

Board of Legislators Meeting Agenda



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

Monday, January 9, 2023

7:00 PM

Legislative Chambers

Regular Meeting

CALENDAR 1 (CONSENT)

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.

CALL TO ORDER

MINUTES APPROVAL

December 12, 2022 10am Regular Meeting
December 12, 2022 10:30am Special Meeting

PUBLIC COMMENT

Speakers_____

PUBLIC HEARING

UNFINISHED BUSINESS

I. COMMUNICATIONS

A. COUNTY EXECUTIVE

1. [2023-10](#) **APPT-Board of Plumbing Examiners-Alonge**

A RESOLUTION appointing Salvatore Alonge as the Master Plumber member for the Westchester County Board of Plumbing Examiners for the term October 31, 2022 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

2. [2023-11](#) **APPT-LGBTQ Advisory Board-Maitland**

A RESOLUTION appointing Noah Maitland as a member of the Westchester County LGBTQ

Advisory Board for the term September 29, 2022 to December 31, 2025.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

3. [2023-12](#) **REAPPT-Emergency Medical Svcs Adv Bd-Hlusko**

A RESOLUTION reappointing Maria Hlusko as a member of the Westchester County Emergency Medical Services Advisory Board for the term July 11, 2022 to December 31, 2024.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

4. [2023-13](#) **REAPPT-Council for Seniors-Charles**

A RESOLUTION reappointing Edith Charles as the District 13 representative member of the Westchester County Council for Seniors for the term May 23, 2022 to December 31, 2023.

COMMITTEE REFERRAL: COMMITTEE ON APPOINTMENTS

5. [2023-15](#) **IMA-E-911 Service-45 Municipalities**

AN ACT to authorize the County of Westchester to enter into Intermunicipal Agreements with 45 local municipalities to implement and operate Enhanced 911 service and to address any liability issues associated with the operation thereof.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC SAFETY

B. COUNTY ATTORNEY

SI. 1. [2023-16](#) ACT - Lawsuit Settlement Golodetz v. County of Westchester

AN ACT authorizing the County Attorney to settle the lawsuit of Kim Golodetz v. County of Westchester in the amount of FOUR HUNDRED FIVE THOUSAND (\$405,000) DOLLARS.

COMMITTEE REFERRAL: BUDGET & APPROPRIATIONS AND LAW & MAJOR CONTRACTS

C. LEGISLATORS

D. OTHERS

II. NOTICES & PETITIONS

1. [2023-14](#) **CLERK OF THE BOARD - Hon. Shimsky Resignation Letter**

Forwarded from Hon. MaryJane Shimsky, a letter that she is resigning from the Office of Westchester County Legislator for the 12th Legislative District, effective Sunday, January 1, 2023.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

SI. 2. [2023-17](#) CLERK OF THE BOARD - County Clerk letter re: Shimsky Resignation

Forwarded from Timothy Idoni, Westchester County Clerk, correspondence regarding the vacancy on the Board of Legislators of the County of Westchester by reason of the resignation of MaryJane Shimsky - District 12.

FOR INFORMATIONAL PURPOSES ONLY - NO COMMITTEE REFERRAL NECESSARY

III. STANDING COMMITTEES

1. [2023-2](#) RES - Special Election - Twelfth County Legislative District

A RESOLUTION to hold a special election on February 28, 2023 to fill the vacancy of the Office of County Legislator for the Twelfth County Legislative District.

SUBMITTED BY: COMMITTEE ON RULES

RESOLUTION _____ - 2023 VOTE _____

SI. 2. [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

ACT _____ - 2023 VOTE _____

SI. 3. [2022-565](#) ACT - Lawsuit Settlement County of Westchester v. Unity Mechanical Corp.

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

ACT _____ - 2023 VOTE _____

SI. 4. [2022-584](#) ACT - Agreement Amendment re: County Trunk Sanitary Sewer System

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

ACT _____ - 2023

VOTE _____

SI. 5. [2022-585](#) BOND ACT(Amended)-BPL26-2001-Flood Mitigation

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: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

SI. 6. [2022-586](#) 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: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

ACT _____ - 2023

VOTE _____

SI. 7. [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

ACT _____ - 2023

VOTE _____

SI. 8. [2023-3](#) 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

BOND ACT _____ - 2023

VOTE _____

SI. 9. [2023-4](#) BOND ACT-A0134, A0138, A0140-Various Capital

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: BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION

BOND ACT _____ - 2023

VOTE _____

SI. 10.2023-6**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

BOND ACT _____ - 2023

VOTE _____

SI. 11.2023-7**BOND ACT-RB210, RB212, RB214, RB233, RB234, RB235, RB236, RB237, P0032**

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

BOND ACT _____ - 2023

VOTE _____

IV. SPECIAL ORDERS**MOTIONS, RESOLUTIONS & CALL OF THE DISTRICTS****1. 2022-608 Memorial Resolutions 1-2023**

HON. MARGARET A. CUNZIO: Shannon J. Estavillo, George J. Eversmann, Boniface Anthony DiGregoria, Carol A. Oswald, John Christopher Rossi, Patricia Ann Williams

HON. VEDAT GASHI: Lieutenant Kenneth Sgroi

LEGISLATORS GASHI, BOYKIN AND PARKER: Carol Wasserman Klepper

HON. CHRISTOPHER A. JOHNSON: Gail Baxter

HON. CATHERINE PARKER: Charlotte Billingsley

HON. ERIKA PIERCE: Irene Loretta Squirrell

HON. DAVID J. TUBIOLO: Lillian Rose Pierorazio, Bruce Kellman, Assemblyman Quentin Williams

ADJOURNMENT

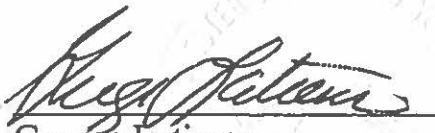
Next meeting: January 23, 2023 at 7pm.

George Latimer
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County Board of Plumbing Examiners:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Salvatore Alonge, 56 Lafayette Avenue, Suite 380, White Plains, New York as the Master Plumber member for the Westchester County Board of Plumbing Examiners, for the term October 31, 2022 to December 31, 2025.

Given under my hand
and seal this 31st day
of October 2022.



George Latimer
County Executive

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

George Latimer
County Executive

October 31, 2022

Mr. Salvatore Alonge
56 Lafayette Avenue, Suite 380
White Plains, NY 10603

Dear Mr. Alonge,

It is my pleasure to appoint you to serve as the Master Plumber member of the Westchester County Plumbing Examiners Board, effective today, Monday, October 31, 2022. This appointment is for a term to expire on December 31, 2025.

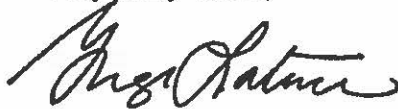
Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact the Office of Consumer Protection at (914) 995-2162, for the date, place, and time of the Plumbing Examiners Board's upcoming meeting for your participation.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the filing of a financial disclosure statement with the County Board of Ethics. Your financial disclosure information along with filing instructions, has been included.

Warmest wishes for a successful tenure.

Very Truly Yours,



George Latimer
Westchester County Executive

GL/ts

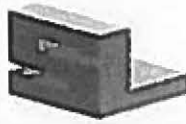
cc: Honorable Board of Legislators
James Maisano, Director, Consumer Protection
Joan McDonald, Director of Operations

Office of the County Executive

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White Plains, New York 10601

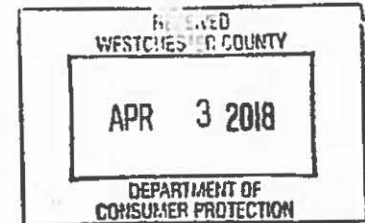
Email: cc@westchestergov.com
Telephone: (914)995-2900

westchestergov.com



S&L PLUMBING AND HEATING CORP.

Serving the New York Metropolitan Area Since 1986



Westchester Licensed Plumber:
Salvatore N. Alonge, # 1427

N.Y.C. Licensed Plumber:
Salvatore N. Alonge, # 2274

Putnam Licensed Plumber:
Salvatore N. Alonge, # 281

Poughkeepsie Licensed Plumber:
Salvatore N. Alonge, # 305

Rockland Licensed Plumber:
Salvatore N. Alonge, # 17136

March 29, 2018

VIA US MAIL

Westchester County Department of Consumer Protection
148 Martine Avenue, Room 407
White Plains, NY 10601

RE: Plumbing Board Position

Dear Sir or Madam,

It has recently come to my attention that there is an open position available on the Westchester Plumbing Board. As an active community member and the owner of S&L Plumbing and Heating Corp., I am respectfully asking to be considered for that position. I am fully aware of the importance this position holds and I am willing to give my full attention and resources towards fulfilling all of its obligations.

I currently hold several licenses with major cities including NYC. I have held executive positions with leading mechanical contractors in the past and have devoted my life to the plumbing industry. I am extremely aware of the industries pit falls, along with its strong points. I believe my experience can help further the excellent work the Plumbing Board does and will do in the future.

Thank you for your consideration. Please contact me by phone or email at your convenience.

Sincerely,

Salvatore Alonge
914-261-6249
SAlonge@SLPlumbing.net

☐ 56 Lafayette Ave, Suite 380 • White Plains NY, 10603
T: 914-908-6990 • F: 914-206-3640

www.slplumbing.net

☐ 1180 Commerce Ave • Bronx, New York 10472
T: 718-484-2391



S&L PLUMBING AND HEATING CORP.

Serving the New York Metropolitan Area Since 1986

Westchester Licensed Plumber: Salvatore N. Alonge # 1422 **N.Y.C. Licensed Plumber: Salvatore N. Alonge # 2274** **Putnam Licensed Plumber: Salvatore N. Alonge # 283** **Poughkeepsie Licensed Plumber: Salvatore N. Alonge # 305** **Rockland Licensed Plumber: Salvatore N. Alonge # 17136**

Dear Sir/Madam:

S&L plumbing has been in business for over 30 years and has successfully performed mostly public work contracts in the lower counties of New York. We are a family run business where we make our client relationships top priority. We have never failed to complete a job in all the years of business. Our family roots go deep in the plumbing industry as my brother and I are 3rd generation plumbers. We also take great pride in the trade and our work/reputation. We have almost 100 years of plumbing experience between my father, my brother, and I and although there is always something new, we have succeeded in every challenge that has been presented.

After resigning from the largest plumbing contracting firm in NYC as Senior Vice President, where I managed over 50 million dollars in annual revenue and over 200 people.

This is an exciting time for S&L Plumbing as we are currently going through a growth period and we are very determined to make new relationships and complete larger projects. Our current team is very experienced and has a lot of energy to help make the most challenging projects successful.

That is the brief summary, please feel free to call me with any questions you may have. Please see the attached personal resume to see more about my experience. My cell number is 914-261-6249.

Very truly yours,

S&L Plumbing and Heating Corp.

Salvatore Alonge

President

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Salvatore N. Alonge, # 2274

Putnam Licensed Plumber:
Salvatore N. Alonge, # 283

Poughkeepsie Licensed Plumber:
Salvatore N. Alonge, # 305

Rockland Licensed Plumber:
Salvatore N. Alonge, # 17136

EDUCATION:

New York Institute of Technology, Long Island, NY, Bachelor of Technology in Mechanical Engineering Technology
Trinity-Pawling School, Pawling, NY, High School Diploma

PLUMBING EXPERIENCE:

S&L Plumbing and Heating Corp.

February 2017 – Present

President

- Came back to family business to utilize my experience to help grow the business and expand territory.

WDF Inc.

August 2014 – February 2017

Senior Vice President

- Managed over 200 employees and \$50 million annual revenue in all aspects of the plumbing contracting business.
- Responsible for bringing projects in on time and within budget.
- Coordinate and direct all divisions to work together towards common goals for the Plumbing department.
- Performed all work under my NYC master plumber license where all work was directly and continuously supervised.

WDF Inc.

December 2005 – August 2014

Chief Plumbing Designer

- Strong experience with all types of plumbing jobs; including high rise residential, high rise commercial, and NYC agency work such as DEP, SCA, MTA, and PA jobs.
- Applied knowledge in sizing waste, vents, storm, and domestic water piping in accordance with New York City plumbing code.
- Analyze structural drawings (reinforced concrete & steel erection) to determine most efficient route for all plumbing systems throughout the building.
- Review contract drawings and shop drawings for code compliance, and to design / redesign as required bringing drawings up to code.
- Ensure that all plumbing systems get installed per NYC plumbing code for all jobs within the company.
- To value engineer when possible, to find the most cost effective and code compliant routes for all pipe throughout the building.
- Produce fabrication shop drawings for all types of plumbing piping including frames.
- Manage the plumbing drafting/design department.
- Strong knowledge of BIM, 3d coordination, and 3d design software such as Navisworks and AutoCad MEP.
- To stay up to date with the latest news, codes, and technology in the plumbing field.

S&L Plumbing and Heating Corp. – Brewster, NY
Plumber/designer/estimator

May 1998-December 2005

- Introductory experience in design and Journeyman level experience in the installation of all types of plumbing systems including; domestic hot and cold water, sanitary waste & vent, storm water, natural gas, heating systems, boiler piping, sprinkler piping, pressure regulators, and back flow preventors, extremely proficient in problem solving all plumbing systems.
- Was involved in all business operations including; estimating, money management, and purchasing material.
- Experience with both residential and commercial applications. Including; residential housing projects, public schools, wastewater treatment plants, water filtration plants, hospitals.
- Supported office staff with work such as change orders, submittals, RFI's, and constructing as-built drawings.

Accomplishments/Strengths:

- Recipient of 2012 ENR Top 20 Under 40 award for leaders in the construction industry
- Strong knowledge of BIM and applicable 3D AutoCad software
- Member of ASPE
- Recipient of Mechanical Technology Teachers academic award 2005
- See attached sheet for list of notable jobs I have been associated with:

☐ 56 Lafayette Ave, Suite 380 • White Plains NY, 10603
T: 914-908-6990 • F: 914-206-3640

☐ 1180 Commerce Ave • Bronx, New York 10472
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www.slplumbing.net



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Poughkeepsie Licensed Plumber:
Salvatore N. Alonge, # 305

Rockland Licensed Plumber:
Salvatore N. Alonge, # 17136

Office buildings/Commercial retail:

- 1 World Trade Center
- 3 World Trade Center
- World Trade Center Retail
- Hudson Yards Retail
- Hudson Yards Culture Shed
- Goldman Sachs office tower
- 380 Madison Ave
- Manhattan West
- East River Science Park
- 1 Bryant park (Bank of America Building)
- United Nations General Assembly Building
- 34E, 51st Street

Casino:

- Aqueduct racetrack – Resorts World

Residential:

- 15 Central Park West
- 80 Dekalb Avenue
- NYU Brittany Hall Residences
- 50 West Street
- Continuum
- 242 W. 53rd street

Hospitals/Healthcare:

- New York Presbyterian Hospital
- Children's Hospital of New York
- CUNY Citi Tech Building

School Construction Authority (too many to list):

- Successfully completed multiple new and renovation projects for the SCA.

Transit Authority:

- 3 stations at Rockaway
- 5 stations at Rockaway
- Fulton Street Station
- East Side access – CQ032

Department of Environmental Protection contracts:

- NC -35P
- NC -40P
- NC -41P
- Croton Water Filtration Plant
- TI-3P
- OH -33P
- JA -2P
- RO-1

Department of Sanitation contracts:

- North Shore -4P
- Hamilton Ave -1P

Port Authority:

- World Trade Center Transportation Hub
- Port Authority Bus Terminal
- George Washington Bridge

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T: 914-908-6990 • F: 914-206-3640

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T: 718-484-2391

www.splumbing.net

COUNTY OF WESTCHESTER OATH OF OFFICE

For Appointees to County Boards and Commissions

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, Salvatore Alonge do solemnly swear (or affirm) that I will support
(Print or Type Name)

the constitution of the United States, and the constitution of the State of New York, and that I will
faithfully discharge the duties of the office of Plumbing Examiners Board in and for the
County of Westchester, according to the best of my ability.

Date: 12/20/22

[Signature]
(Signature)

Sworn to and subscribed before me this 20th day of December
2022.

[Signature]
(Signature)
Jaime Manfredonia
(Print or Type Name)



Notary
(Title of Official Administering Oath)

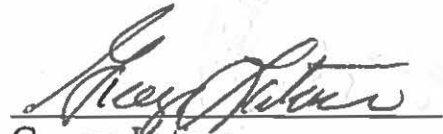
Mail original Oath of Office to Office to Andrew Ferris, Office of the County Executive, 148 Martine Ave., Room 916D, White Plains, NY 10601 for filing within thirty (30) days of the commencement of the term of office or the notice of appointment.

George Latimer
County Executive

WHEREAS, a vacancy exists in the membership of the Westchester County LGBTQ Advisory Board:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, appoint Noah Maitland, 276 Soundview Avenue, White Plains, New York as a member of the Westchester County LGBTQ Advisory Board, for the term September 29, 2022 to December 31, 2025.

Given under my hand
and seal this 29th day
of September, 2022.


George Latimer
County Executive

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

George Latimer
County Executive

September 29, 2022

Noah Maitland
276 Soundview Avenue,
White Plains, NY 10606

Dear Noah,

It is my pleasure to appoint you to serve as a member of the Westchester County LGBTQ Advisory Board effective today, Thursday, September 29, 2022. This appointment is for a term to expire on December 31, 2025.

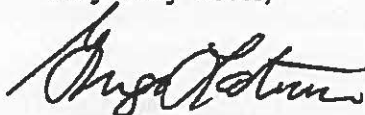
Your appointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your appointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed. Please contact Steve Bass at (914) 995-2914 for the date, place, and time of the LGBTQ Advisory Board's upcoming meeting for your participation.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,



George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Steve Bass, Director of Intergovernmental Relations
Joan McDonald, Director of Operations

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: ce@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

Noah Maitland

(914) 525-7614 • 276 Soundview Avenue, White Plains, NY 10606 • noahmait@icloud.com

PROFESSIONAL SUMMARY

Creative, dedicated worker, and problem-solver. An active member of a wide range of music and performing arts groups, while also taking honors and college level courses and maintaining a 4.48 GPA. Passionate about social justice issues and participated in a range of political events including marches, fundraisers, and clubs.

EDUCATION

White Plains High School, White Plains, NY **4.48 GPA** 2019-Present *High School Diploma in progress*

- Completed 18.5 credits to date
- Anticipated graduation in Spring of 2023

Extracurricular Activities

WPHS Jazz Band September 2020 – Present • WPHS Mariachi November 2019 – Present • Theater Club September 2019 – Present (President) • Songwriters Club October 2020 – Present • Gay-Straight Alliance – September 2021 • Member of the National Junior Honors Society (NJHS) May 2019 – Present • Freshman Cross Country Team September 2019 – November 2019 • Freshman Indoor Track November 2019 – February 2020 • Junior Varsity Boys Tennis Team March 2020 • Sci-Fi Club September 2019 – June 2020 • White Plains Performing Arts Center Youth Productions July 2020 – Present • WPHS Spring Musical 2019 – Present • The Overture Studio Performing Arts School June 2020 – October 2020 • WPHS Academic Team September 2019 – Present (B Team Captain)

AWARDS

- Scholar Athlete Award 2017
- Scholar Athlete Award 2018
- Scholar Athlete Award 2019
- Scholar Athlete Award 2020
- Outstanding Achievement in Critical Literacy 2019
- Presidents Education Award 2019

EXPERIENCE

Frost Valley, Farm Camp, Catskills, NY June 2021 – July 2021 *Counselor-in-Training (CIT)*

As a counselor-in-training I was responsible for organizing and running activities for all 50 or more campers at the camp, supervising my own group of campers through various activities for up to almost 15 hours a day, and educating and guiding them through new experiences and activities, from gardening to homesickness. As a CIT I learned leadership, time management, assertiveness, public speaking and how to handle a variety of different delicate situations from mental health struggles to abusive households.

White Plains Performing Arts Center, White Plains, NY July 2021 – September 2021 *Technical Intern*

At the White Plains Performing Arts Center I was charged with a wide range of responsibilities, from looking after kids ages 6-15, to running stoplights and lightboards, to designing and creating costumes. I learned time management, responsibility as well as a wide range of technical skills and how to be proactive and assertive.

Keepers of the Dream, Westchester, NY September 2021 – Present *Volunteer*

While volunteering with Keepers of the Dream I had the opportunity to practice publicly voicing my opinions with my peers on a variety of issues including the current political climate of Afghanistan and Texas Abortion Laws. In Keepers of the Dream, I learned both how to articulate my ideas clearly and respectfully and listen and learn from my peers.

Douglass The Musical, White Plains, NY July 2021 – Present *Personal Assistant*

As a personal assistant to Ruth F. Moss, the writer of Douglass the Musical, I've assisted in drafting emails regarding work with dramaturges and editors as well as assisted with writing and organizing emails, speeches and petitions for her organization Wired4safety which has been pushing for political action regarding 5G cell towers.

SKILLS

- Fundamentals in Lighting Design and Programing on EOS
- Conversational Spanish
- Background in CPR and lifesaving situations
- Experienced vocalist, violinist, pianist, and guitarist
- Leadership

References


References available upon request

George Latimer
County Executive

WHEREAS, the term of Maria Hlusko, as a member of the Westchester County Emergency Medical Services Advisory Board, has expired:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, reappoint Maria Hlusko, P.O. Box 572, North Salem, New York as a member of the Westchester County Emergency Medical Services Advisory Board, for the term July 11, 2022 to December 31, 2024.

Given under my hand
and seal this 11th day
of July, 2022.


George Latimer
County Executive

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com



George Latimer
County Executive

July 11, 2022

Ms. Maria Hlusko
PO Box 572
North Salem, NY 10560

Dear Ms. Hlusko,

It is my pleasure to reappoint you to serve as a member of the Westchester County EMS Board, effective today, Monday, July 11, 2022. This appointment is for a term to expire on December 31, 2024.

Your reappointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office within 30 days, either by appearing at the County Clerk's office or mailing the signed and notarized form to our office.

When you have filed your Oath of Office, a Resolution to confirm your reappointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,

George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Richard Wishnie, Commissioner, Emergency Services
Joan McDonald, Director of Operations

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: ce@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

Westchester County Executive Branch - Member Attendance

Emergency Medical Services Board

Member	Jan 12, 2022	Feb 08, 2022	May 10, 2022	Sep 13, 2022
Guy Peifer	P	P	A	A
John Ohnmacht	P	P	P	
Adam Ochs	P	P	E	
James Muller	P	P		
Scott Moore	A			
Steven Mareello	A	P	P	
Dr. Erik Larsen	P	P	P	
Maria Hlusko	P			
Eleanor Hersam	P	P	P	
Dominic Franzoso	P	P	P	
David Dawson	P	P	P	
Joseph Barca	P	P	A	P
Al Kim	P	P	P	P
James O'Connor	P	P	A	P
Jill Swanson	A	P	E	A
Anthony Sutton	P	P	P	P
Jeffrey Meade	A	A	A	A
David Raizen	P	P	P	P
Michael Volk	P	P	P	P
Richard Wishnie	P	P	P	P
Susan Spear	P	P	P	P
Barry Reiter	P	P	P	P
Maria Hlusko		P	P	A
Allison Cerreno		E		P
Justin Costable		P	P	

Steven Marelo				P
Justin Costable				P
David Dawson				P
Dominic Franzoso				P
Eleanor Hersam				A
Maria Hlusko				A
Dr. Erik Larsen				E
Adam Ochs				A
John Ohnmacht				P

Present:	18	21	15	15
Absent:	4	1	4	7
Excused:	0	1	0	0

- * P = Present
- * A = Absent
- * E = Excused
- * C = Canceled

Report - 2022

Nov 15, 2022	TOTALS
A	40.0%
	100.0%
	66.67%
	100.0%
	0.0%
	66.67%
	100.0%
	100.0%
	100.0%
	100.0%
	100.0%
A	60.0%
P	100.0%
E	60.0%
P	40.0%
P	100.0%
E	0.0%
P	100.0%
P	100.0%
P	100.0%
E	80.0%
P	100.0%
P	75.0%
P	66.67%
	100.0%

P	100.0%
P	100.0%
P	100.0%
P	100.0%
A	0.0%
A	0.0%
P	50.0%
P	50.0%
P	100.0%


16	80.19%
4	18.87%
0	0.94%

George Latimer
County Executive

WHEREAS, the term of Edith Charles, as a member of the Westchester County Council for Seniors, has expired:

NOW, THEREFORE, I, George Latimer, County Executive of Westchester County, in accordance with the terms and provisions of the Westchester County Charter, reappoint Edith Charles, 19 William Street, Apt. 1A, Mount Vernon, New York as the District 13 representative member of the Westchester County Council for Seniors, for the term May 23, 2022 to December 31, 2023.

Given under my hand
and seal this 23rd day
of May, 2022.


George Latimer
County Executive

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

George Latimer
County Executive

May 23, 2022

Ms. Edith Charles
19 William Street, Apt 1A
Mount Vernon, NY 10552

Dear Ms. Charles,

It is my pleasure to reappoint you to serve as the Legislative District 13 representative on the Westchester County Council for Seniors, effective today, Monday May 23, 2022, pursuant to the Laws of Westchester County § 157.03. This appointment is for a term to expire on December 31, 2023.

Your reappointment is subject to confirmation by the Westchester County Board of Legislators, but your service begins immediately. You must complete the attached Oath of Office and file it with the County Clerk prior to the next Council for Seniors meeting, and provide this office with a copy within 30 days. Please contact the Westchester County Department of Senior Programs and Services at (914) 813-6435 for the date, place, and time of the upcoming Council for Seniors meeting for your participation.

When you have filed your Oath of Office, a Resolution to confirm your reappointment will be submitted to the County Board of Legislators. As part of the confirmation process, you may be called before the Board to be interviewed.

Pursuant to Local Law, as a member of a Westchester County Board and/or Commission, you are responsible for adhering to the requirements of our Code of Ethics, which includes the annual filing of a financial disclosure statement with the County Board of Ethics.

Warmest wishes for a successful tenure.

Very Truly Yours,



George Latimer
Westchester County Executive

GL/ts

cc: Honorable Board of Legislators
Mae Carpenter, Commissioner, Department of Senior Programs and Services
Joan McDonald, Director of Operations

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

COUNTY OF WESTCHESTER
OATH OF OFFICE

47/22

For Appointees to County Boards and Commissions

STATE OF NEW YORK)

COUNTY OF WESTCHESTER)

ss.: 1

FILED

DEC 29 2022

TIMOTHY C. IDONI
COUNTY CLERK
COUNTY OF WESTCHESTER

I, Edith W. Charles do solemnly swear (or affirm) that I will support
(Print or Type Name)

the constitution of the United States, and the constitution of the State of New York, and that I will
faithfully discharge the duties of the office of Senior Programs in and for the
County of Westchester, according to the best of my ability.
Council

Date: 12/29/2022 Edith W. Charles
(Signature)

Sworn to and subscribed before me this 29th day of December,
2022.

DEAN C. WOOD
(Signature)

DEAN C. WOOD

(Print or Type Name)

(Title of Official Administering Oath)

DEAN C. WOOD
Notary Public, State of New York
No. 04WO6277810
Qualified in Westchester County
Commission Expires April 15, 2025

Mail original Oath of Office to Office to Andrew Ferris, Office of the County Executive, 148 Martine Ave., Room 916D, White Plains, NY 10601 for filing within thirty (30) days of the commencement of the term of office or the notice of appointment.

George Latimer
County Executive

January 3, 2023

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

Dear Members of the Board of Legislators:

Transmitted herewith is an Act which, if adopted by your Honorable Board, would authorize the County to enter into inter-municipal agreements ("IMA"s) with forty-five participating local municipalities for the implementation and operation of the Enhanced 911 Service (hereinafter "E-911").

Since July of 1993, E-911 service has been provided within Westchester County. This vital service has been enormously successful in providing necessary assistance to County residents in emergency situations. Among other things, the enhanced feature provides the address from which calls are being made to assist dispatchers in the event the caller is unable to provide that information. It should be noted that while Carousel Industries of North America, Inc. ("Carousel") now provides installation and operation of Enhanced 911 Service equipment under contract with the County, Verizon New York, Inc. continues to provide installation and operation of the Enhanced 911 Service network (lines and trunks required) in accordance with tariff rates.

The County's IMAs with the forty-five local municipalities authorized by your Honorable Board by Act No. 183-2017 expired on September 30, 2022. I am now requesting that your Honorable Board adopt the attached Act that would authorize the renewal of these agreements for a new five (5) year term commencing on October 1, 2022.

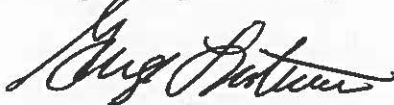
The Department of Information Technology (the "Department") will coordinate and manage the project for the County and act as the interface between the municipalities and the telephone company. The municipalities will be responsible for insuring, via appropriate verification of telephone company provided lists, that all housing units in its jurisdiction have a valid street name and number. They will also be responsible for designating which emergency providers (i.e. police, fire, EMS) serve each house. Those responsibilities will be specified in the individual IMAs which will also be used to designate the County to act as agent for the municipalities in their dealings with Carousel and to indemnify the County from any claims or liability from third parties due to actions of the municipalities or their employees.

For almost thirty years now, Westchester's E-911 service has been enormously successful in providing quick and efficient emergency response throughout the County. With your Honorable Board's approval of the attached legislation, this valuable service can continue to be provided for an additional five-year term.

The Planning Department has advised that the proposed IMAs do not meet the definition of an "action" under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 14, 2022, which is on file with the clerk of your Honorable Board. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Accordingly, the adoption of the attached legislation by your Honorable Board is most respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "George Latimer".

George Latimer
County Executive

HONORABLE BOARD OF LEGISLATORS THE COUNTY OF WESTCHESTER

Your Committee is in receipt of a communication from the County Executive recommending the enactment of an Act, which, if adopted by this Honorable Board, would authorize the County of Westchester (the “County”) to enter into inter-municipal Agreements (“IMA”s) with 45 participating local municipalities for the implementation and operation of the County’s Enhanced 911 service (hereinafter “E-911”).

The County Executive has advised your Committee that since July 1993, E-911 service has been provided within Westchester County. This vital service has been enormously successful in providing necessary assistance to County residents in emergency situations. Among other things, the enhanced 911 feature provides the address from which calls are being made to assist dispatchers in the event the caller is unable to provide that information. Your Committee is advised that while Carousel Industries of North America, Inc. (“Carousel”) now provides installation and operation of Enhanced 911 Service equipment under contract with the County, Verizon New York, Inc. continues to provide installation and operation of the Enhanced 911 Service network (lines and trunks required) in accordance with tariff rates.

The County’s IMAs with the forty-five local municipalities authorized by your Honorable Board by Act No. 183-2017 expired on September 30, 2022. I am now requesting that your Honorable Board adopt the attached Act that would authorize the renewal of these agreements for a new five (5) year term commencing on October 1, 2022.

The Department has advised that it will coordinate and manage the project for the County and act as the interface between the municipalities and the telephone company. The municipalities will be responsible for insuring, via appropriate verification of telephone company provided lists, that all housing units in its jurisdiction have a valid street name and number. They will also be responsible for designating which emergency providers (i.e. police, fire, EMS) serve each house. Those responsibilities will be specified in the individual IMAs which will also be used to designate the County to act as agent for the municipalities in their dealings with Carousel and to indemnify the County from any claims or liability from third parties due to actions of the municipalities or their employees.

The Planning Department has advised that the IMAs do not meet the definition of an “action” under the State Environmental Quality Review Act (“SEQRA”), and its implementing regulations, 6 NYCRR, Part 617. Please refer to the Memorandum from the Department of Planning dated January 14, 2022, which is on file with the clerk of your Honorable Board. Therefore, no further environmental review is required. Your Committee concurs with this 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 concurs with the County Executive’s proposal and recommends that your Honorable Board adopt the annexed legislation authorizing the County to enter into individual IMAs with the 45 local municipalities for Enhanced-911 Service.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

c mg10-26-22

FISCAL IMPACT STATEMENT

SUBJECT: IMA w/ local Muni's for 911

☒ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ -

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: _____

Potential Related Operating Budget Revenues:

Annual Amount _____

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Donna Montero

Title: Director of Admin Services

Department: Information Technology

Date: December 19, 2022

Reviewed By: 

Budget Director

Date: 12/19/22

AN ACT to authorize the County of Westchester to enter into Intermunicipal Agreements with 45 local municipalities to implement and operate Enhanced 911 service and to address any liability issues associated with the operation thereof.

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

Section 1. The County of Westchester be and hereby is authorized to enter into Intermunicipal Agreements with each of the forty-five (45) municipalities set forth on the attached list, to provide for the implementation and operation of the Enhanced 911 Service and to address any liability issues associated with the operation thereof, for a term commencing on October 1, 2022 and terminating September 30, 2027.

Section 2. The County Executive or his authorized designee is hereby authorized and empowered to execute all instruments and take all action reasonably necessary and appropriate to effectuate the purposes hereof.

Section 3. This Act shall take effect immediately.

E-911 INTERMUNICIPAL AGREEMENTS
MUNICIPALITY/FIRE DISTRICT

1. ARDSLEY, VILLAGE
2. BEDFORD, TOWN
3. BRIARCLIFF MANOR, VILLAGE
4. BRONXVILLE, VILLAGE
5. BUCHANAN, VILLAGE
6. CORTLANDT, TOWN
7. CROTON-ON-HUDSON, VILLAGE
8. DOBBS FERRY, VILLAGE
9. EASTCHESTER, TOWN
10. ELMSFORD, VILLAGE
11. FAIRVIEW FIRE DISTRICT
12. GREENBURGH, TOWN
13. HARRISON, TOWN
14. HARTSDALE FIRE DISTRICT
15. HASTINGS-ON-HUDSON, VILLAGE
16. IRVINGTON, VILLAGE
17. LARCHMONT, VILLAGE
18. LEWISBORO, TOWN
19. MAMARONECK, TOWN
20. MAMARONECK, VILLAGE
21. MT. KISCO, VILLAGE
22. MT. PLEASANT, TOWN
23. MT. VERNON, CITY
24. NEW CASTLE, TOWN
25. NEW ROCHELLE, CITY
26. NORTH CASTLE, TOWN
27. NORTH SALEM, TOWN
28. SLEEPY HOLLOW, VILLAGE
29. OSSINING, TOWN
30. OSSINING, VILLAGE
31. PEEKSKILL, CITY
32. PELHAM MANOR, VILLAGE
33. PELHAM, VILLAGE
34. PLEASANTVILLE, VILLAGE
35. PORT CHESTER, VILLAGE
36. POUND RIDGE, TOWN
37. RYE, CITY
38. RYEBROOK, VILLAGE
39. SCARSDALE, VILLAGE
40. SOMERS, TOWN
41. TARRYTOWN, VILLAGE
42. TUCHAHOE, VILLAGE
43. WHITE PLAINS, CITY
44. YONKERS, CITY
45. YORKTOWN, TOWN

THIS AGREEMENT made this ____ day of _____, 20__ 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

_____, a municipal corporation of the State of New York, having an office and place of business at _____ (hereinafter referred to as the "Municipality")

WITNESSETH:

WHEREAS, the County currently has a contract with Carousel Industries of North America, Inc. (hereinafter referred to as the "Carousel Industries"), for the installation and operation of Enhanced 911 Service equipment; and

WHEREAS, the County is currently receiving services from Verizon for the installation and operation of Enhanced 911 Service network (lines and trunks required); and

WHEREAS, by Act No. _____-20____, the Board of Legislators authorized the County Executive to enter into this Agreement and into similar agreements with 44 other local municipalities for the provision of Enhanced 911 Service for a five (5) year term commencing on October 1, 2022 and continuing through September 30, 2027; and

NOW, THEREFORE, it is mutually agreed by and between, the parties hereto as follows:

1. **Public Safety Answering Points (PSAP's).**

(a) Municipality will staff and operate a primary Public Safety Answering Point at its Police Headquarters or

(b) Municipality will contract with the Appropriate State Police Agency or another Municipality to staff and operate a primary Public Safety Answering Point (whichever is appropriate) and if appropriate

(c) Municipality will staff and operate a Public Safety Answering Point at its Fire or Police Department Headquarters or

(d) Municipality will contract with the appropriate Fire District or Police Department to staff and operate a Public Safety Answering Point and

(e) Municipality will be solely responsible for the cost and expense of providing the necessary space, heat, electricity, air conditioning, water, furniture, furnishings and remodeling, if any, for the primary and secondary PSAP's they operate or contract for as specified in Exhibit A attached hereto and a part hereof and

(f) County will staff and operate Public Safety Answering Points at the County Fire Control and Training Center in Valhalla and the County Public Safety Headquarters in Hawthorne. County will be solely responsible for the cost and expense of providing the necessary space, heat, electricity, air conditioning, water, furniture, furnishings and remodeling, if any, for these County operated PSAP's.

2. **Network and Terminal Equipment.**

The network (lines and trunks required) for the E911 system will be installed and maintained by Verizon at the sole cost and expense of County, while the terminal equipment will be installed and maintained by Carousel at the sole cost and expense of the County. In addition to responsibility for these non-recurring costs, County will be solely responsible for the cost and expense of the monthly rates and charges for all associated exchange services and private line service (including mileage charges), as contained in Verizon's tariff as in effect from time to time. Any E911 equipment leased by County will remain the property of County. The County intends to continue to recover all non-recurring and monthly charges by continuing to impose a surcharge on all telephone customers in the County as permitted by State Legislation and County Legislation.

3. **Personnel.**

(a) Municipality will staff its Public Safety Answering Points with its own employees or contract for same. They will be responsible for receiving E911 calls; deciding what emergency services to dispatch; dispatching them; and/or, in appropriate cases, transferring calls to other PSAP's. Municipality will be solely responsible for the acts and omissions, if any, of its employees or contractors in the operation of Public Safety Answering Points and will not hold County liable therefor. Sufficient personnel will be provided or contracted for by Municipality to handle incoming calls adequately 24 hours per day, every day of the year.

(b) County will staff its Public Safety Answering Points with its own employees. They will be responsible for receiving calls appropriate transferred by other PSAP's, deciding what emergency services are to be dispatched; dispatching them; and/or, in appropriate cases, transferring calls to other PSAP's. County will be solely responsible for the acts and omissions, if any, of its employees in the operation of its Public Safety Answering Points and will not hold Municipality liable therefor. Sufficient personnel will be provided by County to handle incoming calls adequately 24 hours per day, every day of the year.

(c) County will also staff the position of E911 Coordinator with its own employee. The Coordinator will be responsible for working with Liaisons appointed by each Municipality to implement, maintain and enhance the E911 system. The Coordinator will be responsible for directing the efforts of Municipal Liaisons in providing Company with street names and numbers, and emergency services providers for each Municipality including updates of same.

The Coordinator will also schedule all training of PSAP operators, to be conducted by Carousel Industries, on how to operate the E911 equipment and system. County will be solely responsible for the acts and omissions, if any, of its employee, while acting as the E911 coordinator and will not hold Municipality liable therefor.

4. System Integrity.

(a) Municipality shall have the responsibility of discovering all errors, defects and malfunctions and assumes the duty of and will make such tests as, in the judgment of Municipality, are required to determine whether the E911 system is functioning properly at PSAPs. Municipality shall promptly notify County and Carousel Industries in the event the system is not functioning properly.

(b) County shall have the responsibility of discovering all errors, defects and malfunctions and assumes the duty of and will make such tests as, in the judgment of County, are required to determine whether the E911 system is functioning properly at its PSAPs, County shall promptly notify Carousel Industries and Municipality in the event the system is not functioning properly.

5. Use of 60 Control.

The primary PSAP (Municipality) shall answer the E911 phone lines in the following manner: "Nine-One-One (911) what is the emergency?" If the call is a primary fire or EMS related

request and 60-Control (The Westchester County Department of Emergency Services' Emergency Communications Center (ECC)) dispatches local Fire and/or EMS (Ambulance) Service, the primary PSAP will tell the caller to "stay on the line" and immediately transfer the ANI/ALI data and conference the caller to 60 Control or other appropriate secondary PSAP. The primary PSAP may stay on the line to collect and request specific information from the caller if needed. This process will avoid any potential delays in dispatching the appropriate first response, fire or EMS personnel. If a caller is contacting the PSAP via a seven digit (administrative) line and they are calling for a fire or EMS related emergency, the PSAP shall conference the caller with the appropriate secondary PSAP.

6. **Insurance and Indemnification.** In addition to, and not in limitation of the insurance provisions contained in Schedule "B" of this Agreement, the Municipality agrees:

(a) to indemnify, hold harmless and defend the County against any and all liability, loss, damage, claim, suit or expense of any kind which the County may directly or indirectly incur, suffer or be required to pay by reason or in consequence of the fault, failure, omission or negligence of Municipality to carry out its duties under this Agreement.

(b) The County agrees to indemnify, hold harmless and defend the Municipality against any and all liability, loss, damage, claim, suit or expense of any kind which the Municipality may directly or indirectly incur, suffer or be required to pay by reason or in consequence of the fault, failure, omission or negligence of the County, its officers, agents and/or employees, including the failure of the County to carry out its duties under this Agreement.

(c) If a claim or action is made or brought against either party for which the other party may be responsible hereunder in whole or in part, such other party shall be immediately notified and shall be permitted to participate in the handling or defense of such matter.

(d) Neither party shall be held in any way responsible to the other party for damages to the E911 System or interference with the services provided under this Agreement resulting from acts of God or other acts which are without the direct control of either party.

7. **Term.**

This Agreement shall commence on October 1, 2022 and terminate September 30, 2027.

8. **Offer and Contract Voidable.**

(a) If this Agreement has not been signed by the Municipality at a time when any one of the other municipalities in Schedule "A" should refuse to execute an agreement similar to the

one herein, or if the County refuses to execute the above-described agreement with Carousel Industries or Verizon, the County may withdraw its offer to execute the agreement herein with the Municipality. Upon written notification by the County to the Municipality that the County is withdrawing its offer due to one of the reasons described herein, this offer shall immediately become void.

(b) If this Agreement has been signed by the Municipality prior to a time when any one of the other municipalities in Exhibit "A" should negotiate and execute an agreement similar but modified to the one herein, or if the County refuses to execute the above-described agreement with Carousel Industries, or if the County terminates its agreement with Carousel Industries, the parties hereto agree that the Municipality shall be given the opportunity to amend this agreement with regard to the modified terms.

9. Non-Emergency Communication System.

In the event a non-emergency communication system is implemented and utilized in the County, which system will allow callers to access local public safety departments by dialing a three digit telephone number, the Municipality expressly agrees to participate in such a system and to apply this Agreement to the introduction and operation of the non-emergency communication system.

10. Termination.

The County may terminate this Agreement upon thirty (30) days notice to the Municipality. The Municipality may terminate this Agreement, with the prior written consent of the County, upon sixty (60) days notice and a showing by the Municipality that an alternative means is being provided.

11. Assignment of Agreement.

This Agreement may not be assigned or transferred by the Municipality without first having obtained written approval thereof by the County.

12. Conflicts of Interest.

This Agreement is subject to the provisions of Article 18 of the General Municipal Law of the State of New York, as amended.

13. Independent Contractor.

(a) The Municipality agrees that it is and at all times shall be deemed an independent contractor and shall not, in any manner whatsoever, by its actions or deeds commit the County to an obligation irrespective of the nature thereof, and Municipality shall not at any time or for any purpose be deemed an employee of the County.

(b) It is further understood and agreed that no agent, servant or employee of the Municipality shall, at any time or under any circumstances, be deemed to be an agent, servant or employee of the County.

14. **Entire Agreement.**

This Agreement constitutes the entire and integrated agreement between and among the parties hereto and supersedes any and all prior negotiations, agreements and conditions, whether written or oral. Any modification or amendment to this Agreement shall be void unless it is in writing and subscribed by the party to be charged.

15. **Invalidity.**

The parties intend all provisions of this Agreement to be in conformity with the laws of the State of New York and in the event that any court of competent jurisdiction shall rule to the contrary, this entire agreement shall become null and void.

16. **Applicable Law.**

This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in triplicate.

THE COUNTY OF WESTCHESTER

By _____
(Name and Title)

MUNICIPALITY:

By _____
(Name and Title)

Approved by the Westchester County Board of Legislators by Act No. _____-20____
on the _____ day of _____, 20____.

Approved

Assistant County Attorney
The County of Westchester

ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF)

On the _____ day of _____ in the year 20____ before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Date: _____

Notary Public

CERTIFICATE OF AUTHORITY
(MUNICIPAL CORPORATION)

I, _____,
(Officer other than officer signing contract)

certify that I am the _____ of
(Title)
the _____
(Name of Municipal Corporation)

a corporation duly organized and in good standing under the _____
(Law under which organized, e.g., the New York Business Corporation Law) named in the
foregoing agreement; that

(Person executing agreement)

who signed said agreement on behalf of the _____
(Name of Municipal Corporation)

was, at the time of execution _____
(Title of such person)

of the Municipal Corporation and that said agreement was duly signed for and on behalf of said
Municipal Corporation by authority of its governing board, thereunto duly authorized and that
such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

On the _____ day of _____ in the year 20__ 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 officer
described in and who executed the above certificate, who being by me duly sworn did depose
and say that he/she resides at _____,
and he/she is an officer of said corporation; that he/she is duly authorized to execute said
certificate on behalf of said corporation, and that he/she signed his/her name thereto pursuant to
such authority.

Notary Public
Date

SCHEDULE "A"

E-911 INTERMUNICIPAL AGREEMENTS MUNICIPALITY/FIRE DISTRICT

1. ARDSLEY, VILLAGE
2. BEDFORD, TOWN
3. BRIARCLIFF MANOR, VILLAGE
4. BRONXVILLE, VILLAGE
5. BUCHANAN, VILLAGE
6. CORTLANDT, TOWN
7. CROTON-ON-HUDSON, VILLAGE
8. DOBBS FERRY, VILLAGE
9. EASTCHESTER, TOWN
10. ELMSFORD, VILLAGE
11. FAIRVIEW FIRE DISTRICT
12. GREENBURGH, TOWN
13. HARRISON, TOWN
14. HARTSDALE FIRE DISTRICT
15. HASTINGS-ON-HUDSON, VILLAGE
16. IRVINGTON, VILLAGE
17. LARCHMONT, VILLAGE
18. LEWISBORO, TOWN
19. MAMARONECK, TOWN
20. MAMARONECK, VILLAGE
21. MT. KISCO, VILLAGE
22. MT. PLEASANT, TOWN
23. MT. VERNON, CITY
24. NEW CASTLE, TOWN
25. NEW ROCHELLE, CITY
26. NORTH CASTLE, TOWN
27. NORTH SALEM, TOWN
28. SLEEPY HOLLOW, VILLAGE
29. OSSINING, TOWN
30. OSSINING, VILLAGE
31. PEEKSKILL, CITY
32. PELHAM MANOR, VILLAGE
33. PELHAM, VILLAGE
34. PLEASANTVILLE, VILLAGE
35. PORT CHESTER, VILLAGE
36. POUND RIDGE, TOWN
37. RYE, CITY
38. RYEBROOK, VILLAGE
39. SCARSDALE, VILLAGE
40. SOMERS, TOWN
41. TARRYTOWN, VILLAGE
42. TUCHAHOE, VILLAGE
43. WHITE PLAINS, CITY
44. YONKERS, CITY
45. YORKTOWN, TOWN

SCHEDULE "B"
STANDARD INSURANCE PROVISIONS
(Municipality)

1. Prior to commencing work, and throughout the term of the Agreement, the Municipality shall obtain at its own cost and expense the required insurance as delineated below from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better. Municipality shall provide evidence of such insurance to the County of Westchester ("County"), either by providing a copy of policies and/or certificates as may be required and approved by the Director of Risk Management of the County ("Director"). The policies or certificates thereof shall provide that ten (10) days prior to cancellation or material change in the policy, notices of same shall be given to the Director either by overnight mail or personal delivery for all of the following stated insurance policies. All notices shall name the Municipality and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the Director, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the Director, the Municipality shall upon notice to that effect from the County, promptly obtain a new policy, and submit the policy or the certificate as requested by the Director to the Office of Risk Management of the County for approval by the Director. Upon failure of the Municipality to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated.

Failure of the Municipality to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Municipality from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Municipality concerning indemnification.

All property losses shall be made payable to the "County of Westchester" and adjusted with the appropriate County personnel.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of Municipality's negligent acts or omissions under the Agreement or by virtue of the provisions of the labor law or other statute or any other reason, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Municipality until such time as the Municipality shall furnish such additional security covering such claims in form satisfactory to the Director.

In the event of any loss, if the Municipality maintains broader coverage and/or higher limits than the minimums identified herein, the County shall be entitled to the broader coverage and/or higher limits maintained by the Municipality. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

2 The Municipality shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the Agreement):

- a) Workers' Compensation and Employer's Liability. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at: <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

- b) Commercial General Liability Insurance with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester" as an additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- i. Premises - Operations.
- ii. Broad Form Contractual.
- iii. Independent Contractor and Sub-Contractor.
- iv. Products and Completed Operations.

- c) Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County of Westchester for both on-going and completed operations.

- d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages and name the "County of Westchester" as additional insured:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

3. All policies of the Municipality shall be endorsed to contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County is named as an insured, shall not apply to the County.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Municipality.

DRAFT



George Latimer
County Executive

Office of the County Attorney

January 5, 2023

John M. Nonna
County Attorney

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

Re: Request for authorization to settle the lawsuit of Kim Golodetz v County of Westchester et al. in Supreme Court Westchester County, Index No. 61047/2019, in the amount of \$405,000.00 inclusive of attorney's fees.

Dear Honorable Members of the Board:

Attached for your consideration is an Act, which if enacted by your Board, would authorize the settlement of the lawsuit of Kim Golodetz v County of Westchester et al., in the amount of \$405,000.00 inclusive of attorney's fees.

This matter is pending in the Westchester County Supreme Court before the Honorable Nancy Quinn Koba. The lawsuit tentatively settled after a verdict on liability, pending this Board's approval of a settlement in the amount of \$405,000.00, inclusive of attorney's fees.

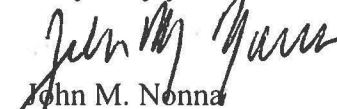
Glenn A. Herman, Esq. of Herman & Herman, P.C., 589 8th Avenue, 21st Floor, New York New York 10018, is representing the plaintiff, Kim Golodetz.

This lawsuit arises out of a bicycle accident on the North County Trailway on April 7, 2019 at approximately 12:40 pm. The plaintiff was travelling north on the trailway when she rode over what she claimed was an unexpected bump and was thrown from her bicycle. At trial plaintiff claimed that the County was negligent for failing to repair the bump despite having notice that another cyclist claimed to have fallen over the identical bump 10 months prior to the plaintiff's accident. The County argued that the bump was not dangerous and that the plaintiff assumed the risk of injury when she voluntarily engaged in cycling on the North County Trailway despite warning signs that there were uneven surfaces. At the conclusion of the liability phase of a bifurcated trial, the jury returned a verdict finding both parties negligent and responsible for the accident. The County was found to be 56% percent responsible and the plaintiff was found to be 44% responsible. The matter settled before the damages phase of the trial where the plaintiff would have presented evidence that, as a result of the accident, she

suffered a fractured shoulder requiring surgery. She claims she engaged in physical therapy for over a year and still suffers from pain and limited range of motion. She alleges that she will require a second surgery to remove the hardware that was put in place during the first surgery because the hardware is causing her to suffer pain.

The settlement takes into consideration the liability findings of the jury, 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 Kim Golodetz v County of Westchester et al, in the amount of \$405,000.00, Westchester County Supreme Court Index No. 61047/2019, inclusive of attorney's fees.

Very truly yours



John M. Nonna
County Attorney

JMN/jhf

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 Kim Golodetz v County of Westchester et al., in the amount of \$405,000.00 inclusive of attorney's fees.

This matter is pending in the Westchester County Supreme Court before the Honorable Nancy Quinn Koba. The lawsuit tentatively settled after a verdict on liability, pending this Board's approval of a settlement in the amount of \$405,000.00, inclusive of attorney's fees.

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over a year and still suffers from pain and limited range of motion. She alleges that she will require a second surgery to remove the hardware that was put in place during the first surgery because the hardware is causing her to suffer pain.

The settlement takes into consideration the liability findings of the jury, 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 Kim Golodetz v County of Westchester et al, in the amount of \$405,000.00, Westchester County Supreme Court Index No. 61047/2019, 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 Kim Golodetz v County of Westchester et al., in the amount of \$405,000.00, Westchester County Supreme Court Index No. 61047/2019, 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

, 2023

COMMITTEE ON

ACT NO. -2023

AN ACT authorizing the County Attorney to settle the lawsuit of Kim Golodetz v County of Westchester, et al, Westchester County Supreme Court Index No. 61047/2019, in the amount of \$405,000.00, 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 Kim Golodetz v. County of Westchester, et al, Westchester County Supreme Court Index No. 61047/2019, in the amount of \$405,000.00, 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: Kim Golodetz

☐ NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 405,000

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 0699/4310 4280/04

Potential Related Operating Budget Expenses:

Annual Amount N/A

Describe: Settlement of General Liability Claim (BI) G190034 Golodetz, Kim

Potential Related Operating Budget 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

Prepared by: Jane Hogan felix

Title: Associate County Attorney

Department: Law

Date: January 5, 2023

Reviewed By: [Signature]

Budget Director

Date: 1/5/23

MaryJane Shimsky**Legislator, 12th District**

Chair, Committee on Public Works & Transportation

**Committee Assignments:**

Budget & Appropriations

Health

Law & Major Contracts

Legislation

Parks & Recreation

December 20, 2022

Hon. Tim Idoni

Westchester County Clerk

110 Dr. Martin Luther King Jr. Blvd.

White Plains, NY 10601

Re: Resignation effective January 1, 2023

Dear Tim,

Please accept this letter as notice that I am resigning from the office of Westchester County Legislator for the 12th Legislative District, effective Sunday, January 1, 2023.

It has been my extreme pleasure to serve not only the residents of the Town of Greenburgh, but all of Westchester County for the past 12 years.

I have enjoyed working with you, and thank you and your staff for your efforts and assistance during my tenure. I will miss you all.

I am also noticing the Hon. Catherine Borgia, Chairwoman of the Board of Legislators, regarding my resignation, as well as Sunday Vandenberg, Clerk and Chief Administrator of the Board of Legislators.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "MaryJane Shimsky", with a large, stylized flourish at the end.

MaryJane Shimsky



WESTCHESTER COUNTY CLERK

Timothy C. Idoni
County Clerk

December 28, 2022

NYS Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

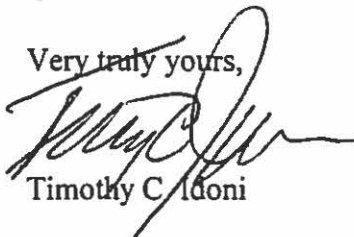
Re: Resignation of Westchester County Legislator Mary Jane Shimsky

Dear Sirs:

Please be advised that a vacancy on the Board of Legislators of the County of Westchester has occurred by reason of the resignation of Mary Jane Shimsky, Westchester County Legislator – District 12, effective January 1, 2023. The resignation, a copy of which is enclosed, was filed in my office on December 27, 2022.

By copy of this letter, I am informing the Westchester County Board of Legislators and the Westchester County Board of Elections of the vacancy by reason of Legislator Shimsky's resignation.

Very truly yours,



Timothy C. Idoni

encl.

cc w/encl:

Hon. Catherine Borgia, Chairwoman, Westchester County Board of Legislators
Sunday Vanderberg, Clerk & Chief Administrative Officer, County Board of Legislators
Hon. George Latimer, Westchester County Executive
Tajian Nelson, Commissioner, Westchester County Board of Elections
Douglas A. Colety, Commissioner, Westchester County Board of Elections

RESOLUTION NO. -2023

WHEREAS, the Honorable MaryJane Shimsky was elected to the office of Westchester County Legislator for the Twelfth District, for a term to expire on December 31, 2023; and

WHEREAS, on December 31, 2022, the Honorable MaryJane Shimsky submitted letters to County Clerk Timothy Idoni and Clerk of the Board of Legislators Malika Vanderberg with a copy to Chairwoman of the Board Catherine Borgia memorializing her resignation from the Office of County Legislator for the Twelfth Legislator District, effective December 31, 2022; and

WHEREAS, upon the resignation of the Honorable MaryJane Shimsky, there is a vacancy in the office of County Legislator for the twelfth County Legislative District; and

WHEREAS, pursuant to Section 107.11 of the Laws of Westchester County, whenever a vacancy in the office of County Legislator occurs within a year in which there is no County-wide general election for the position of County Legislator, or on January 1 of a year in which there is a County-wide general election for the position of County Legislator, such office shall be filled for the remainder of the unexpired term at a special election in the legislative district of said vacated office, to be called by the County Board as soon as practicable and, in any event, to be held no later than 90 days from the date of such vacancy; **NOW THEREFORE BE IT**

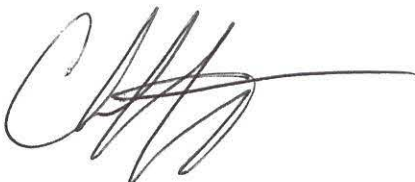
RESOLVED, that the Office of County Legislator for the Twelfth County Legislative District be and hereby is declared vacant as of December 31, 2022, which is within a year in which there is no County-wide general election for the position of County Legislator, and be it further

RESOLVED, that the Westchester County Board of Legislators hereby calls for a special election to fill the vacancy of the Office of County Legislator for the Twelfth County Legislative District, pursuant to Section 107.11 of the Laws of Westchester County to be held on February 28, 2023; and be it further

RESOLVED, that the Westchester County Board of Elections is hereby directed to take all measures necessary under the New York State Election Law to ensure that the election is properly held and conducted.

Dated: *Jan. 4*, 2023
White Plains, New York

COMMITTEE ON



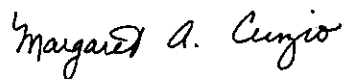
Dated: Jan. 4, 2023

White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2023, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

RULES

Handwritten signature of Nancy E. Pan in cursive script.Handwritten signature of Margaret A. Cunzio in cursive script.

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 co-defendant 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 save 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 Jacek Krassowski v. County of Westchester, et al., 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

Vedat Jasli
Catharine By
D. Miller
Colin O'H
HSC
Nancy E. Barr
Nancy E. Barr
David J. Inibio

Vedat Jasli
Catharine By
D. Miller
Colin O'H
Nancy E. Barr

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. Parker	Catherine F. Parker

Budget & Appropriations

Law & Major Contracts

ACT NO. -2022

AN ACT authorizing the County Attorney to settle the lawsuit of Jacek Krassowski v. County of Westchester, 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 Jacek Krassowski v. County of Westchester, et al., 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.

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.

-----X
 JACEK KRASSOWSKI,

Plaintiff,

DECISION & ORDER

Index No: 59834/2020

-against-

Motion Sequence Nos. 02 and 04

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

Defendants.
 -----X

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 cross-motion 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.¹ 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. Gittleston 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]; *Scarangelo 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. JOAN B. LEFKOWITZ, J.S.C.

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 Savings to County and/or Impact on Department Operations:

Current Year:

N/A

Next Four years: N/A

Prepared by: Giacomo G. Micciche

Title: Assistant County Attorney

Department: Law

Reviewed By: [Signature]

PH

Budget Director

10/31/22

If you need more space, please attach additional sheets.

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 9th, 2023

Vedat Fashi

Admin. by
W. H. M.

C. J. V. B.
H. S. A.
M. J. K. B.

James B. B. B.
D. W. H. B.

Vedat Fashi

Admin. by
J. H. M.

C. J. V. B.
M. J. K. B.

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

<i>Catherine F. Parker</i>	<i>Catherine F. Parker</i>

Budget & Appropriations

Law & Major Contracts

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 IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☒ GENERAL FUND ☐ AIRPORT FUND ☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense	N/A
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Total Current Year Revenue	\$	2,100,000
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Source of Funds (check one): ☐ Current Appropriations ☐ Transfer of Existing Appropriations

☐ Additional Appropriations ☐ Other (explain) _____

Identify Accounts: 6N: 615-59-0693-3710-4280/04

[illegible]

Describe:

Potential Related Operating Budget Revenues:	Annual Amount	\$2,100,000
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Describe: An Act authorizing the County Attorney to settle the lawsuit with Unity Mechanical Corp.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years:

Prepared by: Debra Ogden

Title: Sr. Budget Analyst

Department: Budget

Date: November 4, 2022

Reviewed By: [Signature]
Budget Director

Date: 11/4/22

**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 Fathi

Arthur [Signature]

De [Signature]

SSC

Nancy [Signature]

James [Signature]

David J. Lubin

COMMITTEE ON

Budget & Appropriations

De [Signature]
Colin [Signature]

Vedat Fathi

Arthur [Signature]

De [Signature]

Nancy [Signature]

Colin [Signature]

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. Parker	Catherine F. Parker

Budget & Appropriations

Law & Major Contracts

FISCAL IMPACT STATEMENT

18

SUBJECT: No Cost 1 year Extension to Abrams Fensterman Aqt☒ 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 OlliTitle: Assistant Budget DirectorDepartment: BudgetReviewed By: [Signature]

Budget Director

10/24/22

If 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.

**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 due to materials and supply chain issues.

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 9th*, 2022

White Plains, New York

<i>Vedat Jathin WOP</i> <i>Catherine Pry WOP</i> <i>Debbie (w/s prejudice)</i> <i>Dennis L. Tubbs</i> <i>John WOP</i> <i>Maryann WOP</i> COMMITTEE ON <i>John WOP</i>	<i>Catherine Pry WOP</i> <i>Dennis L. Tubbs</i> <i>John WOP</i> <i>Nancyann WOP</i>
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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. Parker

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL26

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 2,500,000 PPU 20 Anticipated Interest Rate 3.83%

Anticipated Annual Cost (Principal and Interest): \$ 175,312

Total Debt Service (Annual Cost x Term): \$ 3,506,240

Finance Department: Interest rates from November 9, 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 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):

Funds will be used towards reconstruction of bridge. Project is managed and overseen by local
municipality. No impact to department operations.

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 0

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning Department


Date: 11/16/22

Reviewed By: 

Budget Director

Date: 11/17/22

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

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
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____.

(SEAL)

The Clerk and Chief Administrative Office 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 December 3, 2019 and amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE 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 on December 3, 2019 and amended on _____, 20____)

object or purpose: to finance the County's share of the cost of flood mitigation projects in the Village of Mamaroneck as described in the Village of Mamaroneck's 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.

amount of obligations to be issued:

and period of probable usefulness: \$2,500,000; twenty (20) 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:* BPL26	<input type="checkbox"/> CBA	Fact Sheet Date:* 08-11-2022
Fact Sheet Year:* 2022	Project Title:* FLOOD MITIGATION	Legislative District ID: 7
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 2001

Overall 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.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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 Request:

Non-County Shares:	\$ 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	11,000,000	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
WBB4

Date
10-26-2022

Department of Public Works
RJB4

Date
10-27-2022

Budget Department
LMY1

Date
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)

	Est Ult Cost	Appropriated	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.

Current Year 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)

Bonds Authorized

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

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 Project Cost	Original Municipal Share	Original County Share	Original County Admin Cost
\$2,000,000	\$1,000,000	\$1,000,000	\$0
Revised Project Cost	Revised Municipal Share	Revised County Share	Revised County 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 County (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 No. _____-2022.

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)
 ss.:
COUNTY OF WESTCHESTER)

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 required therein.

Signature and Office of individual
taking acknowledgment

CERTIFICATE OF AUTHORITY

I, _____,
(Officer other than officer signing contract)

certify that I am the _____ of the _____, a municipal
(Title) (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 _____
(Person executing agreement)

who signed said agreement on behalf of the Municipality was, at the time of execution the
_____ of the Municipality and that said agreement was
(Title of such person)

duly signed for and on behalf of said Municipality by authority of its Board of _____,
thereunto duly authorized and that such authority is in full force and effect at the date hereof.

(Signature)

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

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)

_____, the Municipality described in and which
executed the above certificate, who being by me duly sworn did depose and say that he/she, the said
_____ of said Municipality resides at _____
_____, and that he/she signed his/her name
hereto by order of the Board of _____ of said Municipality.

Notary Public
County of _____

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 Beth Green v County of Westchester et al. 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 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.

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

Vedat Fehi

Catharine B.

West M.

Citi M.

S. B.

Spencer B.

Henry B. Johnson

Doris T. Smith

Vedat Fehi

Catharine B.

West M.

Citi M.

Spencer B.

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. Parker	Catherine F. Parker

Budget & Appropriations

Law & Major Contracts

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 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.

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 PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 850,000

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 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:

Annual Amount N/A

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

Title: Associate County Attorney

Department: Law

Date: November 22, 2022

NO
Reviewed By:

Laurenne C. [Signature]
Budget Director

Date:

11/25/22

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 9th, 2023
White Plains, New York

Manhattan Dow/Huber
Robert J. Rubin
Anthony B. B. B.
D. M. M.
H. S. C.

COMMITTEE ON

kjpg 12-02-22

Frank J. Zellerbach

Anthony B. B. B.
H. S. C.
Manhattan
David J. Rubin

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. Parker

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:
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
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)
 : 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 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__.

(SEAL)

The Clerk and Chief 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 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__)

object or purpose: 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.

amount of obligations to be issued
and period of probable usefulness: \$500,000; five (5) 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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0116

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 500,000 PPU 5 Anticipated Interest Rate 2.57%

Anticipated Annual Cost (Principal and Interest): \$ 107,704

Total Debt Service (Annual Cost x Term): \$ 538,520

Finance Department: Interest rates from December 5, 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 Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 5

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Capital Planning Program Administrator

Department: Department of Public Works and Transp

Date: 12/5/22

Reviewed By: 

01/26/23

Budget Director

Date: 12/7/22

CAPITAL PROJECT FACT SHEET

Project ID:*

B0116

☐ CBA

Fact Sheet Date:*

01-03-2023

Fact Sheet Year:*

2023

Project Title:*

INFRASTRUCTURE
REHABILITATION, PEEKSKILL
DISTRICT OFFICE (2021-2025)

Legislative District ID:

1,

Category*

BUILDINGS, LAND &
MISCELLANEOUS

Department:*

PUBLIC WORKS

CP Unique ID:

2031

Overall Project Description

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

☒ Best Management Practices

☒ Energy Efficiencies

☒ Infrastructure

☒ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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 (in thousands) as of : 0

Current Bond Description: Funding is requested for design associated with the replacement of windows and storefronts at the Peekskill District Office.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	500,000
Cash:	0
Total:	\$ 500,000

SEQR Classification:

TYPE II

Amount Requested:

500,000

Comments:

Energy Efficiencies:

THE REPLACEMENT WINDOWS AND STOREFRONTS WILL BE THERMALLY BROKEN, LOW-E DOUBLE GLAZED WINDOWS AND STOREFRONTS.

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
09-23-2022

Department of Public Works
RJB4

Date
09-23-2022

Budget Department
LMY1

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	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 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.

Reference A0134
A0138
A0140

**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 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.

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 Assignment	Time Frame (Months)	
				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 9th, 2023
White Plains, New York

COMMITTEE ON

k/jpg/11/30/2022

Vedat Gashi WOP

Arthur [unclear]

Sal [unclear] WOP

Nancy Egan WOP

Henry Bell and John [unclear] WOP

David J. Iuliano

Wendy [unclear]

Arthur [unclear]
Sal [unclear] WOP


Nancy Egan WOP

David J. Iuliano

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:
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

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

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

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

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

REFERENCES A0134, A1038 and A0140

ACT NO. -20__

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 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__.

(SEAL)

The Clerk and Chief 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 NO. _____-20__

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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: _____

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☐ GENERAL FUND

☒ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

A0134; A0138; A0140

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 4,050,000 PPU 10 Anticipated Interest Rate 2.69%

Anticipated Annual Cost (Principal and Interest): \$ 464,889

Total Debt Service (Annual Cost x Term): \$ 4,648,890

Finance Department: Interest rates from December 5, 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 Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 44

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Brian Hegt

Title: Assistant to the Commissioner

Department: Public Works & Transportation

Date: 12/7/22

Reviewed By:

dv
12/6/22

Budget Director

Date:

12/7/22

CAPITAL PROJECT FACT SHEET

Project ID:* A0134	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* HVAC UPGRADES, TERMINAL BUILDING	Legislative District ID: 6,
Category* AIRPORT	Department:* AIRPORT/DOT	CP Unique ID: 2045

Overall 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).

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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 of : 0

Current Bond Description: This request will fund design, construction and construction management of the first phase of the HVAC unit replacements.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

750,000

Comments:

Energy Efficiencies:

PROJECT INCLUDES REPLACEMENT WITH ENERGY EFFICIENT ROOFTOP UNITS.

Appropriation History:

Year	Amount	Description
2017	350,000	DESIGN.

Total Appropriation History:

350,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
09-23-2022

Department of Public Works
RJB4

Date
09-23-2022

Budget Department
LMY1

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	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	3,150	350		750	2,050				
Non County Share									
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.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	750,000			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

Project ID:* A0138	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* RAMP SERVICE EQUIPMENT	Legislative District ID: 6,
Category* AIRPORT	Department:* AIRPORT/DOT	CP Unique ID: 2046

Overall 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.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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 thousands) as of: 0

Current Bond Description: This request will fund the purchase of three (3) new diesel push-backs, replacing units that were originally purchased in 2003, 2010, 2011. Additionally, one (1) new air start will be purchased.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	800,000
Cash:	0
Total:	\$ 800,000

SEQR Classification:

TYPE II

Amount Requested:

800,000

Comments:

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
09-23-2022

Department of Public Works
RJB4

Date
09-23-2022

Budget Department
LMY1

Date
09-26-2022

Requesting Department
RJB4

Date
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
Gross	800			800					
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.

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.

CAPITAL PROJECT FACT SHEET

Project ID:* A0140	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* ELECTRICAL, DATA AND SECURITY 6, SYSTEMS UPGRADES	Legislative District ID:
Category* AIRPORT	Department:* AIRPORT/DOT	CP Unique ID: 2048

Overall 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.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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 thousands) as of : 0

Current Bond Description: This request will fund 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 project will also include the installation of electrical vehicle chargers in the parking structure. This will also fund the upgrades to the Airport's access control, emergency alert system, video and badging system.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,500,000
Cash:	0
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

Date
09-23-2022

Department of Public Works
RJB4

Date
09-23-2022

Budget Department
LMY1

Date
09-26-2022

Requesting Department
RJB4

Date
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 PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	5,150			2,500	1,750	900			
Non County Share									
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.

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 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)	
				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

k/jpg/11/30/2022

Verdell Jodhi *Decker*
Adrian
Decker
Decker
Cheryl Green
Nancy E. Sam

Decker *Decker*
Adrian
Nancy E. Sam

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. Parker

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

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 
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	B
\$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.

* * *

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__.

(SEAL)

The Clerk and Chief Administrative Office 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 amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$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 on _____, 20__)

object or purpose: (i) 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, (ii) 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, and (iii) the cost of the acquisition and installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations

amount of obligations to be issued \$ 500,000; fifteen (15) years
and periods of probable usefulness: \$12,800,000; 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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B014E

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 500,000 PPU 15 Anticipated Interest Rate 2.92%

Anticipated Annual Cost (Principal and Interest): \$ 41,160

Total Debt Service (Annual Cost x Term): \$ 617,400

Finance Department: Interest rates from December 5, 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 Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 5

SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☐ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Capital Planning Program Administrator

Department: Department of Public Works and Transportation

Date: 12/5/22

Reviewed By: *[Signature]*

dw16162

Budget Director

Date: 12/7/22

CAPITAL PROJECT FACT SHEET

Project ID:* B014E	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* EXTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2021-2025)	Legislative District ID: 8,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 2030

Overall Project Description

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

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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) as of: 25

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

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:

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
09-23-2022

Requesting Department
JZR7

Date
09-23-2022

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	9,025	3,500	25	500	5,025				
Non County Share									
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

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

Bonds Authorized

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 #: _____

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

B0124; BPF39

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 12,800,000 PPU 10 Anticipated Interest Rate 2.69%

Anticipated Annual Cost (Principal and Interest): \$ 1,469,277

Total Debt Service (Annual Cost x Term): \$ 14,692,770

Finance Department: Interest rates from December 5, 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 Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 139

SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Robert Abbamont

Title: Dir. Of Op. (Cap PLN)

Department: DPW&T

Date: 12/7/22

Reviewed By: 

00121122

Budget Director

Date: 12/7/22

CAPITAL PROJECT FACT SHEET

Project ID:*
B0124

☐ CBA

Fact Sheet Date:*
01-03-2023

Fact Sheet Year:*
2023

Project Title:*
WHITE PLAINS COMPLEX LIGHTING 8,
SYSTEMS

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
2074

Overall 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.

☒ Best Management Practices

☒ Energy Efficiencies

☒ Infrastructure

☒ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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 thousands) as of : 0

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	4,800,000
Cash:	0
Total:	<u>\$ 4,800,000</u>

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

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

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			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

☐ CBA

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

☒ Best Management Practices

☒ Energy Efficiencies

☒ Infrastructure

☐ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in 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: Funding is requested for the installation of electric vehicle (EV) charging stations and associated infrastructure at various County locations.

Financing Plan for Current Request:

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

09-22-2022

Department of Public Works

RJB4

Date

09-23-2022

Budget Department

LMY1

Date

09-23-2022

Requesting Department

RJB4

Date

09-23-2022

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

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
Total	2,000,000		143,750	1,856,250

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:

BOND 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					

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 9th, 2023
White Plains, New York

Vedat J. J. J.
Catherine M.
S. J.
Nancy E. B.

COMMITTEE ON

jpg/11-30-22

James J. J.

D. J.
A. M.

S. J.
Catherine M.
Nancy E. B.
D. J.

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. Parker

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 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):** 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: 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 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):** 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: 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 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):** 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: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
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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 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):** 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: 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 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):** 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: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
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Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Marzola, Associate Budget Director
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation
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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 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):** 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: 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 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):** 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: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
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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 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 SEQR.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
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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 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):** 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 SEQR.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
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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 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	B
\$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 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__.

(SEAL)

The Clerk and Chief Administrative Office 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 amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$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 on _____, 20__)

object or purpose: the design, construction management and construction associated with the rehabilitation of various County roadways in and for the County; all as set forth in the County's Current Year Capital Budget, as amended

amount of obligations to be issued \$16,640,000; fifteen (15) years
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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: _____

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

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

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 16,640,000 PPU 15 Anticipated Interest Rate 2.92%

Anticipated Annual Cost (Principal and Interest): \$ 1,369,792

Total Debt Service (Annual Cost x Term): \$ 20,546,880

Finance Department: Interest rates from December 5, 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 Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations
(describe in detail for current and next four years):

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 181

SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Capital Planning Program Administrator

Department: Department of Public Works and Transportation

Date: 12/5/22

Reviewed By: 

Budget Director

Date: 12/7/22

CAPITAL PROJECT FACT SHEET

Project ID:* RB210	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* PELHAM SHORE ROAD, CR 65A, PELHAM	Legislative District ID: 11,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2034

Overall Project Description

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

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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 thousands) as of : 0

Current Bond Description: Funding is requested for design, construction management and construction associated with the rehabilitation of 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 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

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

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.

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			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:*
RB212

☐ CBA

Fact Sheet Date:*
01-03-2023

Fact Sheet Year:*
2023

Project Title:*
BRYANT AVENUE, CR 153, WHITE
PLAINS

Legislative District ID:
5,

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
2035

Overall Project Description

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

☒ Best Management Practices

☐ Energy Efficiencies

☒ Infrastructure

☒ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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) as 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 Request:

Non-County Shares:	\$ 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:

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
LMY1

Date
09-22-2022

Requesting Department
JZR7

Date
09-23-2022

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.

CAPITAL PROJECT FACT SHEET

**Project ID:*
RB214**

☐ CBA

Fact Sheet Date:*
01-03-2023

Fact Sheet Year:*
2023

Project Title:*
LAKE STREET, CR 32B, WHITE
PLAINS

Legislative District ID:
5,

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
2036

Overall Project Description

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

☒ Best Management Practices

☐ Energy Efficiencies

☒ Infrastructure

☒ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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 (in thousands) as of : 0

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	425,000
Cash:	0
Total:	\$ 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

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

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	425			425					
Non County Share									
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.

CAPITAL PROJECT FACT SHEET

Project ID:*
RB233

☐ CBA

Fact Sheet Date:*
01-03-2023

Fact Sheet Year:*
2023

Project Title:*
VIRGINIA ROAD, CR 35/51, MOUNT
PLEASANT/NORTH CASTLE

Legislative District ID:
3,

Category*
ROADS & BRIDGES

Department:*
PUBLIC WORKS

CP Unique ID:
2037

Overall 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.

☒ Best Management Practices

☐ Energy Efficiencies

☒ Infrastructure

☒ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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 thousands) as of : 0

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	600,000
Cash:	0
Total:	\$ 600,000

SEQR Classification:
TYPE II

Amount Requested:
600,000

Comments:

PCI: 61 (2019); AADT: 7,626

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
LMY1

Date
09-22-2022

Requesting Department
JZR7

Date
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 PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	600			600					
Non County Share									
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			600,000

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:*

RB234

☐ CBA

Fact Sheet Date:*

01-03-2023

Fact Sheet Year:*

2023

Project Title:*

HEATHCOTE BYPASS, CR 143,
SCARSDALE

Legislative District ID:

5,

Category*

ROADS & BRIDGES

Department:*

PUBLIC WORKS

CP Unique ID:

2038

Overall Project Description

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

☒ Best Management Practices

☐ Energy Efficiencies

☒ Infrastructure

☒ Life Safety

☐ Project Labor Agreement

☐ Revenue

☐ Security

☐ Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	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

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

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	775,000
Cash:	0
Total:	\$ 775,000

SEQR Classification:

TYPE II

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 Department
LMY1

Date
09-22-2022

Requesting Department
JZR7

Date
09-23-2022

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	775			775					
Non County Share									
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.

CAPITAL PROJECT FACT SHEET

Project ID:* RB235	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* PEARL STREET, CR 43, PORT CHESTER	Legislative District ID: 6,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2039

Overall Project Description

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

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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 thousands) as of : 0

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 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

RJB4

Date

09-20-2022

Budget Department

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

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 Review
Gross	420			420					
Non County Share									
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.

CAPITAL PROJECT FACT SHEET

Project ID:* RB236	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* NORTH DIVISION STREET/SOUTH STREET, CR 63II, PEEKSKILL	Legislative District ID: 1,
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2040

Overall Project Description

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

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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

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

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,620,000
Cash:	0
Total:	\$ 1,620,000

SEQR Classification:

TYPE II

Amount Requested:

1,620,000

Comments:

PCI: 75 (2019); AADT: 5,992

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

1,000,000

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

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

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

CAPITAL PROJECT FACT SHEET

Project ID:* RB237	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* EAST/WEST MAIN STREET, CR25/251, 1, PEEKSKILL	Legislative District ID:
Category* ROADS & BRIDGES	Department:* PUBLIC WORKS	CP Unique ID: 2041

Overall Project Description

This project will fund the 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.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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

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

Current Bond Description: Funding is requested for design, construction management and construction associated with the 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 including milling; resurfacing; curb replacement; drainage work; new traffic signal loops; new pavement markings and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 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	Description
2022	2,500,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

2,500,000

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

LMY1

Date

09-22-2022

Requesting Department

JZR7

Date

09-23-2022

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	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	6,150	2,500		3,650					
Non County Share									
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

CAPITAL PROJECT FACT SHEET

Project ID:* P0032	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2023
Fact Sheet Year:* 2023	Project Title:* PLAYLAND PARKWAY, CR 152, RYE 7,	Legislative District ID:
Category* PARKWAYS	Department:* PUBLIC WORKS	CP Unique ID: 2033

Overall 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.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	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 thousands) as of : 0

Current Bond Description: Funding is requested for 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.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	3,350,000
Cash:	0
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

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

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
Gross	3,350			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.

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.