all as set fo	rth in the Count	y's current year capital
	budget, as am	ended.		
amount of obligations	s to be issued:			
		\$2,500,000; twenty (20)) vears	
and period of probabl	e asotanioss.	ψ <u>υ,υου,υου, τη στιτή</u> (Ξ.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Dated:	, 20			
White Plains,	, New York			
		Clerk and Chief Admi	nistrative Officer	of the County Board
		of Legislators of the C		
		or registators of the C	builty of 11 offerin	sound a vert a Case

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CAPITAL PROJECT FACT SHEET

Project ID;* BPL26	□ CBA				Fact Sheet Date:* 08-11-2022				
Fact Sheet Year:* 2022		et Title:* DD MITIGATION			Legislative District ID:				
Category* BUILDINGS, LAND & MISCELLANEOUS	(X—en->0 ■ (200)	Department:* PLANNING				CP Unique ID: 2001			
Overall Project Description This project is intended to provide municipalities and approved by the	a share of the e e County. This	cost of funding floo is a general fund, s	d mitigation	on project	s that are p	proposed l a Capital	oy local Budget A	mendment.	
☐ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture			
■ Life Safety	□ Pro	ject Labor Agreem	ent		Revenue	!			
☐ Security	⊠ Otl	ner(FLOOD MITIG	ATION)						
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)							
	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review	
Gross	51,750	20,750	11,000	0	0	0	0	20,000	
Less Non-County Shares	0	0	0	0	0	0	0	0	
Net	51,750	20,750	11,000	0	0	0	0	20,000	
Expended/Obligated Amount (in thousands) as of: 6,626 Current Bond Description: The current request is to amend the original bond act (247-2019) for the Hillside Avenue Bridge project in the Village of Mamaroneck. Additional funds are required as a result of cost increases due to materials and supply chain issues that have resulted in delays and cost increases. The total funding requested, including both the previous funding and the current request, will remain less than 50% of the total project cost in accordance with the requirements of the Stormwater Management Law.									
Financing Plan for Current Req	uest:								
Non-County Shares:		S 0							
Bonds/Notes:		1,500,000							
Cash:		0							
Total;		\$ 1,500,000							
SEQR Classification: UNLISTED									
Amount Requested: 1,500,000									

Comments:

The project location (Hillside Avenue Bridge in the Village of Mamaroneck) was added to the BPL26 capital project as part of the original bond act (247-2019), which required a CBA. This request is to amend that bond act to add funds to it, not to add funds to the BPL26 capital project. Therefore, this request is not a CBA. The Village classified the project as an Unlisted action and conducted coordinated review in 2019, including the County. The project scope has not changed, and no further environmental review is required.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2009	5,400,000	MAMARONECK AND SHELDRAKE RIVERS BASIN FLOOD DAMAGE REDUCTION STUDY; FOUR LOCAL MUNICIPAL FLOOD PROJECTS
2012	5,000,000	FLOOD MITIGATION PROJECTS TO BE DETERMINED
2013	5,000,000	FLOOD RELATED PROJECTS
2015	150,000	DESIGN OF A STUDY FOR A COUNTYWIDE SYSTEM OF STREAM AND STORM GAUGES
2016	5,000,000	CONTINUATION OF THIS PROJECT
2021	200,000	DESIGN AND INSTALLATION OF A MAINTENANCE GATE AT SPRAIN BROOK, YONKERS
2022		THE US ARMY CORPS OF ENGINEERS' PROJECT IN THE VILLAGE OF MAMARONECK/SHELDRAKE AND MAMARONECK RIVERS

Total Appropriation History:

31,750,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
09	79	900,000	899,501	FLOOD MITIGATION STUDY: MAM'K & SHELDRAKE RIVERS BASIN
09	140	2,441,625	2,441,625	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY
17	11	2,974,875	2,502,239	COUNTY PORTION OF FLOOD MITIGATION PROJECT IN COUNTY (AMMENDED)
18	171	70,000	0	FUNDING FOR AN ENGINEERING STUDY TO DEVELOP A SOLUTION FOR FLOODING IN RYE BROOK, AVON CIRCLE AREA
19	108	300,000	123,508	INITIAL DESIGN OF PROJECT TO MITIGATE FLOODING ALONG THE HUTCHINSON RIVER
19	247	1,000,000	0	RECONSTRUCT THE HILLSIDE AVENUE BRIDGE IN THE VILLAGE OF MAMARONECK
21	171	350,000	0	FLOOD MITIGATION-TOWN OF NEW CASTLE (UNIQUES ID# 1694)
21	175	270,000	0	FLOOD MITIGATION-YONKERS (UNIQUES ID# 1692)
22	85	130,000	0	FLOOD MITIGATION-DOBBS FERRY (UNIQUES ID# 1948)

Total Financing History:

8,436,499

Recommended By:

Department of Planning	Date
WBB4	10-26-2022
Department of Public Works RJB4	Date 10-27-2022
Budget Department	Date
LMY!	11-01-2022
Requesting Department WBB4	Date 11-01-2022

FLOOD MITIGATION (BPL26)

User Department:

Planning

Managing Department(s):

Planning ;

Estimated Completion Date:

TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

AF I FWL CWLYIMP L	KOGKAPI (III LI	iousailus j							
	Est Ult Cost Ap	propriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	51,750	20,750	6,626	11,000					20,000
Non County Share									
Total	51,750	20,750	6,626	11,000					20,000

Project Description

This project is intended to provide a share of the cost of funding flood mitigation projects that are proposed by local municipalities and approved by the County. This is a general fund, specific projects are subject to a Capital Budget Amendment.

Current Year Description

The current year request funds The US Army Corps of Engineers' project in the Village of Mamaroneck/Sheldrake and Mamaroneck rivers.

Cu	rrent Yea	r Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
	2022	11,000,000			11,000,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2009	5,400,000	Mamaroneck and Sheldrake Rivers basin flood damage reduction study; Four local municipal flood projects	COMPLETE
2012	5,000,000	Flood Mitigation Projects to be Determined	PARTIALLY IN PROGRESS
2013	5,000,000	Flood related projects	AWAITING BOND AUTHORIZATION
2015	150,000	Design of a study for a countywide system of stream and storm gauges	AWAITING BOND AUTHORIZATION
2016	5,000,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	200,000	Design and installation of a maintenance gate at Sprain Brook, Yonkers	AWAITING BOND AUTHORIZATION
Total	20,750,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	20,750,000	6,009,371	14,740,629
Total	20,750,000	6,009,371	14,740,629

FLOOD MITIGATION (BPL26)

			ed	thoriz	onds Au	В
Balance	Amount Sold	Date Sold	Amount	ct	Bond A	
499	358,000	12/02/10	900,000	09	79	
	(358,000)	12/02/10				
	522,141	11/30/11				
	77,859	11/30/11				
	250,434	11/19/15				
	48,566	11/19/15				
	501	11/19/15				
	740,494	10/24/12	2,441,625	09	140	
	75,506	10/24/12				
	6,240	10/24/12				
	852,989	12/10/13				
	104,011	12/10/13				
	2,925	12/10/13				
	334,212	11/19/15				
	64,813	11/19/15				
	669	11/19/15				
	259,766	12/15/16				
472,636	31,948	12/15/17	2,974,875	17	11	
	5,866	12/15/17				
	50	12/15/17				
	29,606	12/15/17				
	5,436	12/15/17				
	46	12/15/17				
	660,625	12/10/18				
	959,846	12/10/19				
	189,546	12/10/19				
	117,641	12/10/19				
	23,231	12/10/19				
	478,398	04/30/20				
70,000			70,000	18	171	
300,000			300,000	19	108	
1,000,000			1,000,000	19	247	
350,000			350,000	21	171	
270,000			270,000	21	175	

AN ACT authorizing the County of Westchester to amend the existing intermunicipal agreement with the Village of Mamaroneck in order to increase the County's contribution toward a flood mitigation project.

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the "County") is hereby authorized to amend the existing intermunicipal agreement (the "IMA") with the Village of Mamaroneck (the "Village") in order to reflect an additional County contribution of \$1,365,429.24 towards a Flood Mitigation project in the Village to reconstruct the Hillside Avenue Bridge (the "Project") as follows:

Original	Original	Original	Original County Admin Cost
Project Cost	Municipal Share	County Share	
\$2,000,000	\$1,000,000	\$1,000,000	\$0
Revised	Revised	Revised	Revised County
Project Cost	Municipal Share	County Share	Admin Costs
\$5,214,429.24	\$2,849,000	\$2,365,429.24	\$134,570.76

- **§2.** The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.
 - §3. This Act shall take effect immediately.

THIS AMENDMENT made this __ day of ______, 2022 by and between

THE COUNTY OF WESTCHESTER, a municipal corporation of the State of New York, having an office and place of business in the Michaelian Office Building, 148 Martine Avenue, White Plains, New York 10601

(hereinafter referred to as the "County")

and

THE VILLAGE OF MAMARONECK, a municipal corporation of the State of New York, having an office and place of business at 123 Mamaroneck Avenue, Mamaroneck, New York, 10543

(hereinafter referred to as the "Municipality").

WITNESSETH:

WHEREAS, on or about January 6, 2021, the County and the Municipality entered into an agreement pursuant to which the County agreed to contribute up to \$1,000,000.00 toward a flood mitigation project in the Village of Mamaroneck to reconstruct the Hillside Avenue Bridge to be undertaken by the Municipality (the "Project"), the total cost of which was estimated to be \$2,000,000.00, with the balance of funding to be contributed by the Municipality (the "Agreement"); and

WHEREAS, as a result of cost increases due to materials and supply chain issues that have resulted in delays, additional funds are now required to complete the Project; and

WHEREAS, total project costs have increased from \$2,000,000.00 to an estimated \$5,214,429.24, an increase of over \$3,000,000.00; and

WHEREAS, the Municipality has received a grant from New York State in the amount of \$2,849,000 for the Project; and

WHEREAS, the Municipality has requested additional County funding up to a total maximum of \$2,365,429.24, representing no more than one-half of the cost of the total increase of the Project; and

WHEREAS, the parties now desire to amend the Agreement in order to increase the amount of the County's contribution toward the Project by an additional \$1,365,429.24, from an amount not-to-exceed \$1,000,000.00, to an amount not-to-exceed \$2,365,429.24.

NOW, THEREFORE, in consideration of the promises and covenants herein, the parties agree as follows:

1. The parties desire to amend the Agreement in order to reflect the County's additional contribution of \$1,365,429.24 toward the Project, from an amount not-to-exceed \$1,000,000.00 to an amount not-to-exceed \$2,365,429.24. Accordingly, the second full paragraph of Section 2.0 of ARTICLE II of the Agreement is hereby deleted in its entirety and the following is substituted in its place:

"The County agrees to finance the design, specification, construction documents and construction for the Project on a reimbursement basis. It is recognized and understood by the Municipality that at the time of execution of this Agreement, the County has obtained appropriations and bonding authority to fund up to \$2,365,429.24 for the construction of the Project. The County share of the construction of the Project shall not exceed that amount. Project construction costs up to \$5,214,429.24 shall be paid up to fifty (50) percent by the Gounty (up to \$2,365,429.24) and fifty (50) percent by the Municipality; provided, however, should the total Project construction costs be less than \$5,214,429.24, the County shall only be responsible for fifty (50) percent of the lesser amount. The Municipality shall be responsible for all costs in relation to the Project that exceed the County's contribution set forth herein, and under no circumstances or conditions, whether now existing or hereafter arising, or whether beyond the present contemplation of the parties, shall the County be expected or required to make any payment of any kind whatsoever or be under any other obligation or liability hereunder in connection with this Project except as herein expressly set forth."

- 2. Except as otherwise provided herein, all other terms and conditions of the Agreement shall remain in full force and effect upon the parties.
- 3. This Amendment shall not be enforceable until signed by both parties and approved by the Office of the County Attorney.

[NO FURTHER TEXT ON THIS PAGE]

IN WITNESS WHEREOF, the parties hereto have agreed and caused this Amendment to be executed.

THE COUNTY OF WESTCHESTER
By: Norma Drummond Commissioner of Planning THE VILLAGE OF MAMARONECK
By: Name: Title:
Approved by the Board of Legislators of the County of Westchester by Act No2022
Approved by the Village Board of the Municipality on the day of, 2022
Approved as to form and manner of execution:
Sr. Assistant County Attorney
County of Westchester K/G/2022 Bonding Spreadsheet/BPL26 Hillside Avenue Bridge/IMA Amendment (VOM) 10-27-22

MUNICIPALITY'S ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:
On the day of in the year 2022 before me, the undersigned, a Notary
Public in and for said State, personally appeared, personally known to me or
proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to
the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and
that by his/her signature on the instrument, the individual, or the person upon behalf of which the
individual acted, executed the instrument; and, acknowledged if operating under any trade name, that
the certificate required by the New York State General Business Law Section 130 has been filed as
Signature and Office of individual taking acknowledgment

CERTIFICATE OF AUTHORITY

Ι,	· · · · · · · · · · · · · · · · · · ·
(Officer other than officer sign	ing contract)
certify that I am the of the	ne a municipal
(Title)	ne, a municipal, the "Municipality")
corporation duly organized and in good standing	under the
	(Law under which organized, e.g., the New York Business Corporate Law)
named in the foregoing agreement; that	Non Torn Business Corporate Early
	(Person executing agreement)
who signed said agreement on behalf of the Mui	nicipality was, at the time of execution the
	of the Municipality and that said agreement was
(Title of such person)	of the Mulliopanty and that said agreement was
duly signed for and on behalf of said Municipalit	
thereunto duly authorized and that such authority	is in full force and effect at the date hereof.
	Y
	(Signature)
	(53,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
STATE OF NEW YORK)	
county of westchester)	
COUNTY OF WEBTCHEBTER)	
On this day of,	2022, before me personally came
	, whose signature appears above, to me known,
and known to me to be the	of
(Title)	A X 4 2 2 10 1 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1
and the base and God Take being become	, the Municipality described in and which
	duly sworn did depose and say that he/she, the said id Municipality resides at
UI Sa	, and that he/she signed his/her name
hereto by order of the Board of	of said Municipality.
	51 5414 114 114 114 114 114 114 114 114
	Notary Public
	County of



George Latimer County Executive

October 18, 2022

Westchester County Board of Legislators 800 Michaelian Office Building White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval are nine (9) bond acts (the "Bond Acts") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the total aggregate amount of \$16,640,000 to finance the following nine (9) capital projects for 2023:

\$800,000	Serial Bonds for	Pelham Shore Rd, CR 65A, Pelham (RB210)
\$2,500,000	Serial Bonds for	Bryant Ave, CR 153, White Plains (RB212)
\$425,000	Serial Bonds for	Lake St, CR 32B, White Plains (RB214)
\$600,000	Serial Bonds for	Virginia Rd, CR 35/51, Mt. Pleasant/ North Castle (RB233)
\$775,000	Serial Bonds for	Heathcote Bypass, CR 143, Scarsdale (RB234)
\$420,000	Serial Bonds for	Pearl St, CR 43, Port Chester (RB235)
\$1,620,000	Serial Bonds for	North Division St/South St, CR 63II, Peekskill (RB236)
\$6,150,000	Serial Bonds for	East/West Main St, CR 25/25I, Peekskill (RB237)
\$3,350,000	Serial Bonds for	Playland Parkway, CR 152, Rye (P0032)

It should be noted that the County Budget Department is submitting these Bond Acts to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit these Bond Acts now so that the referenced projects will be ready to proceed without delay in early 2023.

The Planning Department has advised that based on its review the above projects are "Type II" actions under the State Environmental Quality Review Act, 6 NYCRR Part 617. Type II actions are those actions determined not to have a significant effect on the environment. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Approval of these Bond Acts totaling \$16,640,000 is necessary so that the Commissioner of Finance may enter the bond market at the most opportune time.

I recommend your Board's favorable action on the annexed proposed Bond Acts.

Sincerely,

George Latimer County Executive

GL/LS/jpg Attachments

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 ("Bond Act") in the amount of \$800,000, to authorize the County of Westchester ("County") to finance capital project RB210 – Pelham Shore Rd, CR 65A, Pelham ("RB210") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.32 miles of roadway from the Pelham Manor/New Rochelle line to the Bronx line. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 10,642 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 62 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by in-house staff. Construction is estimated to take four (4) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

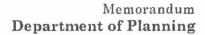
Dated:		, 20
	White Plains, New York	

COMMITTEE ON

k jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB210	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUIL To Be Completed by	That are
X GENERAL FUN	Salah imik 3 4 tabu utas €ukas kesemba un €4	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
s s	•	Capital Budget Amendment
	SECTION B - BONDING AUT To Be Completed by	
Total Principal	\$ 800,000 PPU	15 Anticipated Interest Rate 3.52%
Anticipated A	nnual Cost (Principal and Interest):	\$ 67,989
Total Debt Ser	vice (Annual Cost x Term):	\$ 1,019,835
Finance Depar	tment: Interest rates from October 1	2, 2022 Bond Buyer - ASBA
	SECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Department	
Potential Rela	ted Expenses (Annual): \$	-
10 No.	ted Revenues (Annual): \$	
	vings to County and/or impact of departs	ment operations
7. 10	etail for current and next four years):	ment operations
^	SECTION D - EMPLO s per federal guidelines, each \$92,000 of a	
*	If Time Equivalent (FTE) Jobs Funded:	9
Tunio: or u	SECTION E - EXPECTED DESIGN	
X County Staff	Consultant	
LA County Stan	Consultant	Not Applicable
Prepared by:	Robert Abbamont	
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	Budget Director
Date:	10/17/22	Date:





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB210 PELHAM SHORE ROAD, CR 65A, PELHAM

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2034)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20

BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO PELHAM SHORE ROAD, CR 65A, PELHAM; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 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, \$800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Pelham Shore Road, CR 65A, Pelham, including design, construction management and construction associated with the rehabilitation of approximately 0.32 miles of roadway from the Pelham Manor/New Rochelle line to the Bronx line, including milling, resurfacing, concrete curb replacement, drainage repairs, new traffic loops, new parking markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$800,000. The plan of financing includes the issuance of \$800,000 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 the object or purpose for which the \$800,000 bonds authorized by section 1 of this Act are to be issued, 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 \$800,000. 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 \$800,000 as the estimated total cost of the aforesaid 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:

- such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- 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
- such obligations are authorized in violation of the provisions of the (c) Constitution.

Section 8. This Act shall take effect not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)	
COUNTY OF WESTCHESTER)	SS.:
I HEREBY CERTIFY t	hat I have compared the foregoing Act No20 with
the original on file in my office, and that	at the same is a correct transcript therefrom and of the whole
of the said original Act, which was duly	y adopted by the County Board of Legislators of the County
of Westchester on , 20 and	approved by the County Executive on , 20
IN WITNESS WHEREC	F, I have hereunto set my hand and affixed the corporate
	seal of said County Board of Legislators this day
	of ,20
	Clerk and Chief Administrative Officer of the County
	Board of Legislators of the County of Westchester, New York
(SEAL)	

LEGAL NOTICE

Legislators on, 20 hereafter contested County of Westche provisions of law wwere not substantia commenced within	, and the vonly if such oblester, in the Stahich should have twenty days a	which is published herewith, has been adopted by the Board of 20, and approved by the County Executive or alidity of the obligations authorized by such Bond Act may be ligations were authorized for an object or purpose for which the te of New York, is not authorized to expend money or if the ebeen complied with as of the date of publication of this Notice th, and an action, suit or proceeding contesting such validity is after the publication of this Notice, or such obligations were sions of the Constitution.
inspection during no	ormal business h	ond Act summarized herewith shall be available for public nours at the Office of the Clerk of the Board of Legislators of the for a period of twenty days from the date of publication of this
ACT NO	-20	
WESTCHESTER, COST OF IMPROVESTIMATED MAFINANCING SAII AUTHORIZED;	OR SO MUCH 'EMENTS TO I XIMUM COS D COST INCI ND PROVIDI	E ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE PELHAM SHORE ROAD, CR 65A, PELHAM; STATING THE T THEREOF IS \$800,000; STATING THE PLAN OF LUDES THE ISSUANCE OF \$800,000 BONDS HEREIN NG FOR A TAX TO PAY THE PRINCIPAL OF AND dopted , 20)
object or purpose:	including designation the rehabilitation Manor/New R concrete curb	cost of improvements to Pelham Shore Road, CR 65A, Pelham, gn, construction management and construction associated with on of approximately 0.32 miles of roadway from the Pelham ochelle line to the Bronx line, including milling, resurfacing, replacement, drainage repairs, new traffic loops, new parking related work, as set forth in the County's Current Year Capital ended
amount of obligation and period of probat		\$800,000; fifteen (15) years
Dated: White Plains	, 20, New York	
		Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

	CAIT	INDIKOSECI	TACI	DILLE I				
Project ID:* RB210	□СВА				act Sheet 1-03-2023			
Fact Sheet Year:* 2023	Project Title:* PELHAM SHORE ROAD, CR 65A, PELHAM				egislativo I,	District	ID:	
Category* ROADS & BRIDGES		rtment:* LIC WORKS			P Unique 034	: ID:		
Overall Project Description This project will fund the rehabilit line.	ation of approx	kimately 0.32 miles	of roadwa	y from Pe	lham Mar	or/New R	ochelle lir	ie to Bronx
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	□ Ot	her						
FIVE-YEAR CAPITAL PROGE	RAM (in thou	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	800	0	800	0	0	0	0	
Less Non-County Shares	0	0	0	0	0	0	0	(
Net	800	0	800	0	0	0	0	0
Expended/Obligated Amount (in Current Bond Description: Fun rehabilitation of approximately 0.3 resurfacing; concrete curb replacer Financing Plan for Current Requirements	ding is request 2 miles of road ment; drainage	ed for design, const	Manor/Ne	w Rochell	e line to E	Fronx line	including	vith the milling;
Non-County Shares:		\$ 0						
Bonds/Notes:		800,000						
Cash:	0							
Total:		\$ 800,000						
SEQR Classification: TYPE II								
Amount Requested: 800,000								
Comments: PC1: 62 (2019); AADT: 10,642								

10-12-2022 05:40:36 PM Page 1 of 2 **306**

Recommended By:

Department of Planning

WBB4

Department of Public Works

RJB4

Budget Department

LMYI

Requesting Department

JZR7

Date

09-20-2022

Date

09-20-2022

Date

09-22-2022

Date

09-23-2022

Page 2 of 2 307 10-12-2022 05:40:36 PM

PELHAM SHORE ROAD, CR 65A, PELHAM (RB210)

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 2023 2024 2025 2026 2027 Under Review

Gross

800

800

Non County Share

Total

800

800

Project Description

This project will fund the rehabilitation of approximately 0.32 miles of roadway from Pelham Manor/New Rochelle line to Bronx line.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	800,000		Jilaics	800,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$2,500,000, to authorize the County of Westchester ("County") to finance capital project RB212 – Bryant Ave, CR 153, White Plains ("RB212") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 7,129 is in need of rehabilitation to provide 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take eight (8) months to complete and will be performed by outside consultants. Construction is estimated to take six (6) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

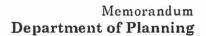
Dated: , 20_____ , 20____

COMMITTEE ON

k.jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB212	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUD To Be Completed by	CONTROL OF THE CONTRO
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
	•	Capital Budget Amendment
	SECTION B - BONDING AUT To Be Completed by F	
Total Principal	\$ 2,500,000 PPU	15 Anticipated Interest Rate 3.45%
Anticipated A	nnual Cost (Principal and Interest):	\$ 212,466
Total Debt Ser	vice (Annual Cost x Term):	\$ 3,186,990
Finance Depar	tment: Interest rates from October 12	2, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUDG To Be Completed by Submitting Departme	GET (exclusive of debt service)
Potential Rela	ted Expenses (Annual): \$	-
	ted Revenues (Annual): \$	
	vings to County and/or impact of departm	nent operations
	etail for current and next four years):	
	<u> </u>	
As	SECTION D - EMPLOY per federal guidelines, each \$92,000 of ap	
	Time Equivalent (FTE) Jobs Funded:	27
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
County Staff	X Consultant	Not Applicable
Prepared by:	Robert Abbamont	
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	Budget Director
Date:	10/17/22	Date: 0/17 30





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB212 BRYANT AVENUE, CR 153, WHITE PLAINS

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2035)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

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 IMPROVEMENTS TO BRYANT AVENUE, CR 153, WHITE PLAINS; STATING THE ESTIMATED MAXIMUM 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, \$2,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Bryant Avenue, CR 153, White Plains, including design, construction management and construction associated with the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound, including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work, 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 object or purpose, 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.

Section 2. The period of probable usefulness of the object or purpose for which the \$2,500,000 bonds authorized by section 1 of this Act are to be issued, 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 \$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 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)
COUNTY OF WESTCHESTER	: ss.:)
I HEREBY CERTIFY the	at I have compared the foregoing Act No20 with the
original on file in my office, and that th	ne same is a correct transcript therefrom and of the whole of
the said original Act, which was duly ac	dopted by the County Board of Legislators of the County of
Westchester on , 20 and ap	oproved by the County Executive on , 20
IN WITNESS WHEREO	OF, I have hereunto set my hand and affixed the corporate
	seal of said County Board of Legislators this day
	of ,20
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New
(SEAL)	York

LEGAL NOTICE

Legislators on, 20 20, and the validity of the oblionly if such obligations were authori in the State of New York, is not authore been complied with as of the dwith, and an action, suit or proceed	which is published herewith, has been adopted by the Board of, and approved by the County Executive on, gations authorized by such Bond Act may be hereafter contested zed for an object or purpose for which the County of Westchester, norized to expend money or if the provisions of law which should late of publication of this Notice were not substantially complied ding contesting such validity is commenced within twenty days or such obligations were authorized in violation of the provisions
during normal business hours at the	Act summarized herewith shall be available for public inspection Office of the Clerk of the Board of Legislators of the County of d of twenty days from the date of publication of this Notice.
ACT NO20	
WESTCHESTER, OR SO MUCH COST OF IMPROVEMENTS TO E ESTIMATED MAXIMUM COS' FINANCING SAID COST INCL	E ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE BRYANT AVENUE, CR 153, WHITE PLAINS; STATING THE T THEREOF IS \$2,500,000; STATING THE PLAN OF UDES THE ISSUANCE OF \$2,500,000 BONDS HEREIN GFOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST , 20)
including desi the rehabilitat to Westcheste curb replacem	cost of improvements to Bryant Avenue, CR 153, White Plains, gn, construction management and construction associated with ion of approximately 0.64 miles of roadway from North Street er Avenue eastbound including milling; resurfacing; concrete ent; drainage repairs; new traffic loops; new pavement markings ork, as set forth in the County's Current Year Capital Budget, as
amount of obligations to be issued and period 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:* RB212	□СВА				Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:*	Project Title:*			L	Legislative District ID:			
2023	BRYANT AVENUE, CR 153, WHITE PLAINS				5,			
Category*	Depa	rtment:*		C	CP Unique ID:			
ROADS & BRIDGES		LIC WORKS			2035			
Overall Project Description This project will fund the rehabilit eastbound.	ation of approx	cimately 0.64 miles	of roadwa	y from No	orth Street	to Westel	nester Ave	enue
■ Best Management Practices	☐ En	ergy Efficiencies		×] Infrastru	cture		
Life Safety	□ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	□ Ot	her						
FIVE-YEAR CAPITAL PROG		sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	2,500	0	2,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,500	0	2,500	0	0	0	0	0
Expended/Obligated Amount (in	thousands) a	s of: 0						
Current Bond Description: Funding is requested for design, construction management and construction associated with the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.								
Financing Plan for Current Req	uest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		2,500,000						
Cash:		0						9
Total:		\$ 2,500,000						
SEQR Classification: TYPE II								
Amount Requested:								
2,500,000								
Comments: PCI: 64 (2019); AADT: 7,129								
Energy Efficiencies:								
Total Financing History:								

Recommended By:

Department of Planning
WBB4
Date
09-20-2022

Department of Public WorksDateRJB409-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:41:08 PM Page 2 of 2 320

BRYANT AVENUE, CR 153, WHITE PLAINS (RB212)

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 2023 2024 2025 2026 2027 Under Review

Gross

2,500

2,500

Non County Share

Total

2,500

2,500

Project Description

This project will fund the rehabilitation of approximately 0.64 miles of roadway from North Street to Westchester Avenue eastbound.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	2,500,000			2,500,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$425,000 to authorize the County of Westchester ("County") to finance capital project RB214 – Lake St, CR 32B, White Plains ("RB214") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 13,208 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 54 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take five (5) months to complete and will be performed by in-house staff. Construction is estimated to take four (4) months and will begin after award and execution of the construction contracts.

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.

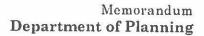
It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

Dated:					, 20	
	White	Plains,	New	York		

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB214	NO FISCAL IMPACT PROJECTED			
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget					
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND			
¥	Source of County Funds (check one):	X Current Appropriations			
æ		Capital Budget Amendment			
	SECTION B - BONDING AUT				
	To Be Completed by F	inance			
Total Principal	l \$ 425,000 PPU	15 Anticipated Interest Rate 3.60%			
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 36,119			
Total Debt Ser	vice (Annual Cost x Term):	\$ 541,785			
Finance Depar	tment: Interest rates from October 12	2, 2022 Bond Buyer - ASBA			
S	TO Be Completed by Submitting Departme	GET (exclusive of debt service)			
Determini Delet		int and keviewed by budget			
# # # #	ted Expenses (Annual): \$	•			
Potential Relat	ted Revenues (Annual): \$				
	vings to County and/or impact of departm	nent 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: 5					
SECTION E - EXPECTED DESIGN WORK PROVIDER					
X County Staff	Consultant	Not Applicable			
Prepared by:	Robert Abbamont				
Title:	Director of Operations (Capital)	Reviewed By:			
Department:	Public Works/Transportation	Budget Director			
Date:	10/17/22	Date: 10/17/20			





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB214 LAKE STREET, CR 32B, WHITE PLAINS

PROJECT/ACTION:

Per Capital Project Fact Sheet as approved by the Planning Department on

<u>09-20-2022</u> (Unique ID: <u>2036</u>)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20

BOND ACT AUTHORIZING THE ISSUANCE OF \$425,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO LAKE STREET, CR 32B, WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$425,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$425,000 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, \$425,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Lake Street, CR32B, White Plains, including design, construction management and construction associated with the rehabilitation of approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$425,000. The plan of financing includes the issuance of \$425,000 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 the object or purpose for which the \$425,000 bonds authorized by section 1 of this Act are to be issued, 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 \$425,000. 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 \$425,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)	ss.:
COUNTY OF WESTCHESTER)	33
I HEREBY CERTIFY that I	have compared the foregoing Act No20 with the
original on file in my office, and that the s	ame is a correct transcript therefrom and of the whole of
the said original Act, which was duly adop	ted by the County Board of Legislators of the County of
Westchester on , 20 and appro	oved 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
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New
(SEAL)	York

LEGAL NOTICE

Legislators on, 20, and the validity of the oblig only if such obligations were authorized in the State of New York, is not authorized with as of the dwith, and an action, suit or proceed	which is published herewith, has been adopted by the Board of, and approved by the County Executive on, gations authorized by such Bond Act may be hereafter contested zed for an object or purpose for which the County of Westchester, orized to expend money or if the provisions of law which should atte of publication of this Notice were not substantially complied ing contesting such validity is commenced within twenty days or such obligations were authorized in violation of the provisions
during normal business hours at the	Act summarized herewith shall be available for public inspection Office of the Clerk of the Board of Legislators of the County of I of twenty days from the date of publication of this Notice.
ACT NO20	
BOND ACT AUTHORIZING THI WESTCHESTER, OR SO MUCH COST OF IMPROVEMENTS TO ESTIMATED MAXIMUM COST FINANCING SAID COST INCL	E ISSUANCE OF \$425,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE LAKE STREET, CR 32B, WHITE PLAINS; STATING THE THEREOF IS \$425,000; STATING THE PLAN OF UDES THE ISSUANCE OF \$425,000 BONDS HEREIN FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST, 20)
including designation the rehabilitation to Delfino Park curb replacement	cost of improvements to Lake Street, CR 32B, White Plains, gn, construction management and construction associated with on of approximately 0.23 miles of roadway from the entrance to Harrison Boulevard including milling; resurfacing; concrete ent; drainage repairs; new traffic loops; new pavement markings rk, as set forth in the County's Current Year Capital Budget, as
amount of obligations to be issued and period of probable usefulness:	\$425,000; 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:* RB214	AND SERVICE AND ADDRESS OF THE SERVICE AND ADDRE				act Sheet 1-03-2023	o en como en		
Fact Sheet Year:* 2023		ect Title:* E STREET, CR 32E NS	B, WHITE		Legislative District ID: 5,			
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS				CP Unique 036	e ID:		
Overall Project Description This project will fund the rehabilit Boulevard.	tation of approx	cimately 0.23 miles	of roadwa	y from the	e entrance	to Delfine	o Park to I	Harrison
■ Best Management Practices	☐ En	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	□ Ot							
FIVE-YEAR CAPITAL PROG	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	425	0	425	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	425	0	425	0	0	0	0	0
Current Bond Description: Fur rehabilitation of approximately 0.1 resurfacing; concrete curb replace	nding is request 23 miles of road ment; drainage	ed for design, const	nce to Del	fino Park	to Harriso	on Boulev	ard includ	with the ing milling;
Financing Plan for Current Req	uest:							
Non-County Shares:		\$ 0						
Bonds/Notes: Cash:		425,000						
Total:		\$ 425,000						
SEQR Classification: TYPE II Amount Requested: 425,000								
Comments: PCI: 54 (2019); AADT: 13,208								
Energy Efficiencies:								
Total Financing History:								

Recommended By:

Department of Planning

WBB4

Date 09-20-2022

Department of Public Works

RJB4

Date 09-20-2022

Budget Department LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 333

LAKE STREET, CR 32B, WHITE PLAINS (RB214)

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	2023	2024	2025	2026	2027	Under Review
425		425					Kenen

Non County Share

Gross

Total 425

425

Project Description

This project will fund the rehabilitation of approximately 0.23 miles of roadway from the entrance to Delfino Park to Harrison Boulevard.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	425.000			425,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$600,000, to authorize the County of Westchester ("County") to finance capital project RB233 – Virginia Rd, CR 35/51, Mt. Pleasant/North Castle ("RB233") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters. The work will include milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 7,626 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 61 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by in-house staff. Construction is estimated to take four (4) months and will begin after award and execution of the construction contracts.

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.

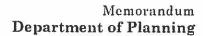
It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

Dated:			, 20
	White Plains,	New York	

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	t:RB233	NO FISCAL IMPACT PROJECTED							
	SECTION A - CAPITAL BUI To Be Completed by								
	<u> </u>								
X GENERAL FUN	DAIRPORT FUND	SPECIAL DISTRICTS FUND							
4 2	Source of County Funds (check one):	X Current Appropriations							
289		Capital Budget Amendment							
-	SECTION B. BONDING ALL	FUODIZATIONIC							
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance									
Total Principal	\$ 600,000 PPU	15 Anticipated Interest Rate 3.55%							
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 50,992							
Total Debt Ser	vice (Annual Cost x Term):	\$ 764,880							
Finance Depar	tment: Interest rates from October 1	2, 2022 Bond Buyer - ASBA							
S	ECTION C - IMPACT ON OPERATING BUD								
	To Be Completed by Submitting Departme	ent and Reviewed by Budget							
Potential Relat	ted Expenses (Annual): \$	-							
Potential Relat	ted Revenues (Annual): \$	_							
	A 2000/2004 A								
	vings to County and/or impact of departretal for current and next four years):	ment operations							
(acsense in ac	tall for culterit and next loar yearsy.								
<u>* </u>									
8	SECTION D - EMPLO	YMENT							
As	per federal guidelines, each \$92,000 of a	ppropriation funds one FTE Job							
Number of Full	Time Equivalent (FTE) Jobs Funded:	7							
	SECTION E - EXPECTED DESIGN	WORK PROVIDER							
X County Staff	Consultant	Not Applicable							
Prepared by:	Robert Abbamont								
Title:	Director of Operations (Capital)	Reviewed By: Kunac Jan							
Department:	Public Works/Transportation	Budget Director							
Date:	10/17/22	Date: 10/17/20							





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB233 VIRGINIA ROAD, CR 35/51, MOUNT PLEASANT/NORTH CASTLE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

<u>09-20-2022</u> (Unique ID: <u>203</u>7)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF **IMPROVEMENTS** TO **VIRGINIA** ROAD, CR 35/51. MOUNT PLEASANT/NORTHCASTLE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 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, \$600,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Virginia Road, CR 35/51, Mount Pleasant/North Castle, including design, construction management and construction associated with the rehabilitation of approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters including milling; resurfacing; guide rail replacement; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$600,000. The plan of financing includes the issuance of \$600,000 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 the object or purpose for which the \$600,000 bonds authorized by section 1 of this Act are to be issued, 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 \$600,000. 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 \$600,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)	
COUNTY OF WESTCHESTER	; ;	SS.:
I HEREBY CERTIFY	that I	have compared the foregoing Act No20 with the
original on file in my office, and that	t the sa	ame is a correct transcript therefrom and of the whole of
the said original Act, which was duly	/ adopt	ted by the County Board of Legislators of the County of
Westchester on , 20 and	approv	ved by the County Executive on , 20
IN WITNESS WHERI	EOF,	I have hereunto set my hand and affixed the corporate
		seal of said County Board of Legislators this day
		of ,20
		e _g
		Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York
(SEAL)		

LEGAL NOTICE

	ary of which is published herewith, has been adopted by the Board of, 20, and approved by the County Executive on
20, and the validity of only if such obligations were in the State of New York, is have been complied with as with, and an action, suit or	ne obligations authorized by such Bond Act may be hereafter contested authorized for an object or purpose for which the County of Westchester, ot authorized to expend money or if the provisions of law which should find the date of publication of this Notice were not substantially complied proceeding contesting such validity is commenced within twenty days otice, or such obligations were authorized in violation of the provisions
during normal business hou	Bond Act summarized herewith shall be available for public inspection at the Office of the Clerk of the Board of Legislators of the County of period of twenty days from the date of publication of this Notice.
ACT NO20	
WESTCHESTER, OR SO COST OF IMPROVE PLEASANT/NORTHCAS? \$600,000; STATING THE \$600,000 BONDS HEREI	G THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF IUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE MENTS TO VIRGINIA ROAD, CR 35/51. MOUNT E; STATING THE ESTIMATED MAXIMUM COST THEREOF IS LAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE REST ON SAID BONDS. (Adopted , 20)
Pleasa constr roadw Parkw millin new to	nce the cost of improvements to Virginia Road, CR 35/51, Mount t/North Castle, including design, construction management and ction associated with the rehabilitation of approximately 0.26 miles of y from the Bronx River Parkway to 270' north of the Bronx River y and from North Broadway to Washington's Headquarters including resurfacing; guide rail replacement; curb replacement; drainage work; ffic signal loops; new pavement markings and related work, as set forth county's Current Year Capital Budget, as amended
amount of obligations to be and period of probable usef	
Dated:, 20 White Plains, New Y	rk
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* RB233	□ CI		Fact Sheet Date:* 01-03-2023					
Fact Sheet Year:*	Proje	ect Title:*		1	.egislativ	e District	ID:	
2023	and the second s	GINIA ROAD, CR	35/51, MC			. District		
		ASANT/NORTH C						
Category*	Depa	rtment:*	(CP Uniqu	e ID:			
ROADS & BRIDGES	PUB	LIC WORKS			037			
Overall Project Description								
This project will fund the rehabil the Bronx River Parkway and fro	itation of approx	kimately 0.26 miles	of roadwa	y from the	Bronx R	iver Parky	vay to 270	orth of
■ Best Management Practices		ergy Efficiencies	a r readqua] Infrastru	cture		
■ Life Safety		oject Labor Agreem	ent] Revenue			
☐ Security	□ Oti	her						
- Partir Sarah Caraba Saraha - ■								
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	600	0	600	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	600	0	600	0	0	0	0	0
Expended/Obligated Amount (i	n thousands) a	<u>s of:</u> 0						
Current Bond Description: Furehabilitation of approximately 0, and from North Broadway to Wareplacement; drainage work; new	26 miles of road shington's Head	dway from the Bron	x River Pa nilling: res	rkway to	270' north guide rail	of the Br	onx River	with the Parkway
Financing Plan for Current Rec	nuest:	•						
Non-County Shares:	1	S 0						
Bonds/Notes:		600,000						
Cash:		0						
Total:	7.	\$ 600,000						
SEQR Classification: TYPE II								
Amount Requested: 600,000								
Comments: PCI: 61 (2019); AADT: 7,626								
Energy Efficiencies:								
Total Financing History:								

Page 1 of 2 345

Recommended By:

Department of Planning
WBB4
Date
09-20-2022

Department of Public WorksDateRJB409-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:42:15 PM Page 2 of 2 346

VIRGINIA ROAD, CR 35/51, MOUNT PLEASANT/NORTH CASTLE (RB233)

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)

Gross Non County Share	Est Ult Cost Appropriated	Exp / Obl	2023 600	2024	2025	2026	2027	Under Review
Total	600		600					

Project Description

This project will fund the rehabilitation of approximately 0.26 miles of roadway from the Bronx River Parkway to 270' north of the Bronx River Parkway and from North Broadway to Washington's Headquarters.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County	Total
2023	600,000		Shares	600,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$775,000, to authorize the County of Westchester ("County") to finance capital project RB234 — Heathcote Bypass, CR 143, Scarsdale ("RB234") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road. The work will include milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 4,740 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 62 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by in-house staff. Construction is estimated to take eight (8) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

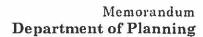
Dated:					, 20	-
	White	Plains,	New	York		

COMMITTEE ON

k.jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB234	NO FISCAL IMPACT PROJECTED							
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget									
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND							
	Source of County Funds (check one):	X Current Appropriations							
	*	Capital Budget Amendment							
	SECTION B - BONDING AUT To Be Completed by F								
Total Principal	\$ 775,000 PPU	15 Anticipated Interest Rate 3.52%							
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 65,865							
Total Debt Ser	vice (Annual Cost x Term):	\$ 987,975							
Finance Depar	tment: Interest rates from October 12	2, 2022 - Bond Buyer - ASBA							
S	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):								
_									
11									
	SECTION D - EMPLOY								
	per federal guidelines, each \$92,000 of ap	8							
	SECTION E - EXPECTED DESIGN								
X County Staff	Consultant	Not Applicable							
Prepared by:	Robert Abbamont								
Title:	Director of Operations (Capital)	Beviewed By:							
Department:	Public Works/Transportation	Budget Director							
Date:	10/17/22	Date: 15/17/22							





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB234 HEATHCOTE BYPASS, CR 143, SCARSDALE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2038)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20___

BOND ACT AUTHORIZING THE ISSUANCE OF \$775,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO HEATHCOTE BYPASS, CR 143, SCARSDALE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$775,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$775,000 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, \$775,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Heathcote Bypass, CR 143, Scarsdale, including design, construction management and construction associated with the rehabilitation of approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road including milling; resurfacing; guide rail replacement; drainage work; new traffic signal loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$775,000. The plan of financing includes the issuance of \$775,000 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 the object or purpose for which the \$775,000 bonds authorized by section 1 of this Act are to be issued, 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 \$775,000. 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 \$775,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)	ss.:
COUNTY OF WESTCHESTER)	
I HEREBY CERTIFY that I	have compared the foregoing Act No20 with the
original on file in my office, and that the s	ame is a correct transcript therefrom and of the whole of
the said original Act, which was duly adop	ted by the County Board of Legislators of the County of
Westchester on , 20 and appro	ved 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
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New
(SEAL)	York

LEGAL NOTICE

Legislators on	which is published herewith, has been adopted by the Board of, and approved by the County Executive on, gations authorized by such Bond Act may be hereafter contested ized for an object or purpose for which the County of Westchester, horized to expend money or if the provisions of law which should date of publication of this Notice were not substantially complied ding contesting such validity is commenced within twenty days or such obligations were authorized in violation of the provisions
during normal business hours at the	d Act summarized herewith shall be available for public inspection e Office of the Clerk of the Board of Legislators of the County of ed of twenty days from the date of publication of this Notice.
ACT NO20	
WESTCHESTER, OR SO MUCH COST OF IMPROVEMENTS TO THE ESTIMATED MAXIMUM FINANCING SAID COST INC	IE ISSUANCE OF \$775,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE HEATHCOTE BYPASS, CR 143, SCARSDALE; STATING COST THEREOF IS \$775,000; STATING THE PLAN OF LUDES THE ISSUANCE OF \$775,000 BONDS HEREIN G FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST , 20)
including des the rehabilitat overpass to Se drainage worl	cost of improvements to Heathcote Bypass, CR 143, Scarsdale, sign, construction management and construction associated with tion of approximately 0.61 miles of roadway from the pedestrian ecor Road including milling; resurfacing; guide rail replacement; k; new traffic signal loops; new pavement markings and related borth in the County's Current Year Capital Budget, as amended
amount of obligations to be issued and period of probable usefulness:	\$775,000; 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

	CALL	IALINOSECI	FACI	SHEEL				
Project ID:* RB234	□СВА			Fact Sheet Date:* 01-03-2023				
Fact Sheet Year:*	Project Title:*			ī	Legislative District ID:			
2023	on the				5,			
Category*	Depa	rtment:*		0	CP Unique	e 1D:		
ROADS & BRIDGES		LIC WORKS			038			
Overall Project Description This project will fund the rehabil	itation of approx	cimately 0.61 miles	of roadwa	y from the	e pedestria	ın overpas	s to Secor	Road.
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	☐ Pro	oject Labor Agreem	ent		Revenue	!		
☐ Security	□ Ot							
_ becamy		net						
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	775	0	775	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	775	0	775	0	0	0	0	0
Current Bond Description: Furehabilitation of approximately 0 guide rail replacement; drainage	inding is request .61 miles of road work; new traffi	ed for design, const	strian over	mass to Se	cor Road	including	ssociated v milling; r	with the esurfacing;
Financing Plan for Current Re	quest:							
Non-County Shares:		S 0						
270 AM	Bonds/Notes: 775,000							
Cash: 0								
Total: SEQR Classification: TYPE II		\$ 775,000			200		· · · · · · · · · · · · · · · · · · ·	
Amount Requested:								
775,000								
Comments: PCI: 62 (2019); AADT: 4,740								
Energy Efficiencies:								
Total Financing History: 0								

Recommended By:

Department of Planning
WBB4
Date
09-20-2022

Department of Public Works

RJB4

Date

09-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:42:42 PM Page 2 of 2 **359**

HEATHCOTE BYPASS, CR 143, SCARSDALE (RB234)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

Non County Share

TBD

Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

Gross

Total

	and the state of t							
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
	775		775					Keview
		+						
ı	775		775					

Project Description

This project will fund the rehabilitation of approximately 0.61 miles of roadway from the pedestrian overpass to Secor Road.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	775,000		Shares	775,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$420,000, to authorize the County of Westchester ("County") to finance capital project RB235 – Pearl St, CR 43, Port Chester ("RB235") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.11 miles of roadway from Irving Avenue to King Street. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 5,469 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 69 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by in-house staff. Construction is estimated to take four (4) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

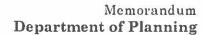
Dated:		,	20
	White Plains, N	ew York	

COMMITTEE ON

k jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB235	NO FISCAL IMPACT PROJECTED
<	SECTION A - CAPITAL BUT To Be Completed by	
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
		Capital Budget Amendment
	SECTION B - BONDING AUT To Be Completed by I	
Total Principal		15 Anticipated Interest Rate 3.60%
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 35,694
Total Debt Ser	vice (Annual Cost x Term):	\$ 535,410
Finance Depar	tment: Interest rates from October 1	2, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUDG To Be Completed by Submitting Departme	GET (exclusive of debt service)
Potential Relat	ted Expenses (Annual): \$	-
	ted Revenues (Annual): \$	
Anticipated sa	vings to County and/or impact of departnetail for current and next four years):	nent operations
	SECTION D - EMPLO	
	per federal guidelines, each \$92,000 of ap Time Equivalent (FTE) Jobs Funded:	ppropriation funds one FTE Job 5
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
X County Staff	Consultant	Not Applicable
Prepared by:	Robert Abbamont	20
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	Budget Director
Date:	10/17/22	Date: 18 UT 32





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB235 PEARL STREET, CR 43, PORT CHESTER

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

<u>09-20-2022</u> (Unique ID: <u>2039</u>)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20___

BOND ACT AUTHORIZING THE ISSUANCE OF \$420,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO PEARL STREET, CR 43, PORT CHESTER; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$420,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$420,000 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, \$420,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Pearl Street, CR 43, Port Chester, including design, construction management and construction associated with the rehabilitation of approximately 0.11 miles of roadway from Irving Avenue to King Street including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$420,000. The plan of financing includes the issuance of \$420,000 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 the object or purpose for which the \$420,000 bonds authorized by section 1 of this Act are to be issued, 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 \$420,000. 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 \$420,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK) : s COUNTY OF WESTCHESTER)	ss.:
original on file in my office, and that the sath the said original Act, which was duly adopt Westchester on , 20 and approx	nave compared the foregoing Act No20 with the me is a correct transcript therefrom and of the whole of ed by the County Board of Legislators of the County of yed by the County Executive on I have hereunto set my hand and affixed the corporate
(SEAL)	of , 20 Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

LEGAL NOTICE

Legislators on, and the validity of toolly if such obligations were in the State of New York, is have been complied with as with, and an action, suit or	hary of which is published herewith, has been adopted by the Board of, 20, and approved by the County Executive on, he obligations authorized by such Bond Act may be hereafter contested authorized for an object or purpose for which the County of Westchester, not authorized to expend money or if the provisions of law which should of the date of publication of this Notice were not substantially complied proceeding contesting such validity is commenced within twenty days Notice, or such obligations were authorized in violation of the provisions
during normal business hour	he Bond Act summarized herewith shall be available for public inspection is at the Office of the Clerk of the Board of Legislators of the County of a period of twenty days from the date of publication of this Notice.
ACT NO20	
WESTCHESTER, OR SO I COST OF IMPROVEMEN' ESTIMATED MAXIMUM FINANCING SAID COST	NG THE ISSUANCE OF \$420,000 BONDS OF THE COUNTY OF MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE IS TO PEARL STREET, CR 43, PORT CHESTER; STATING THE ICOST THEREOF IS \$420,000; STATING THE PLAN OF INCLUDES THE ISSUANCE OF \$420,000 BONDS HEREIN VIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST Ed. , 20)
includi the reh to Kin work;	nce the cost of improvements to Pearl Street, CR 43, Port Chester, ng design, construction management and construction associated with abilitation of approximately 0.11 miles of roadway from Irving Avenue g Street, including milling; resurfacing; curb replacement; drainage new traffic signal loops; new pavement markings and related work, as the in the County's Current Year Capital Budget, as amended
amount of obligations to be i and period of probable usefu	
Dated:, 20_ White Plains, New Y	ork
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

RB235	□ CBA				act Sheet 1-03-2023			
Fact Sheet Year:* 2023	Project Title:* PEARL STREET, CR 43, PORT CHESTER			L 6	egislative ,	District	ID:	
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS				P Unique 039	e ID;		
Overall Project Description This project will fund the rehability	tation of approx	imately 0.11 miles	of roadwa	y from Irv	ring Aven	ue to King	Street.	
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture		
Life Safety	□Pro	ject Labor Agreeme	ent		Revenue			
☐ Security	□ Otl	ner						
FIVE-YEAR CAPITAL PROG	The same of the sa	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	420	0	420	0	0	0	0	(
Less Non-County Shares Net	420	0	0 420	0	0 0	0	0	(
Expended/Obligated Amount (in	n thousands) a	s of:						
Current Bond Description: Fur rehabilitation of approximately 0, replacement; drainage work; new	nding is request 11 miles of road traffic signal lo	ed for design, consti	venue to K	Ling Street	t including	truction a g milling;	ssociated v resurfacin	with the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req	nding is request 11 miles of road traffic signal lo	ed for design, const dway from Irving A ops; new pavement	venue to K	Ling Street	t including	truction as	ssociated v resurfacin	with the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req Non-County Shares:	nding is request 11 miles of road traffic signal lo	ed for design, const dway from Irving A ops; new pavement S 0	venue to K	Ling Street	t including	truction a g milling;	ssociated v resurfacin	with the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req Non-County Shares: Bonds/Notes:	nding is request 11 miles of road traffic signal lo	ed for design, constitution of the design of	venue to K	Ling Street	t including	truction as	ssociated v resurfacin	vith the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req Non-County Shares:	nding is request 11 miles of road traffic signal lo	ed for design, const dway from Irving A ops; new pavement S 0	venue to K	Ling Street	t including	truction a g milling;	ssociated v resurfacin	with the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested:	nding is request 11 miles of road traffic signal lo	ed for design, constitution of the second of	venue to K	Ling Street	t including	truction a g milling;	ssociated v resurfacin	vith the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II	nding is request 11 miles of road traffic signal lo	ed for design, constitution of the second of	venue to K	Ling Street	t including	truction a	ssociated v resurfacin	vith the g; curb
Current Bond Description: Fur rehabilitation of approximately 0. replacement; drainage work; new Financing Plan for Current Req Non-County Shares: Bonds/Notes: Cash: Total: SEQR Classification: TYPE II Amount Requested: 420,000 Comments:	nding is request 11 miles of road traffic signal lo	ed for design, constitution of the second of	venue to K	Ling Street	t including	truction as	ssociated v resurfacin	vith the g; curb

Recommended By:

Department of PlanningWBB4

Date
09-20-2022

Department of Public Works

RJB4

Date

09-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:43:14 PM Page 2 of 2 **372**

PEARL STREET, CR 43, PORT CHESTER (RB235)

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	2023	2024	2025	2026	2027	Under
Gross Non County Share	420		420					Review
Total	420		420					

Project Description

This project will fund the rehabilitation of approximately 0.11 miles of roadway from Irving Avenue to King Street.

Current Year Description

The current year request funds design, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County	Total
2023	420,000		Shares	420,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$1,620,000, to authorize the County of Westchester ("County") to finance capital project RB236 – North Division St/South St, CR 63II, Peekskill ("RB236") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue. The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 5,992 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 75 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take nine (9) months to complete and will be performed by outside consultants. Construction is estimated to take six (6) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

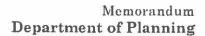
Dated:			, 20	
	White Plains,	New York		

COMMITTEE ON

k jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:RB236	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BU To Be Completed by	
X GENERAL FUN		SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
	a	Capital Budget Amendment
	SECTION B - BONDING AU To Be Completed by	
Total Principa	I \$ 1,620,000 PPU	15 Anticipated Interest Rate 3.47%
Anticipated A	nnual Cost (Principal and Interest):	\$ 137,678
Total Debt Ser	vice (Annual Cost x Term):	\$ 2,065,170
Finance Depar	tment: Interest rates from October 3	12, 2022 Bond Buyer - ASBA
	SECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Departm	
Potential Rela	ted Expenses (Annual): \$	1-
Potential Rela	ted Revenues (Annual): \$	*
	vings to County and/or impact of depart etail for current and next four years):	ment operations
	SECTION D - EMPLO	DYMENT
A:	s per federal guidelines, each \$92,000 of a	
Number of Ful	l Time Equivalent (FTE) Jobs Funded:	18
	SECTION E - EXPECTED DESIGN	N WORK PROVIDER
County Staff	X Consultant	Not Applicable
Prepared by:	Robert Abbamont	
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	8udget Director
Date:	10/17/22	Date: 1017 22





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB236 NORTH DIVISION STREET/SOUTH STREET, CR 6311, PEEKSKILL

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2040)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 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

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,620,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,620,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,620,000 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, \$1,620,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the construction of improvements to North Division Street/South Street, CR63II, Peekskill, including design, construction management and construction associated with the rehabilitation of approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,620,000. The plan of financing includes the issuance of \$1,620,000 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 the object or purpose for which the \$1,620,000 bonds authorized by section 1 of this Act are to be issued, 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 \$1,620,000. 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 \$1,620,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK) : COUNTY OF WESTCHESTER)	SS.:
I HEREBY CERTIFY that	I have compared the foregoing Act No20 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 ado	pted by the County Board of Legislators of the County of
Westchester on , 20 and appro	oved 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
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York
(SEAL)	IVIA

LEGAL NOTICE

Legislators on	, 20 dity of the oblig ns were authoriz ork, is not auth with as of the d suit or proceed	which is published herewith, has been adopted by the Board of, and approved by the County Executive on, gations authorized by such Bond Act may be hereafter contested zed for an object or purpose for which the County of Westchester, orized to expend money or if the provisions of law which should atte of publication of this Notice were not substantially complied ing contesting such validity is commenced within twenty days or such obligations were authorized in violation of the provisions
during normal busine	ess hours at the	Act summarized herewith shall be available for public inspection Office of the Clerk of the Board of Legislators of the County of of twenty days from the date of publication of this Notice.
ACT NO	20	
BOND ACT AUTHOWESTCHESTER, O COST OF IMPROV PEEKSKILL; STAT STATING THE PLA BONDS HEREIN A	ORIZING THE OR SO MUCH VEMENTS TO TING THE ES IN OF FINANC UTHORIZED;	E ISSUANCE OF \$1,620,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE NORTH DIVISION STREET/SOUTH STREET, CR 63II, STIMATED MAXIMUM COST THEREOF IS \$1,620,000; ING SAID COST INCLUDES THE ISSUANCE OF \$1,620,000 AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL NDS. (Adopted , 20)
object or purpose:	CR63II, Peel construction as roadway from resurfacing; cu	cost of improvements to North Division Street/South Street, kskill, including design, construction management and ssociated with the rehabilitation of approximately 0.54 miles of Highland Avenue to Washington Avenue, including milling; arb replacement; drainage work; new traffic signal loops; new kings and related work, as set forth in the County's Current Year t, as amended
amount of obligation and period of probab		\$1,620,000; fifteen (15) years
Dated: 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

					eat. St. 161910 S	266 - 6		
Project ID:* RB236	□ CB.	A			Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:*	Projec	t Title:*		Į.	Legislative District 1D:			
2023	NORTH DIVISION STREET/SOUTH STREET, CR 6311, PEEKSKILL				,			
Category*	Depar	tment:*		(CP Uniqu	e ID:		
ROADS & BRIDGES	PUBL	IC WORKS		2	.040			
Overall Project Description This project will fund the rehabil	litation of approxi	mately 0.54 miles	of roadwa	y from H	ghland A	venue to \	Vashingtor	ı Avenue.
■ Best Management Practices	☐ Ene	rgy Efficiencies		0] Infrastru	icture		
■ Life Safety	☐ Proj	ect Labor Agreem	ent] Revenue	:		
☐ Security	Othe	er						
FIVE-YEAR CAPITAL PROC	GRAM (in thousa	nnds)					×	
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	1,620	1,000	620	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,620	1,000	620	0	0	0	0	0
Current Bond Description: Further Furt	.54 miles of roads ainage work; new	way from Highland	l Avenue i	to Washin	gton Aver	me includ	ing milling	% the the
SEQR Classification: TYPE II				-				
Amount Requested: 1,620,000								
Comments: PCI: 75 (2019); AADT: 5,992								
Energy Efficiencies:								
Appropriation History:								
Year	Amount				cription			
2022	1,000,000	DESIGN, CONS	TRUCTIO	DNAND	CONSTR	UCTION	MANAGE	EMENT
Total Appropriation History: 1,000,000								

10-12-2022 05:43:42 PM Page 1 of 2 **384**

Total Financing History:

0

Recommended By:

Department of PlanningDateWBB409-20-2022

Department of Public WorksDateRJB409-20-2022

Budget Department Date
LMY1 09-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:43:42 PM Page 2 of 2 **385**

NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL (RB236)

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 Ap	propriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	1,620	1,000		620					Kealea
Total	1,620	1,000		620					

Project Description

This project will fund the rehabilitation of approximately 0.54 miles of roadway from Highland Avenue to Washington Avenue.

Current Year Description

The current year request funds additional costs for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County	Total
2023	620,000		Shares	620,000

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
2022	1,000,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION
Total	1 000 000		

Prior Appropriations

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

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 ("Bond Act") in the amount of \$6,150,000, to authorize the County of Westchester ("County") to finance capital project RB237 – East/West Main St, CR 25/25I, Peekskill ("RB237") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 1.4 miles of East Main Street from the Cortlandt/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9 The work will include milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 12,346 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 76 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by outside consultants. Construction is estimated to take eight (8) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

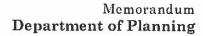
Dated:		, 20
	White Plains, New York	

COMMITTEE ON

k jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	t:RB237	NO FISCAL IMPACT PROJECTED		
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget				
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND		
>	Source of County Funds (check one):	X Current Appropriations		
	•	Capital Budget Amendment		
	SECTION B - BONDING AU	AND AND AND A THE STATE AND		
Total Principal	To Be Completed by \$ 6,150,000 PPU	15 Anticipated Interest Rate 3.44%		
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 522,667		
Total Debt Ser	vice (Annual Cost x Term):	\$ 7,840,005		
Finance Depar	tment: Interest rates from October 1	12, 2022 Bond Buyer - ASBA		
S	ECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Departm			
Potential Relat	Potential Related Expenses (Annual): \$ -			
Potential Relat	ted Revenues (Annual): \$	•		
Anticipated savings to County and/or impact of department operations				
(aescribe in de	etail for current and next four years):			
	SECTION D - EMPLO	DYMENT		
As per federal guidelines, each \$92,000 of appropriation funds one FTE Job				
Number of Full Time Equivalent (FTE) Jobs Funded: 67				
SECTION E - EXPECTED DESIGN WORK PROVIDER				
County Staff	X Consultant	Not Applicable		
Prepared by:	Robert Abbamont	06/		
Title:	Director of Operations (Capital)	Reviewed By:		
Department:	Public Works/Transportation	9 Budget Director		
Date:	10/17/22	Date: 15/17 22		





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

RB237 EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2041)

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)(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)(5): repaving of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: Drainage work under this classification is limited to repair, rehabilitation, or modification of existing facilities not exceeding 4,000 square feet of new disturbance or resulting in significant alterations to flow or discharges that would impact the environment. Any drainage improvements exceeding such thresholds will be subject to further review pursuant to SEOR.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$6,150,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,150,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$6,150,000 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, \$6,150,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to East/West Main Street, CR 25/251, Peekskill, including design, construction management and construction associated with the rehabilitation of approximately 1.4 miles of East Main Street from the Cortland/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9 including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$6,150,000. The plan of financing includes the issuance of \$6,150,000 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 the object or purpose for which the \$6,150,000 bonds authorized by section 1 of this Act are to be issued, 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 \$6,150,000. 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 \$6,150,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)	La u
COUNTY OF WESTCHESTER)	SS.:
I HEREBY CERTIFY that	I have compared the foregoing Act No20 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 ado	pted by the County Board of Legislators of the County of
Westchester on , 20 and appr	oved 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
	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New
	York
(SEAL)	

LEGAL NOTICE

Legislators on, 20 20, and the validity of the oblonly if such obligations were author in the State of New York, is not author have been complied with as of the with, and an action, suit or process	f which is published herewith, has been adopted by the Board of D, and approved by the County Executive on, igations authorized by such Bond Act may be hereafter contested rized for an object or purpose for which the County of Westchester, thorized to expend money or if the provisions of law which should date of publication of this Notice were not substantially complied eding contesting such validity is commenced within twenty days or such obligations were authorized in violation of the provisions
during normal business hours at th	d Act summarized herewith shall be available for public inspection e Office of the Clerk of the Board of Legislators of the County of od of twenty days from the date of publication of this Notice.
ACT NO20	
WESTCHESTER, OR SO MUCH COST OF IMPROVEMENTS T STATING THE ESTIMATED M PLAN OF FINANCING SAID (IE ISSUANCE OF \$6,150,000 BONDS OF THE COUNTY OF ITHEREOF AS MAY BE NECESSARY, TO FINANCE THE TO EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL; MAXIMUM COST THEREOF IS \$6,150,000; STATING THE COST INCLUDES THE ISSUANCE OF \$6,150,000 BONDS ROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND Adopted , 20)
Peekskill, ir associated w Street from the miles of Wes milling; resu loops; new p	ne cost of improvements to East/West Main Street, CR25/25I, including design, construction management and construction ith the rehabilitation of approximately 1.4 miles of East Main the Cortland/Peekskill Line to Broad Street and approximately 0.5 st Main Street from North Division Street to Route 9 including arfacing; curb replacement; drainage work; new traffic signal avenuent markings and related work, as set forth in the County's Capital Budget, as amended
amount of obligations to be issued and period of probable usefulness:	
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:* RB237	□СВА					Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:* 2023	EAS"	ect Title:* F/WEST MAIN STI KSKILL	REET, CR		770	District	ID:		
Category* ROADS & BRIDGES		rtment:* LIC WORKS			CP Unique 041	e ID:			
Overall Project Description This project will fund the rehabili Broad Street and approximately 0	tation of approx	simately 1.4 miles of t Main Street from	f East Ma North Div	in Street fi ision Stree	rom from et to Route	the Cortla e 9.	ndt/Peeks	kill Line to	
■ Best Management Practices	□ En	ergy Efficiencies		×] Infrastru	cture			
■ Life Safety		oject Labor Agreem	ent		Revenue	ks			
Security	□ Oti	Prosts)		, <u>-</u>	1 Kovende	5			
FIVE-YEAR CAPITAL PROG	RAM (in thous	sands)							
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review	
Gross	6,150	2,500	3,650	0	0	0	0	0	
Less Non-County Shares	0	0	0	0	0	0	0	0	
Net	6,150	2,500	3,650	0	0	0	0	0	
Current Bond Description: Fur rehabilitation of approximately 1. approximately 0.5 miles of West I replacement; drainage work; new	4 miles of East Main Street froi	Main Street from the North Division St	e Cortland reet to Ro	lt/Peekski ute 9 inclu	Il Line to I Iding mill	Broad Stre	eet and		
Financing Plan for Current Req	west:								
Non-County Shares:		S 0							
Bonds/Notes:		6,150,000							
Cash:		0							
Total:		\$ 6,150,000							
SEQR Classification: TYPE II Amount Requested: 6,150,000				2					
Comments: PCI: 76 (2019); AADT: 12,346									
Energy Efficiencies:									
Appropriation History:									
Year	Amount			Des	cription	7.1/			
2022		00 DESIGN, CONS	TRUCTION			UCTION	MANAG	EMENT	
Total Appropriation History: 2,500,000	T SAME	The state of the s							
Total Financing History:									

0

10-12-2022 05:44:14 PM Page 1 of 2 397

Recommended By:

Department of Planning
WBB4
Date
09-20-2022

Department of Public WorksDateRJB409-20-2022

Budget DepartmentDateLMY109-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:44:14 PM Page 2 of 2 **398**

EAST/WEST MAIN STREET, CR25/25I, PEEKSKILL (RB237)

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 Ap	propriated	Exp / Obl	2023	2024	2025	2026	2027	Under
Gross Non County Share	6,150	2,500		3,650					Review
Total	6,150	2,500		3,650					

Project Description

This project will fund the rehabilitation of approximately 1.4 miles of East Main Street from the Cortland/Peekskill Line to Broad Street and approximately 0.5 miles of West Main Street from North Division Street to Route 9.

Current Year Description

The current year request funds additional costs for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	3,650,000			3,650,000

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	
2022	2,500,000	Design, construction and construction management	AWAITING BOND AUTHORIZATION	
Total	2 500 000			

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,500,000		2,500,000
Total	2,500,000		2,500,000

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 ("Bond Act") in the amount of \$3,350,000, to authorize the County of Westchester ("County") to finance capital project P0032 – Playland Parkway, CR 152, Rye ("P0032") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with rehabilitation of approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp. The work will include milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work.

The Department of Public Works and Transportation ("Department") has advised that this road, which has an average annual daily traffic count ("AADT") of 6,016 is in need of rehabilitation to provide a safe roadway for the traveling public. The associated pavement condition index ("PCI") in 2019 was 68 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.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take nine (9) months to complete and will be performed by outside consultants. Construction is estimated to take six (6) months and will begin after award and execution of the construction contracts.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

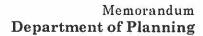
Dated:					, 20
	White	Plains,	New	York	

COMMITTEE ON

k.jpg 09-22-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#: <u>P0032</u>	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUT To Be Completed by	
		Budget
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
e.	a de la companya de	Capital Budget Amendment
×	SECTION B - BONDING AUT To Be Completed by I	**************************************
Total Principal	\$ 3,350,000 PPU	15 Anticipated Interest Rate 3.45%
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 318,038
Total Debt Ser	vice (Annual Cost x Term):	\$ 4,770,570
Finance Depar	tment: Interest rates from October 1	2, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUDG	GET (exclusive of debt service)
	To Be Completed by Submitting Departme	ent and Reviewed by Budget
Potential Relat	ted Expenses (Annual): \$	2 -
Potential Relat	ted Revenues (Annual): \$	-
	vings to County and/or impact of departn	nent operations
(describe in de	etail for current and next four years):	¥ *
	SECTION D - EMPLO	VMFNT
As	per federal guidelines, each \$92,000 of a	
Number of Full	Time Equivalent (FTE) Jobs Funded:	36
** 97 *** ***	SECTION E - EXPECTED DESIGN	WORK PROVIDER
County Staff	X Consultant	Not Applicable
Prepared by:	Robert Abbamont	0
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	Budget Director
Date:	10/17/22	Date: 13 (Ta)





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

P0032 PLAYLAND PARKWAY, CR 152, RYE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-20-2022 (Unique ID: 2033)

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)(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)(5): repaying of existing highways not involving the addition of new travel lanes;
- 617.5(c)(22): installation of traffic control devices on existing streets, roads and highways.

COMMENTS: Drainage work under this classification is limited to repair, rehabilitation, or modification of existing facilities not exceeding 4,000 square feet of new disturbance or resulting in significant alterations to flow or discharges that would impact the environment. Any drainage improvements exceeding such thresholds will be subject to further review pursuant to SEOR.

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

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20

BOND ACT AUTHORIZING THE ISSUANCE OF \$3,350,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO PLAYLAND PARKWAY, CR 152, RYE; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,350,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,350,000 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, \$3,350,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to Playland Parkway, CR 152, Rye, including design, construction management and construction associated with the rehabilitation of approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp, including milling; resurfacing; concrete curb replacement; drainage repairs; new traffic loops; new pavement markings and related work, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$3,350,000. The plan of financing includes the issuance of \$3,350,000 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 the object or purpose for which the \$3,350,000 bonds authorized by section 1 of this Act are to be issued, 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 \$3,350,000. 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 \$3,350,000 as the estimated total cost of the aforesaid 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 not earlier than January 1, 2023 and in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)	
COUNTY OF WESTCHESTER)	SS.:
I HEREBY CERTIFY that I	have compared the foregoing Act No20 with the
original on file in my office, and that the s	ame is a correct transcript therefrom and of the whole of
the said original Act, which was duly adop	ted by the County Board of Legislators of the County of
Westchester on , 20 and appro	ved 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
	ale
(SEAL)	Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

LEGAL NOTICE

Legislators on	, 20 dity of the oblig ons were authori York, is not auth with as of the d suit or proceed	which is published herewith, has been adopted by the Board of, and approved by the County Executive on, gations authorized by such Bond Act may be hereafter contested zed for an object or purpose for which the County of Westchester, norized to expend money or if the provisions of law which should ate of publication of this Notice were not substantially complied ling contesting such validity is commenced within twenty days or such obligations were authorized in violation of the provisions
during normal busin	ess hours at the	Act summarized herewith shall be available for public inspection Office of the Clerk of the Board of Legislators of the County of d of twenty days from the date of publication of this Notice.
ACT NO	-20	
WESTCHESTER, C COST OF IMPRO' ESTIMATED MAI FINANCING SAID	OR SO MUCH VEMENTS TO XIMUM COS' O COST INCL ID PROVIDING	E ISSUANCE OF \$3,350,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE PLAYLAND PARKWAY, CR 152, RYE; STATING THE THEREOF IS \$3,350,000; STATING THE PLAN OF UDES THE ISSUANCE OF \$3,350,000 BONDS HEREING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST , 20)
object or purpose:	including desi the rehabilitat Parkway Acco Avenue and resurfacing; conew pavement	gn, construction management and construction associated with ion of approximately 1.14 miles of roadway from Playland ess Road (CR 147)/Thruway Access Road (CR 148) to Forest the Boston Post Road Access Ramp, including milling; oncrete curb replacement; drainage repairs; new traffic loops; markings and related work, as set forth in the County's Current Budget, as amended
amount of obligation and period of probab		\$3,350,000; fifteen (15) years
Dated: White Plains	, 20 , New York	
		Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

							0	45
Project ID:* P0032	□cı	ВА			act Shee 1-03-202	200		
Fact Sheet Year:*	Proje	ect Title:*		¥	ogislativ	e District	ID.	
2023	0000000	YLAND PARKWA	Y, CR 15			e District	ID.	
Category*	Depa	rtment:*		(CP Uniqu	e ID:		
PARKWAYS PUBLIC WORKS 2033								
Overall Project Description								
This project will fund the rehabili 147)/Thruway Access Road (CR concrete curb replacement; draina	148) to Forest A	Avenue and the Bosi	on Post R	oad Acces	s Ramn in	scluding r	cess Road nilling; res	(CR surfacing;
■ Best Management Practices	☐ En	ergy Efficiencies		×] Infrastru	cture		
☑ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue	:		
☐ Security	□ Ot	her						
FIVE-YEAR CAPITAL PROG	RAM (in thou:	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,350	0	3,350	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,350	0	3,350	0	0	0	0	0
Expended/Obligated Amount (in			A Lavide Silver	200				
Current Bond Description: Fur rehabilitation of approximately 1. 148) to Forest Avenue and the Bo- drainage repairs; new traffic loops	l 4 miles of road ston Post Road	lway from Playland Access Ramp inclu	Parkway ding milli	Access Ro	ad (CR 1	47)/Thruy	vav Acces	s Road (CR
Financing Plan for Current Req	uest:							
Non-County Shares:		S 0						
Bonds/Notes:		3,350,000						
Cash:		0						
Total:		\$ 3,350,000						
SEQR Classification: TYPE II							+01	
Amount Requested: 3,350,000								
Comments: PCI: 68 (2019); AADT: 6,016								
Energy Efficiencies:								
Total Financing History:								

Recommended By:

Department of PlanningDateWBB409-20-2022

Department of Public Works

RJB4

Date

09-20-2022

Budget DepartmentDateLMYI09-22-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:44:45 PM Page 2 of 2 411

PLAYLAND PARKWAY, CR 152, RYE (P0032)

User Department:

Public Works

Managing Department(s):

Public Works ;

Estimated Completion Date:

TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under
Gross Non County Share	3,350			3,350					Reviev
Total	3,350			3,350					

Project Description

This project will fund the rehabilitation of approximately 1.14 miles of roadway from Playland Parkway Access Road (CR 147)/Thruway Access Road (CR 148) to Forest Avenue and the Boston Post Road Access Ramp 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, construction and construction management.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	3,350,000			3,350,000

Impact on Operating Budget

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



George Latimer County Executive

October 21, 2022

Westchester County Board of Legislators 800 Michaelian Office Building White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval are three (3) bond acts (the "Bond Acts") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the total aggregate amount of \$4,050,000 to finance the following three (3) capital projects for 2023:

\$750,000	Serial Bonds for	HVAC Upgrades, Terminal Building (A0134)
\$800,000	Serial Bonds for	Ramp Service Equipment (A0138)
\$2,500,000	Serial Bonds for	Electrical, Data and Security Systems Upgrades(A0140)

It should be noted that the County Budget Department is submitting these Bond Acts to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit these Bond Acts now so that the referenced projects will be ready to proceed without delay in early 2023.

The Planning Department has advised that based on its review the above projects are "Type II" actions under the State Environmental Quality Review Act, 6 NYCRR Part 617. Type II actions are those actions determined not to have a significant effect on the environment and therefore do not require further environmental review. If you concur in this determination, no further action is required.

Approval of these Bond Acts totaling \$4,050,000 is necessary so that the Commissioner of Finance may enter the bond market at the most opportune time.

I recommend your Board's favorable action on the annexed proposed Bond Acts.

George Latimer County Executive

GL/LS/HJG/jpg

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 ("Bond Act") in the amount of \$750,000, to authorize the County of Westchester ("County") to finance capital project A0134 – HVAC Upgrades, Terminal Building ("A0134") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Harris Beach, PLLC, would finance the cost of design, construction and construction management of the first phase of the HVAC unit replacement project at the terminal building at the County Airport.

The Department of Public Works & Transportation has advised that the existing HVAC units at the terminal have exceeded their useful life and are in need of replacement. Work under this phase will include the removal of existing HVAC units and replacement with new energy efficient rooftop units.

Following bonding authorization, design will be scheduled and is anticipated to take four (4) months to complete and will be performed by an outside consultant. Construction is estimated to take six (6) months and will begin after award and execution of the construction contracts.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

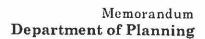
	Tour C	ommittee has carefully co	nsidered the proposed	Bond Act, and reco	ommends approval o)İ
sar	ne.					
	Dated:		, 20			
		White Plains, New York				

COMMITTEE ON

k/jpg 09-29-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:A0134	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUI To Be Completed by	
GENERAL FUND	X AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
		Capital Budget Amendment
	SECTION B - BONDING AU To Be Completed by	49-5-30-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-
Total Principal	\$ 750,000 PPU	10 Anticipated Interest Rate 3.37%
Anticipated An	nnual Cost (Principal and Interest):	\$ 88,336
Total Debt Ser	vice (Annual Cost x Term):	\$ 883,360
Finance Depart	tment: Interest rates from October 1	.8, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Departm	
Potential Relat	ted Expenses (Annual): \$	-
	ted Revenues (Annual): \$	
	,	mont operations
	vings to County and/or impact of depart etail for current and next four years):	ment operations
	SECTION D - EMPLO	
1V 32	s per federal guidelines, each \$92,000 of a	appropriation funds one FTE Job
Number of Ful	Time Equivalent (FTE) Jobs Funded:	8
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
County Staff	X Consultant	Not Applicable
Prepared by:	Brian Hegt	
Title:	Assistant to the Commissioner	Reviewed By:
Department:	Public Works & Transportation	Budget Director
Date:	10/19/22	Date:





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

A0134 HVAC UPGRADES TERMINAL BUILDING

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2045)

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)(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.

COMMENTS: None.

DSK/cnm

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Brian Hegt, Assistant to the Commissioner, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF THE CONSTRUCTION OF HVAC SYSTEM IMPROVEMENTS AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$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, _______, 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, to the provisions of other laws applicable thereto, \$750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance costs of the construction of HVAC system improvements at the County Airport, including design and construction management; 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 \$750,000. The plan of financing includes the issuance of \$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 specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 13 of the Law, is ten (10) 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 \$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.

* * *

STATE OF NEW YORK	
COUNTY OF WESTCHESTER	: ss.:
the original on file in my office, and the whole of the said original Act, which w	hat I have compared the foregoing Act No20_ with at the same is a correct transcript therefrom and of the vas duly adopted by the County Board of Legislators of 20_ and approved by the County Executive on ,
IN WITNESS WHERE	OF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 20
(SEAL)	The Clerk and Administrative Officer of the County Board of Legislators County of Westchester, New York

LEGAL NOTICE

Legislators on, 20 and the validity of the obligations authorized suthorized for an object New York, is not authorized to expend must be as of the date of publication of this	which is published herewith, has been adopted by the Board of and approved by the County Executive on, 20 and ed by such Bond Act may be hereafter contested only if such the or purpose for which the County of Westchester, in the State of money or if the provisions of law which should have been complied Notice were not substantially complied with, and an action, suit or managed within twenty days after the publication of this Notice, or action of the provisions of the Constitution.
during normal business hours at the Oi	act summarized herewith shall be available for public inspection ffice of the Clerk of the Board of Legislators of the County of wenty days from the date of publication of this Notice.
WESTCHESTER, OR SO MUCH THER CONSTRUCTION OF HVAC SYSTEM THE ESTIMATED MAXIMUM COST SAID COST INCLUDES THE ISSUA	ISSUANCE OF \$750,000 BONDS OF THE COUNTY OF EOF AS MAY BE NECESSARY, TO FINANCE COSTS OF THE IMPROVEMENTS AT THE COUNTY AIRPORT; STATING THEREOF IS \$750,000; STATING THE PLAN OF FINANCING ANCE OF \$750,000 BONDS HEREIN AUTHORIZED TO VIDING FOR A TAX TO PAY THE PRINCIPAL OF AND oted , 20)
County Airport,	of the construction of HVAC system improvements at the including design and construction management; all as set nty's current year Capital Budget, as amended.
amount of obligations to be issued: and period of probable usefulness:	\$750,000; ten (10) years
Dated:, 20 White Plains, New York	
	Clerk and Administrative Officer of the County Board of egislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

well of Market by						(4)		
Project ID:* A0134	□ CI	□ CBA			Fact Shee 01-03-202			
Fact Sheet Year:*	Proje	ect Title:*		1	eniclativ	a District	ID.	
2023	HVA	HVAC UPGRADES, TERMINAL BUILDING			Legislative District ID: 6,			
Category*	Dens	rtment:*			CP Uniqu	o ID.		
AIRPORT	1.5	ORT/DOT			2045	e ID.		
Overall Project Description This project funds removal of ex limited to, upgrades to electrical (BMS).	isting HVAC un systems, modifie	its and replacement cations to structural	with ener supports a	gy efficie and upgrad	nt units. F des to the	roject also building r	o includes nanageme	, but is not nt system
■ Best Management Practices	≭ En	ergy Efficiencies] Infrastru	cture		
☐ Life Safety	☐ Pro	ject Labor Agreem	ent		- 1 Revenue			
☐ Security	□ Otl			-	J			
The second secon								
FIVE-YEAR CAPITAL PROC	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,150	350	750	2,050	0	0	_ 0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3.150	350	750	2,050	_0	0	0	0
Expended/Obligated Amount (in thousands) as	s of : 0						
Current Bond Description: The HVAC unit replacements.	is request will fo	and design, construc	ction and o	onstruction	on manage	ement of t	he first ph	ase of the
Financing Plan for Current Re	quest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		750,000						
Cash:		0						
Total:		\$ 750,000						500
SEQR Classification: TYPE II	+				N==0			
Amount Requested: 750,000								
Comments:								
Energy Efficiencies:								
PROJECT INCLUDES REPLAC	EMENT WITH	ENERGY EFFICIE	ENT ROO	FTOP UN	IITS.			
Appropriation History:								
Year	Amount			Des	cription			
2017	350,00	0 DESIGN.						
Total Appropriation History: 350,000								
Total Financing History:								

Recommended By:

Department of Planning

WBB4 09-23-2022

Department of Public Works

Date RJB4 09-23-2022

Date

Budget Department

Date LMYI 09-26-2022

Requesting Department

Date RJB4 09-27-2022

HVAC UPGRADES, TERMINAL BUILDING (A0134)

User Department:

Airport/DOT

Managing Department(s):

Airport/DOT ; 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)

- I ENIX ONI AINE I	noorons (m the	rusanus j							
	Est Ult Cost App	ropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross Non County Share	3,150	350		750	2,050				
Total	3,150	350		750	2,050	4			

Project Description

This project funds removal of existing HVAC units and replacement with energy efficient units. Project also includes, but is not limited to, upgrades to electrical systems, modifications to structural supports and upgrades to the building management system (BMS).

Current Year Description

The current year request funds Phase I.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	750,000		Silares	750,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

Appropriation History

• • • • • • • • • • • • • • • • • • • •			
Year	Amount	Description	Status
2017	350,000	Design.	AWAITING BOND AUTHORIZATION
Total	350 000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	350,000		350,000
Total	350,000		350,000

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 ("Bond Act") in the amount of \$800,000, to authorize the County of Westchester ("County") to finance capital project A0138 – Ramp Service Equipment ("A0138") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Harris Beach, PLLC, would fund the purchase of three (3) new push-backs, which will replace units that were originally purchased in 2003, 2010, 2011. Additionally, one (1) new air start will also be purchased. The Department of Public Works & Transportation has advised that the new ramp service equipment is required to maintain the safe and efficient operation of the Airport's terminal ramp.

Following bonding authorization, it is expected that the new ramp service equipment will be ordered and the delivery time is estimated at twelve (12) months.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

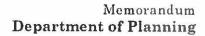
Your Con	imittee has carefully considered the p	proposed Bond Act, and recommends approve	al of
same.			
Dated:	, 20		
V	hite Plains, New York		

COMMITTEE ON

k jpg/09-29-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#: <u>A0138</u>	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BU To Be Completed by	
GENERAL FUN		SPECIAL DISTRICTS FUND
,	Source of County Funds (check one):	X Current Appropriations Capital Budget Amendment
		espital badget Americanent
	SECTION B - BONDING AU To Be Completed by	
Total Principal	l \$ 800,000 PPU	15 Anticipated Interest Rate 3.50%
Anticipated A	nnual Cost (Principal and Interest):	\$ 67,925
Total Debt Ser	vice (Annual Cost x Term):	\$ 1,018,875
Finance Depar	tment: Interest rates from October 3	18, 2022 Bond Buyer - ASBA
S	To Be Completed by Submitting Departm	
Potential Rela	ted Expenses (Annual): \$	cit and reviewed by budget
5, 120		
That describe the oil in	ted Revenues (Annual): \$	-
NO. NO	vings to County and/or impact of depart etail for current and next four years):	ment operations
(000000 00	stan for current and next four years.	
	SECTION D - EMPLO	DYMENT
A:	s per federal guidelines, each \$92,000 of a	
Number of Ful	l Time Equivalent (FTE) Jobs Funded:	9
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
County Staff	Consultant	X Not Applicable
Prepared by:	Brian Hegt	
Title:	Assistant to the Commissioner	Reviewed By:
Department:	Public Works & Transportation	Budget Director
Date:	10/19/22	Date: 10/00 30





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

A0138 RAMP SERVICE EQUIPMENT

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2046)

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)(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/cnm

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Brian Hegt, Assistant to the Commissioner, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF ACQUISITION OF RAMP SERVICE EQUIPMENT AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance costs of acquisition of ramp service equipment at the County Airport, including three (3) new push-backs; 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

the financing thereof is \$800,000. The plan of financing includes the issuance of \$800,000 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 class of objects or purposes for which the bonds authorized by this resolution is 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 maximum amount of \$800,000. 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.

* * *

STATE OF NEW YORK SS.: COUNTY OF WESTCHESTER 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 , 20 and approved by the County Executive on the County of Westchester 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 Administrative Officer of the County Board of Legislators (SEAL) County of Westchester, New York

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 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 NO20
BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE COSTS OF ACQUISTION OF RAMP SERVICE EQUIPMENT AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20)
object or purpose: to finance costs of acquisition of ramp service equipment at the County Airport, including three (3) new push-backs; all as set forth in the County's current year Capital Budget, as amended.
amount of obligations to be issued: and period of probable usefulness: \$800,000; fifteen (15) years
Dated:, 20 White Plains, New York
Clerk and Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* A0138	□ CI			act Sheet 1-03-202				
Fact Sheet Year:* 2023		ect Title:*	DA 4103 100		5775	e District	ID:	
state (*	KAM	P SERVICE EQUI	PMENT	6	•			
Category* AIRPORT		rtment:* ORT/DOT			CP Unique ID: 2046			
Overall Project Description This project provides for the purel the safe and efficient operation of	hase of replacer the Airport's T	ment and new ramp erminal Ramp.	service ec	quipment t	hat is nece	essary and	required (o maintain
■ Best Management Practices	☐ En	ergy Efficiencies		×] Infrastru	cture		
☐ Life Safety	☐ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	☐ Otl	ner						
FIVE-YEAR CAPITAL PROG	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	800	0	800	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	800	0	800	0	0	0	0	0
Expended/Obligated Amount (in Current Bond Description: This originally purchased in 2003, 2010	s request will fi	und the nurchase of	three (3)	new diesel	push-bac	ks, replaci	ing units tl	nat were
Financing Plan for Current Req		,, (.,, .	on own .	o par	Jiiasou.			
Non-County Shares:		S 0						
Bonds/Notes:		800,000						
Cash:		0						
Total:		\$ 800,000						
SEQR Classification: TYPE II				·				
Amount Requested: 800,000								
Comments:								
Energy Efficiencies:								
Total Financing History:								

Recommended By:

Department of PlanningDateWBB409-23-2022

Department of Public Works Date

RJB4 09-23-2022

Budget Department Date

LMY1 09-26-2022

Requesting Department Date

RJB4 09-27-2022

RAMP SERVICE EQUIPMENT (A0138)

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	2023	2024	2025	2026	2027	Under Review
800		800					KEVIEW

Non County Share

Total 800

800

Project Description

This project provides for the purchase of replacement and new ramp service equipment that is necessary and required to maintain the safe and efficient operation of the Airport's Terminal Ramp.

Current Year Description

The current year request funds this project.

Gross

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	800,000			800,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.

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 ("Bond Act") in the amount of \$2,500,000, to authorize the County of Westchester ("County") to finance capital project A0140 – Electrical, Data and Security Systems Upgrades ("A0140") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Harris Beach, PLLC, would fund design, construction and construction management associated with upgrades to the electrical infrastructure at the Airport parking garage and the upper rental car service area. The project will also include the installation of electrical vehicle chargers in the parking structure. Additionally, the project will fund upgrades to the Airport's access control, emergency alert system, video and badging system.

The Department of Public Works & Transportation has advised that upgrading the Airport's electrical, data and security systems will enhance Airport safety and enable the County to maintain compliance with TSA regulations and best practices.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by outside consultants. Construction is estimated to take twelve (12) months and will begin after award and execution of the construction contracts.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

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

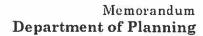
Dated: , 20_____ , 20_____

COMMITTEE ON

k/jpg 09-29-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	*:A0140	NO FISCAL IMPACT PROJECTED			
	SECTION A - CAPITAL BUI To Be Completed by				
GENERAL FUN	D X AIRPORT FUND	SPECIAL DISTRICTS FUND			
	Source of County Funds (check one):	Current Appropriations			
38		Capital Budget Amendment			
	,				
	SECTION B - BONDING AU	THORIZATIONS			
	To Be Completed by	Finance			
Total Principal	\$ 2,500,000 PPU	10 Anticipated Interest Rate 3.27%			
Anticipated A	nnual Cost (Principal and Interest):	\$ 294,453			
Total Debt Ser	vice (Annual Cost x Term):	\$ 2,944,530			
Finance Depar	tment: Interest rates from October 1	8, 2022 Bond Buyer - ASBA			
5	SECTION C - IMPACT ON OPERATING BUD				
	To Be Completed by Submitting Department	ent and Reviewed by Budget			
Potential Rela	ted Expenses (Annual): \$				
Potential Rela	ted Revenues (Annual): \$	-			
Anticipated sa	vings to County and/or impact of departi	ment operations			
9)	etail for current and next four years):				
-	CECTION D. FAIRLO	NA AFRIC			
A:	SECTION D - EMPLO s per federal guidelines, each \$92,000 of a				
	l Time Equivalent (FTE) Jobs Funded:	27			
	SECTION E - EXPECTED DESIGN	I WORK PROVIDER			
County Staff	X Consultant	Not Applicable			
Prepared by:	Brian Hegt	y / n			
Title:	Assistant to the Commissioner	Reviewed By:			
Department:	Public Works & Transportation	Budget Director			
Date:	10/19/22	Date: 10 ds ds			





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

A0140 ELECTRICAL, DATA AND SECURITY SYSTEMS UPGRADE

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2048)

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)(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/cnm

cc: Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Brian Hegt, Assistant to the Commissioner, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

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 COSTS OF IMPROVEMENTS TO ELECTRICAL, DATA AND SECURITY SYSTEMS AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$2,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the costs of improvements to electrical, data and Security Systems at the County Airport, including the design, construction and construction management of the upgrades to electrical infrastructure for the Airport parking structure and the upper rental car service area, the installation of electrical vehicle chargers in the parking structure, Airport's access control, emergency alert systems, video and badging system; 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 \$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.

Section 2. The period of probable usefulness applicable to the objects or purposes for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 13(a) of the Law, is ten (10) 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 \$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. 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.

* * *

STATE OF NEW YORK)	
COUNTY OF WESTCHESTER	. s:	S.:
the original on file in my office, and the whole of the said original Act, which who	at the	have compared the foregoing Act No20_ with a same is a correct transcript therefrom and of the uly adopted by the County Board of Legislators of and approved by the County Executive on ,
IN WITNESS WHERE	OF,	I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 20
(SEAL)		The Clerk and Administrative Officer of the County Board of Legislators County of Westchester, New York

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 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 NO20					
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 COSTS OF IMPROVEMENTS TO ELECTRICAL, DATA AND SECURITY SYSTEMS AT THE COUNTY AIRPORT; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20)					
object or purpose: to finance costs of improvements to electrical, data and Security Systems at the County Airport, including the design, construction and construction management of the upgrades to electrical infrastructure for the Airport parking structure and the upper rental car service area, the installation of electrical vehicle chargers in the parking structure, Airport's access control, emergency alert systems, video and badging system; all as set forth in the County's current year Capital Budget, as amended.					
amount of obligations to be issued: and period of probable usefulness: \$2,500,000; ten (10) years					
Dated:, 20					
Clerk and Administrative Officer of the County Board of Legislators of the County of Westchester, New York					

CAPITAL PROJECT FACT SHEET

Project ID:* A0140	□СВА				Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:* 2023	ELEC	ct Title:* CTRICAL, DATA A EMS UPGRADES			Legislative District ID:			
Category* AIRPORT		rtment:* ORT/DOT			CP Unique ID: 2048			
Overall Project Description This project provides for upgrades along with maintaining the Airpor	to electrical, da t's compliance v	ata and security sys with the TSA's regu	tems that	will result d best pra	in an incr	ease in rel	iability ar	d safety
■ Best Management Practices	⊠ Enc	ergy Efficiencies		×] Infrastru	cture		
☐ Life Safety	☐ Pro	ject Labor Agreeme	ent] Revenue			
☐ Security	☐ Oth	ner					1.1	
FIVE-YEAR CAPITAL PROGI	RAM (in thous	ands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	5,150	0	2,500	1,750	900	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,150	0	2,500	1,750	900	0	0	0
Expended/Obligated Amount (in Current Bond Description: This electrical infrastructure for the Air installation of electrical vehicle chemergency alert system, video and	s request will fu port Parking Str argers in the pa	and the design, constructure and the upp	er Rental (Car Servic	e Area. T	he project	will also	include the
Financing Plan for Current Req	uest:							
Non-County Shares:		S 0						, l
Bonds/Notes:		2,500,000						-
Cash:		0						i
Total:		\$ 2,500,000						
SEQR Classification: TYPE II Amount Requested: 2,500,000								
Comments:								
Energy Efficiencies: PROJECT INCLUDES EV CAR CHARGERS.								
Total Financing History: 0								

Recommended By:

Department of Planning

WBB4 09-23-2022

Date

Date

Department of Public Works

Date RJB4 09-23-2022

Budget Department

LMY1 09-26-2022

Requesting Department

Date RJB4 09-27-2022

ELECTRICAL, DATA AND SECURITY SYSTEMS UPGRADES (A0140)

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 P	ROGRAM (in thousands)					74 7		
	Est Ult Cost Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under
Gross Non County Share	5,150		2,500	1,750	900			Review
Total	5,150		2,500	1,750	900			

Project Description

This project provides for upgrades to electrical, data and security systems that will result in an increase in reliability and safety along with maintaining the Airport's compliance with the TSA's regulations and best practices.

Current Year Description

The current year request funds upgrades to the Airport's access control, emergency alert system, video and badging system.

Cu	rrent Yea	r Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
	2023	2,500,000		(27.000,1/2 3.0 1)	2,500,000

Impact on Operating Budget

The impact on the Airport Special Revenue Fund is the debt service associated with the issuance of bonds.



George Latimer County Executive

October 21, 2022

Westchester County Board of Legislators 800 Michaelian Office Building White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval are four (4) bond acts (the "Bond Acts") which, if adopted, would authorize the County of Westchester (the "County") to issue bonds in the total aggregate amount of \$13,800,000 to finance the following four (4) capital projects for 2023:

\$500,000	Serial Bonds for	Exterior Infrastructure Repairs, White Plains Complex (2021- 2025) (B014E)
\$500,000	Serial Bonds for	Infrastructure Rehabilitation, Peekskill District Office (2021- 2025) (B0116)
\$4,800,000	Serial Bonds for	White Plains Complex Lighting Systems (B0124)
\$8,000,000	Serial Bonds for	Electric Vehicle Charging Stations and Infrastructure (BPF39)

It should be noted that the County Budget Department is submitting these Bond Acts to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit these Bond Acts now so that the referenced projects will be ready to proceed without delay in early 2023.

The Planning Department has advised that based on its review the above projects are "Type II" actions under the State Environmental Quality Review Act, 6 NYCRR Part 617. Type II actions are those actions determined not to have a significant effect on the environment. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Approval of these Bond Acts totaling \$13,800,000 is necessary so that the Commissioner of Finance may enter the bond market at the most opportune time.

I recommend your Board's favorable action on the annexed proposed Bond Acts.

George Latimer County Executive

Sincerely,

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 ("Bond Act") in the amount of \$500,000, to authorize the County of Westchester ("County") to finance capital project B014E– Exterior Infrastructure Improvement, White Plains Complex (2021-2025) ("B014E") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with the rehabilitation of the coping at the Richard J. Daronco Courthouse and the stucco at the Low Rise Building. The Department of Public Works and Transportation has advised that these buildings are in need of periodic exterior infrastructure maintenance due to their age.

Following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by in-house staff. Construction is estimated to take six (6) months and will begin after award and execution of the construction contracts.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

same.		
Dated:		, 20
	White Plains, New York	

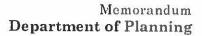
Your Committee has carefully considered the proposed Bond Act, and recommends approval of

COMMITTEE ON

k jpg 09-28-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:B014E	NO FISCAL IMPACT PROJECTED			
	SECTION A - CAPITAL BUI To Be Completed by				
X GENERAL FUN	D AIRPORT FUND	SPECIAL DISTRICTS FUND			
,	Source of County Funds (check one):	X Current Appropriations			
		Capital Budget Amendment			
	SECTION B - BONDING AU To Be Completed by				
Total Principal	\$ 500,000 PPU	15 Anticipated Interest Rate 3.56%			
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 42,453			
Total Debt Ser	vice (Annual Cost x Term):	\$ 636,795			
Finance Depar	tment: Interest rates from October 1	.8, 2022 Bond Buyer - ASBA			
S	To Be Completed by Submitting Department				
Potential Rela	Potential Related Expenses (Annual): \$ -				
Potential Rela	ted Revenues (Annual): \$	-			
1 Page 19 19 19	vings to County and/or impact of department of department and next four years):	ment operations			
Α.	SECTION D - EMPLO				
	s per federal guidelines, each \$92,000 of a I Time Equivalent (FTE) Jobs Funded:	5			
	SECTION E - EXPECTED DESIGN	I WORK PROVIDER			
X County Staff	Consultant	Not Applicable			
Prepared by:	Robert Abbamont	8 / 0			
Title:	Director of Operations (Capital)	Reviewed By:			
Department:	Public Works/Transportation	Budget Director			
Date:	10/18/22	Date: 7 4 02 02			





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B014E Exterior Infrastructure Repairs, White Plains Complex (2021-2025)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2030)

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)(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.

COMMENTS: None.

DSK/dvw

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

REFERENCE: B014E

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF EXTERIOR BUILDING IMPROVEMENTS TO THE DARONCO COURTHOUSE AND LOW RISE BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted ,

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; \$500,000 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 associated with the rehabilitation of the coping at the Richard J. Daronco Courthouse and the stucco at the Low Rise Building, 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 \$500,000. The plan of financing includes the issuance of \$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 and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$500,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(2) 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 \$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 \$500,000 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.

* * *

s.:
I have compared the foregoing Act No20
that the same is a correct transcript therefrom and of
was duly adopted by the County Board of Legislators
, 20 and approved by the County Executive
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

LEGAL NOTICE

of Legislators on Executive on	f which is published herewith, has been adopted by the Board, 20 and approved, as amended, by the County and the validity of the obligations authorized by such sted only if such obligations were authorized for an object or Westchester, in the State of New York, is not authorized to of law which should have been complied with as of the date of substantially complied with, and an action, suit or proceeding need within twenty days after the publication of this Notice, or a violation of the provisions of the Constitution.
public inspection during normal	nended Bond Act summarized herewith shall be available for business hours at the Office of the Clerk of the Board of chester, New York, for a period of twenty days from the date
ACT NO20	
WESTCHESTER, OR SO MUCH COST OF EXTERIOR BUILDING AND LOW RISE BUILDING, ST IS \$500,000; STATING THE I ISSUANCE OF \$500,000 BONDS	E ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE G IMPROVEMENTS TO THE DARONCO COURTHOUSE TATING THE ESTIMATED MAXIMUM COST THEREOF PLAN OF FINANCING SAID COST INCLUDES THE SHEREIN AUTHORIZED; AND PROVIDING FOR A TAX OF AND INTEREST ON SAID BONDS. (adopted on
associated w Courthouse a	the design, construction management and construction with the rehabilitation of the coping at the Richard J. Daronco and the stucco at the Low Rise Building, all as set forth in the rrent Year Capital Budget, as amended.
amount of obligations to be issued: and period of probable usefulness:	\$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:* B014E	□СВА		4.5	act Sheet 1-03-2023				
Fact Sheet Year:* 2023				8	Legislative District ID: 8,			
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS				CP Unique 1D: 2030			
Overall Project Description This project funds the rehabilitat	ion of building o	stariors and other si	tanuarle Car	a sha 117bir	a Dinina C			
			icwork for			PODRA PROBLEM - SASTEMBER PROSECTION		
■ Best Management Practices	□ En	ergy Efficiencies		×	■ Infrastructure			
Life Safety	□ Pro	ject Labor Agreemo	ent		☐ Revenue			
☐ Security	☐ Otl	ner						
FIVE-YEAR CAPITAL PROC	GRAM (in thous	ands)						
8.1	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	9,025	3,500	500	5,025	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	C
Net	9,025	3,500	500	5,025	0	0	0	
Expended/Obligated Amount (Current Bond Description: Further Bond Description of the coping at the			uction ma	nagemen	and const	ruction as	sociated v	vith the
renabilitation of the coping at the	Richard J. Daro	nco Courthouse and	the stuce	o at the L	ow Rise B	uilding.		

0

Financing Plan for Current Request:

Non-County Shares: \$ Bonds/Notes: 500,000

Cash: Total: \$ 500,000

SEQR Classification:

TYPE II

Amount Requested:

500,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021		REHABILITATION OF BUILDING EXTERIORS AND OTHER SITEWORK FOR THE WHITE PLAINS COMPLEX

Total Appropriation History:

3,500,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	21	3,500,000		0 EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2021-2025)

Total Financing History:

3,500,000

Recommended By:

Department of Planning

WBB4

Date

09-22-2022

Department of Public Works

RJB4

09-23-2022

Date

Budget Department

LMY1

Date 09-23-2022

Requesting Department

JZR7

Date

09-23-2022

Page 2 of 2 463

EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2021-2025) (B014E)

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) 2026 2027 Under **Est Ult Cost Appropriated** Exp / Obl 2023 2024 2025 Review Gross 500 9,025 3,500 5,025 25 **Non County Share** Total 25 500 9,025 3,500 5,025

Project Description

This project funds the rehabilitation of building exteriors and other sitework for the White Plains Complex.'

Current Year Description

The current year request funds the rehabilitation of coping and stucco on the Courthouse and Low Rise Buildings.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	500,000			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	3,500,000	Rehabilitation of building exteriors and other sitework for the White Plains Complex	DESIGN

Total	3,500	000

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	3,500,000		3,500,000
Total	3,500,000		3,500,000

1	Sonds Authorize	ed			
1	Bond Act	Amount	Date Sold	Amount Sold	Balance
1	21 21	3,500,000			3,500,000
1	Total	3.500.000			3,500,000

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 ("Bond Act") in the amount of \$500,000, to authorize the County of Westchester ("County") to finance capital project B0116—Infrastructure Rehabilitation, Peekskill District Office (2021-2025) ("B0116") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design associated with the replacement of windows and storefronts at the Peekskill District Office. The Department of Public Works and Transportation has advised that these windows and storefronts have reached the end of their useful lives and are in need of replacement. The replacement windows and storefronts will be thermally broken, Low-E double glazed.

Following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by outside consultants. Construction is estimated to take nine (9) months and will begin after award and execution of the construction contracts, subject to your Honorable Board's approval of construction funding.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

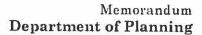
Your Co	ommittee has carefully considered the proposed Bond Act, and recommends approval of
same.	
Dated:	, 20 White Plains, New York

COMMITTEE ON

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FISCAL IMPACT STATEMENT

CAPITAL PROJECT	#:B0116	NO FISCAL IMPACT PROJECTED
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget		
X GENERAL FUN	AIRPORT FUND	SPECIAL DISTRICTS FUND
	Source of County Funds (check one):	X Current Appropriations
		Capital Budget Amendment
SECTION B - BONDING AUTHORIZATIONS		
	To Be Completed by	Finance
Total Principa	I \$ 500,000 PPU	5 Anticipated Interest Rate 3.45%
Anticipated A	nnual Cost (Principal and Interest):	\$ 109,275
Total Debt Sei	rvice (Annual Cost x Term):	\$ 546,375
Finance Department: Interest rates from October 18, 2022 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 Revenues (Annual): \$ -		
Anticipated savings to County and/or impact of department operations (describe in detail for current and next four years):		
question in detail for earrein and flext four yearsy.		
SECTION D - EMPLOYMENT		
As per federal guidelines, each \$92,000 of appropriation funds one FTE Job		
Number of Full Time Equivalent (FTE) Jobs Funded: 5		
SECTION E - EXPECTED DESIGN WORK PROVIDER		
County Staff	X Consultant	Not Applicable
Prepared by:	Robert Abbamont	9 1
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	Budget Director
Date:	10/18/22	Date: Za Jab Jab





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B0116 Infrastructure Rehabilitation, Peekskill District Office (2021-2025)

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-23-2022 (Unique ID: 2031)

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)(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

Andrew Ferris, Chief of Staff

Paula Friedman, Assistant to the County Executive

Lawrence Soule, Budget Director

Tami Altschiller, Assistant Chief Deputy County Attorney

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20

BOND ACT AUTHORIZING THE ISSUANCE OF \$500,000 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 IMPROVEMENTS TO THE PEEKSKILL DISTRICT OFFICE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$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, \$500,000 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 planning the replacement of windows and storefronts at the Peekskill District Office; 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 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 \$500,000. The plan of financing includes the issuance of \$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.

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 \$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 \$500,000 as the estimated total cost of the aforesaid 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.

* * *

STATE OF NEW YORK)	
COUNTY OF WESTCHESTER)	SS.:
I HEREBY CERTIFY that	I have compared the foregoing Act No20 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 adop	pted by the County Board of Legislators of the County of
Westchester on , 20 and approx	ved 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
(SEAL)	The Clerk and Chief Administrative Officer of the County Board of Legislators County of Westchester, New York
	Truly Truly Truly Truly Truly

LEGAL NOTICE

Legislators on, 20 hereafter contested of County of Westche provisions of law where not substantial commenced within	and the va only if such obl ster, in the Stat hich should have ly complied wi twenty days a	which is published herewith, has been adopted by the Board of 20 and approved by the County Executive on lidity of the obligations authorized by such Bond Act may be igations were authorized for an object or purpose for which the e of New York, is not authorized to expend money or if the e been complied with as of the date of publication of this Notice th, and an action, suit or proceeding contesting such validity is fiter the publication of this Notice, or such obligations were ions of the Constitution.
inspection during no	rmal business h	ond Act summarized herewith shall be available for public ours at the Office of the Clerk of the Board of Legislators of the for a period of twenty days from the date of publication of this
ACT NO	-20	
WESTCHESTER, C COST OF PREPA SPECIFICATIONS THE PEEKSKILL THEREOF IS \$500, ISSUANCE OF \$50	OR SO MUCH ARATION OF AND ESTIMA DISTRICT O ,000; STATING 0,000 BONDS I	E ISSUANCE OF \$500,000 BONDS OF THE COUNTY OF THEREOF AS MAY BE NECESSARY, TO FINANCE THE SURVEYS, PRELIMINARY AND DETAILED PLANS, TES NECESSARY FOR PLANNING IMPROVEMENTS TO FFICE, STATING THE ESTIMATED MAXIMUM COST THE PLAN OF FINANCING SAID COST INCLUDES THE HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO NTEREST ON SAID BONDS. (Adopted , 20)
object or purpose:	specifications windows and s	cost of preparation of surveys, preliminary and detailed plans, and estimates necessary for planning the replacement of torefronts at the Peekskill District Office; all as set forth in the ent Year Capital Budget, as amended.
amount of obligation and period of probab		\$500,000; five (5) years
Dated: White Plains		
		⊲.
		Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

727		ALMO A			-			
Project ID:* B0116	□ C	ВА			Fact Shee 01-03-202		*	
Fact Sheet Year:*	Project Title:*			1	Legislativ	e District	ID:	
2023	REH	RASTRUCTURE IABILITATION, PE FRICT OFFICE (20:	EKSKILI 21-2025)	_ 1	,			
Category*	Depa	artment;*		(CP Uniqu	e ID:		
BUILDINGS, LAND & MISCELLANEOUS	PUB	LIC WORKS		. 2	2031			
Overall Project Description								
This project funds the rehabilitation	on of building o	exteriors, interiors, b	uilding sy	stems and	l sitework	at the Pec	kskill Dis	trict Office.
■ Best Management Practices	≥ En	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pr	oject Labor Agreem	ent		Revenue			
☐ Security	□ Ot	her						
FIVE-YEAR CAPITAL PROG	RAM (in thou	sands)						
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	3,000	0	3,000	0	0	0	0	
Less Non-County Shares	0	0	0	0	0	0	0	C
Net	3,000	0	3,000	0	0	0	0.	C
Expended/Obligated Amount (in thousands) as of: 0 Current Bond Description: Funding is requested for design associated with the replacement of windows and storefronts at the								
Peckskill District Office.		ea tot acaign associ	aica willi	ше теріас	ement or t	willdows a	na stoictí	onis at the
Financing Plan for Current Req	uest:							
Non-County Shares: Bonds/Notes:		\$ 0						
Cash:		500,000						
Total:		\$ 500,000						
SEQR Classification: TYPE II		200,000						
Amount Requested: 500,000								
Comments:								
Energy Efficiencies: THE REPLACEMENT WINDOW WINDOWS AND STOREFRONT	VS AND STOR	REFRONTS WILL I	BE THER	MALLY	BROKEN	, LOW-E	DOUBLE	GLAZED
Total Financing History:								

Recommended By:

Department of PlanningDateWBB409-23-2022

Department of Public Works

RJB4

Date

09-23-2022

Budget Department Date
LMY1 09-23-2022

Requesting Department Date
JZR7 09-23-2022

INFRASTRUCTURE REHABILITATION, PEEKSKILL DISTRICT OFFICE (2021-2025) (B0116)

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 2023 2024 2025 2026 2027 Under Review

Gross

3,000

3,000

Non County Share

Total

3,000

3,000

Project Description

This project funds the rehabilitation of building exteriors, interiors, building systems and sitework at the Peekskill District Office.

Current Year Description

The current year request funds replacement of windows and storefronts.

Current Year Financing Plan

Year	Bonds	Cash	Non County	Total	Ì
2023	3,000,000		Shares	3,000,000	i

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$4,800,000, to authorize the County of Westchester ("County") to finance capital project B0124—White Plains Complex Lighting Systems ("B0124") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of design, construction management and construction associated with the replacement of the existing lighting system at the Michaelian Office Building.

The Department of Public Works and Transportation has advised that this project will replace the existing fluorescent lighting fixtures with new energy efficient LED lighting fixtures and provide energy efficient lighting controls as required by the New York State Energy Conservation Code.

Design is currently underway by the New York Power Authority and is expected to be completed in the fourth quarter of 2022. Construction is estimated to take nine (9) months and will begin after award and execution of the Customer Project Commitment agreement with the New York Power Authority.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act, and recommends approval of same.

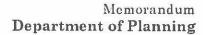
Dated: , 20_____ , 20_____

COMMITTEE ON

k.jpg 09-28-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	t:B0124	NO FISCAL IMPACT PROJECTED
· ·	SECTION A - CAPITAL BUI To Be Completed by	
X GENERAL FUNI	D AIRPORT FUND	SPECIAL DISTRICTS FUND
×	Source of County Funds (check one):	X Current Appropriations
et U		Capital Budget Amendment
	SECTION B - BONDING AU To Be Completed by	N 1
Total Principal	\$ 4,800,000 PPU	10 Anticipated Interest Rate 3.25%
Anticipated Ar	nnual Cost (Principal and Interest):	\$ 565,350
Total Debt Ser	vice (Annual Cost x Term):	\$ 5,653,500
Finance Depar	tment: Interest rates from October 1	.8, 2022 Bond Buyer - ASBA
S	ECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Department	
Potential Relat	ted Expenses (Annual): \$	•
Potential Relat	ted Revenues (Annual): \$	*
	vings to County and/or impact of departmental for current and next four years):	ment operations
The annual ene	ergy cost savings for the new lighting syste	em is estimated at \$70,000 per year.
	SECTION D - EMPLO	7 (2) - 20 (2) (3) (4) (5) (5)
	s per federal guidelines, each \$92,000 of a	
Number of Full	Time Equivalent (FTE) Jobs Funded:	52
	SECTION E - EXPECTED DESIGN	-
County Staff	X Consultant	Not Applicable
Prepared by:	Robert Abbamont	\sim / \sim
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	Budget Director
Date:	10/18/22	Date:





TO:

Michelle Greenbaum, Senior Assistant County Attorney

Jeffrey Goldman, Senior Assistant County Attorney

FROM:

David S. Kvinge, AICP, RLA, CFM

Assistant Commissioner

DATE:

October 5, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

B0124 WHITE PLAINS COMPLEX LIGHTING SYSTEMS

PROJECT/ACTION:

Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2074)

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)(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.

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

Lorraine Marzola, Associate Budget Director

Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation

Kelly Sheehan, Assistant Commissioner

William Brady, Chief Planner

Michael Lipkin, Associate Planner

Claudia Maxwell, Associate Environmental Planner

REFERENCE: B0124

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF REPLACEMENT OF THE LIGHTING SYSTEM AT THE MICHAELIAN BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,800,000 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 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; \$4,800,000 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 associated with the replacement of the existing system at the Michaelian Office Building with new energy efficient LED lighting, lighting controls, and related work, 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 \$4,800,000. The plan of financing includes the issuance of \$4,800,000 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 specific object or purpose for which said \$4,800,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) 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 \$4,800,000. 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 \$4,800,000 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.

* * *

STATE OF NEW YORK)	
:	ss.:
COUNTY OF NEW YORK)	
I HEREBY CERTIFY	that I have compared the foregoing Act No20
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, whi	ch 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 WHEREO	OF, I have hereunto set my hand and affixed the
	corporate seal of said County Board of Legislators
	this day of , 20
(SEAL)	The Clerk and Chief Administrative Office of the County Board of Legislators County of Westchester, New York

LEGAL NOTICE

of Legislators on	
public inspection during normal busines	Bond Act summarized herewith shall be available for its hours at the Office of the Clerk of the Board of New York, for a period of twenty days from the date
ACT NO20	
OF WESTCHESTER, OR SO MUCH THE COST OF REPLACEMENT OF THE BUILDING, STATING THE ESTIMATION THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE \$4,800,000 BONDS HEREIN AUTHORICAL STATING THE PLAN OF FINANCINE STATING THE PLAN OF FIN	JANCE OF \$4,800,000 BONDS OF THE COUNTY HEREOF AS MAY BE NECESSARY, TO FINANCE THE LIGHTING SYSTEM AT THE MICHAELIAN TED MAXIMUM COST THEREOF IS \$4,800,000; IG SAID COST INCLUDES THE ISSUANCE OF ZED; AND PROVIDING FOR A TAX TO PAY THE N SAID BONDS. (adopted on,
associated with the Office Building wit	esign, construction management and construction replacement of the existing system at the Michaelian h new energy efficient LED lighting, lighting controls, all as set forth in the County's Current Year Capital l.
amount of obligations to be issued: and period of probable usefulness: \$4,3	300,000; ten (10) years
	and Chief Administrative Officer of the County d of Legislators of the County of Westchester, New

CAPITAL PROJECT FACT SHEET

Project ID:* B0124	□СВА				Fact Sheet Date:* 01-03-2023			
Fact Sheet Year:*	Project Title:*			I	Legislative District ID:			
2023	WHI	TE PLAINS COMP TEMS	LEX LIG					
Category*	Depa	rtment;*		(CP Unique	e ID:		
BUILDINGS, LAND & MISCELLANEOUS	PUB	LIC WORKS		2	2074			
Overall Project Description								
This project will fund the replaced lighting control system.	nent of the exis	sting fluorescent ligh	nt fixtures	to LED li	ght fixture	s and upg	rade of the	e associated
■ Best Management Practices	≖ En	ergy Efficiencies		×] Infrastru	cture		
■ Life Safety	□ Pro	oject Labor Agreem	ent] Revenue			
☐ Security	Otl	her						
FIVE-YEAR CAPITAL PROG		sands)					,	
	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	4,800	. 0	4,800	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,800	0	4,800	0	0	0	0	0
Expended/Obligated Amount (in Current Bond Description: Fur	nding is request	ed for design, const	ruction ma	anagemen	and cons	truction as	ssociated v	with the
replacement of the existing system and related work.	i at the Michael	lian Office Building	with new	energy ef	ficient LE	D lighting	g, lighting	controls
Financing Plan for Current Req	uest:							
Non-County Shares:		\$ 0						
Bonds/Notes:		4,800,000						
Cash:		0						
Total:		\$ 4,800,000	_100					
SEQR Classification: TYPE II								
Amount Requested:			Ų.					
4,800,000								
Comments:								
Energy Efficiencies: THIS PROJECT WILL REPLA LIGHTING FIXTURES AND P STATE ENERGY CONSERVAT	ROVIDE ENE	STING LIGHTING ERGY EFFICIENT	3 FIXTU LIGHTI	RES WIT	TH NEW TROLS A	ENERGY AS REQU	Y EFFICI IRED BY	ENT LED THE NY
Total Financing History:								

0

Recommended By:

Department of PlanningDateWBB409-22-2022

Department of Public Works Date

RJB4 09-23-2022

Budget DepartmentDateLMY109-23-2022

DW 1 1 09-23-2022

Requesting Department Date
JZR7 09-23-2022

10-12-2022 05:38:19 PM Page 2 of 2 488

WHITE PLAINS COMPLEX LIGHTING SYSTEMS (B0124)

User Department:

Public Works

Managing Department(s):

Public Works;

Estimated Completion Date:

TBD

Planning Board Recommendation:

FIVE YEAR CAPITAL PROGRAM (in thousands)

Est Ult Cost Appropriated Exp / Obl 2023 2024 2025 2026 2027 Under Review

Gross

4,800

4,800

Non County Share

Total

4,800

4,800

Project Description

This project will fund the replacement of the existing fluorescent light fixtures to LED light fixtures and upgrade of the associated lighting control system.

Current Year Description

The current request funds work at the Michaelian Office Building.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	4,800,000	- 9		4,800,000

Impact on Operating Budget

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

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 ("Bond Act") in the amount of \$8,000,000, to authorize the County of Westchester ("County") to finance capital project BPF39– Electric Vehicle Charging Stations and Infrastructure ("BPF39") for 2023.

Your Committee is advised that the Bond Act, prepared by the law firm Hawkins, Delafield & Wood, would finance the cost of installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations. This project will promote the use of electric vehicles which will help to reduce greenhouse gas emissions.

Following bonding authorization, design will be scheduled and will be performed by inhouse staff. The design and construction time frames will vary by specific location. The construction will begin after award and execution of the construction contracts.

Your Committee is advised that that the County Budget Department is submitting this Bond Act to your Honorable Board simultaneously with the proposed 2023 Capital Budget. It is the County's goal to submit this Bond Act now so that the referenced project will be ready to proceed without delay in early 2023.

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.

It should be noted that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the Bond Act.

same.		
Dated:		,20
	White Plains, New York	

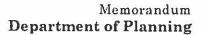
Your Committee has carefully considered the proposed Bond Act, and recommends approval of

COMMITTEE ON

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FISCAL IMPACT STATEMENT

CAPITAL PROJECT #	:BPF39	NO FISCAL IMPACT PROJECTED
	SECTION A - CAPITAL BUT To Be Completed by	A19 30
X GENERAL FUND	AIRPORT FUND	SPECIAL DISTRICTS FUND
9	Source of County Funds (check one):	X Current Appropriations
•	-	Capital Budget Amendment
×	SECTION B - BONDING AUT To Be Completed by	
Total Principal	\$ 8,000,000 PPU	10 Anticipated Interest Rate 3.24%
Anticipated An	nual Cost (Principal and Interest):	\$ 942,250
Total Debt Serv	vice (Annual Cost x Term):	\$ 9,422,500
Finance Depart	ment: Interest rates from October 1	8, 2022 Bond Buyer - ASBA
Si	ECTION C - IMPACT ON OPERATING BUD To Be Completed by Submitting Department	
Potential Relat	ed Expenses (Annual): \$	-
Potential Relat	ed Revenues (Annual): \$	• 3
Anticipated say	vings to County and/or impact of departr	ment operations
	tail for current and next four years):	und Stad Grande and Communication for the second state of the seco
····		
As	SECTION D - EMPLO per federal guidelines, each \$92,000 of a	of the support of
	Time Equivalent (FTE) Jobs Funded:	87
	SECTION E - EXPECTED DESIGN	WORK PROVIDER
X County Staff	X Consultant	Not Applicable
Prepared by:	Robert Abbamont	0
Title:	Director of Operations (Capital)	Reviewed By:
Department:	Public Works/Transportation	9 Budget Director
Date:	10/18/22	Date: 10 3002





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:

October 4, 2022

SUBJECT:

STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:

BPF39 Electric Vehicle Charging Stations and Infrastructure

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on

09-22-2022 (Unique ID: 2077)

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)(9): construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- 617.5(c)(13): extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- 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;
- 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: The project will fund the purchase of electric vehicle charging stations to be added to existing or new county parking facilities to support/promote the use of electric vehicles, which will help to reduce greenhouse gas emissions. Purchase and installation of charging stations at existing parking facilities with nearby electrical access may be classified as Type II under the aforementioned sections. The addition of electric vehicle charging stations at new parking facilities or where electric service is not readily available at or near the project site will be reviewed further

for SEQR compliance at the time funding approval is being sought for the larger project or prior to contract approval for construction.

DSK/cnm

Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Marzola, Associate Budget Director
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20

BOND ACT AUTHORIZING THE ISSUANCE OF \$8,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION AND INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS AT VARIOUS COUNTY LOCATIONS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$8,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$8,000,000 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, \$8,000,000 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 and installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations, 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

3732782 1 045751 LEG

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 \$8,000,000. The plan of financing includes the issuance of \$8,000,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, 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 class of objects or purposes, within the limitations of Section 11.00 a. 90 of the Law, is ten (10) 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 objects or purposes 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 \$8,000,000. 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 \$8,000,000 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 immediately upon approval by the County Executive.

* * *

STATE OF NEW YORK)	
: ss.: COUNTY OF WESTCHESTER)	
,	
I HEREBY CERTIFY that	I have compared the foregoing Act No20 with
the original on file in my office, and that the	he same is a correct transcript therefrom and of the whole
of the said original Act, which was duly a	dopted by the County Board of Legislators of the County
of Westchester on , 20 and ap	proved 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
(SEAL)	The Clerk and Chief Administrative Officer of the County Board of Legislators, County of Westchester, New York

LEGAL NOTICE

Legislators on, 20 and the hereafter contested only if such oblice County of Westchester, in the State provisions of law which should have were not substantially complied with	which is published herewith, has been adopted by the Board of 20 and approved by the County Executive on validity of the obligations authorized by such Bond Act may be gations were authorized for an object or purpose for which the of New York, is not authorized to expend money or if the been complied with as of the date of publication of this Notice h, and an action, suit or proceeding contesting such validity is ter the publication of this Notice, or such obligations were ons of the Constitution.
inspection during normal business ho	ond Act summarized herewith shall be available for public burs at the Office of the Clerk of the Board of Legislators of the for a period of twenty days from the date of publication of this
ACT NO20	
COUNTY OF WES NECESSARY, TO INSTALLATION OF VARIOUS COUNTY THEREOF IS \$8,000 INCLUDES THE ISS AND PROVIDING F	PRIZING THE ISSUANCE OF \$8,000,000 BONDS OF THE STCHESTER, OR SO MUCH THEREOF AS MAY BE FINANCE THE COST OF THE ACQUISITION AND ELECTRIC VEHICLE (EV) CHARGING STATIONS AT LOCATIONS, STATING THE ESTIMATED TOTAL COST 0,000; STATING THE PLAN OF FINANCING SAID COST SUANCE OF \$8,000,000 BONDS HEREIN AUTHORIZED; OR A TAX TO PAY THE PRINCIPAL OF AND INTEREST Adopted , 20)
charging statio	cost of the acquisition and installation of electric vehicle (EV) ons and associated infrastructure at various County locations, all the County's Current Year Capital Budget, as amended.
amount of obligations to be issued and period of probable usefulness:	\$8,000,000; ten (10) years
Dated:	
	The Clerk and Chief Administrative Officer of the County Board of Legislators, County of Westchester, New York

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CAPITAL PROJECT FACT SHEET

Project ID:* BPF39	□СВА	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 2077
Overall Project Description This project funds the installation of elect locations, The County will work with NY available for this project.	ric vehicle (EV) charging stations and associ SERDA, NYPA and NYSDEC to explore ar	ated infrastructure at various County by Non-County funding that may be
■ Best Management Practices	■ Energy Efficiencies	■ Infrastructure
☐ Life Safety	☐ Project Labor Agreement	Revenue
☐ Security	Other	
FIVE-VEAR CAPITAL PROCRAM (n thousands	

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	82,000	2,000	18,000	25,000	25,000	12,000	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	82,000	2,000	18,000	25,000	25,000	12,000	0	0

Expended/Obligated Amount (in thousands) as of: 582

Current Bond Description: Fund	ng is requested for the tions.	stallation of electric vehicle (EV) char	ging stations and associated
Financing Plan for Current Reque	est:		
Non-County Shares:	S	0	
Bonds/Notes:	8,000	00	
Cash:		0	
Total:	\$ 8,000	00	

SEQR Classification:

TYPE II

Amount Requested:

8,000,000

Comments:

Energy Efficiencies:

THIS PROJECT PROMOTES THE USE OF ELECTRIC VEHICLES WHICH HELPS TO REDUCE GREENHOUSE GAS EMISSIONS.

Appropriation History:

Year	Amount	Description
2020	1,000,000	FUNDING FOR INITIAL PHASE
2022		ADDITIONAL INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING STATIONS

Total Appropriation History:

2,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
20	84	1,000,000	143,750	INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS ACROSS COUNTY
21	220	1,000,000		ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE

Total Financing History:

2,000,000

Recommended By:

Department of PlanningDateWBB409-22-2022

Department of Public WorksDateRJB409-23-2022

Budget DepartmentDateLMY109-23-2022

Requesting Department Date
RJB4 09-23-2022

10-12-2022 05:38:56 PM Page 2 of 2 **502**

ELECTRIC VEHICLE CHARGING STATIONS AND INFRASTRUCTURE (BPF39)

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 P	ROGRAM (in ti	nousands)							
	Est Uit Cost A	propriated	Exp / Obl	2023	2024	2025	2026	2027	Under
Gross Non County Share	82,000	2,000	582	18,000	25,000	25,000	12,000		Review
Total	82,000	2,000	582	18,000	25.000	25.000	12.000		

Project Description

This project funds the installation of electric vehicle (EV) charging stations and associated infrastructure at various County and municipal locations. The County will work with NYSERDA, NYPA and NYSDEC to explore any Non-County funding that may be available for this project.

Current Year Description

The current year request funds additional EV charging stations.

C	urrent Yea	ar Financing Plan			
	Year	Bonds	Cash	Non County Shares	Total
	2023	18.000.000			18,000,000

Impact on Operating Budget

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

Year	Amount	Description	Status
2020	1,000,000	Funding for initial phase	IN PROGRESS
2022	1,000,000	Additional installation of electric vehicle (EV) charging stations	IN PROGRESS
Total	2,000,000		

Prior Appropriations			
	Appropriated	Collected	Uncollected
Bond Proceeds	2,000,000	143,750	1,856,250
Total	2,000,000	143.750	1,856,250

Bonds Au	ıthoriz	ed			
Bond	Act	Amount	Date Sold	Amount Sold	Balance
84	20	1,000,000	12/01/21	143,750	856,250
220	21	1,000,000			1,000,000
Te	otal	2,000,000		143,750	1,856,250