



Budget & Appropriations Meeting Agenda

Committee Chair: Vedat Gashi

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

Wednesday, September 7, 2022

10:00 AM

Committee Room

CALL TO ORDER

Meeting jointly with the Committees on Public Works & Transportation, Health, and Seniors & Youth

MINUTES APPROVAL

Monday, July 18, 2022 at 10:00 AM Minutes

Monday, July 25, 2022 at 10:00 AM Minutes

Thursday, July 28, 2022 at 11:00 AM Minutes

I. ITEMS FOR DISCUSSION

1. [2022-372](#) BOND ACT-BSS14-1955-Infrast. Improves. to Shelter Facilities

A BOND ACT authorizing the issuance of NINE HUNDRED SIXTY-FIVE THOUSAND (\$965,000) DOLLARS in bonds of Westchester County to finance the cost of replacement and upgrade of the playground at the Coachman Family Center in White Plains - Capital Project BSS14 - Infrastructure Improvements to Shelter Facilities - Coachman Family Center (2015-2019).

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

Department of Social Services

Deputy Commissioner John Befus

2. [2022-373](#) BOND ACT-BSS14-1956-Infrast. Improves. to Shelter Facilities

A BOND ACT authorizing the issuance of FOUR HUNDRED THIRTY-FIVE THOUSAND (\$435,000) DOLLARS in bonds of Westchester County to finance the cost of mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains - Capital Project BSS14 - Infrastructure Improvements to Shelter Facilities - Coachman Family Center (2015-2019).

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

Department of Social Services

Deputy Commissioner John Befus

3. [2022-414](#) CBA-B0117-Infrast. Rehab., 450 Saw Mill River Rd., Ardsley

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project B0117 - Infrastructure Rehab. 450 Saw Mill River Rd., Ardsley.

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

Department of Correction

Deputy Commissioner Gerald

Warden Vollmer

Bill Fallon

4. [2022-415](#) BOND ACT(Amended)-BCR5E, BCR57, BCR60, B0114, B0117, T0068

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of ONE HUNDRED TWENTY-FIVE THOUSAND (\$125,000) DOLLARS to provide additional construction funding for the design, construction and construction management of ventilation improvements at the County-owned building located at 450 Saw Mill River Road in Ardsley - Capital Project B0117 - Infrastructure Rehab. 450 Saw Mill River Rd., Ardsley.

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

Department of Correction

Deputy Commissioner Gerald

Warden Vollmer

Bill Fallon

5. [2022-381](#) ENV RES-P0024-1886, P0028-1887-Bronx River Pkwy.

AN ENVIRONMENTAL RESOLUTION determining that there will be no significant adverse impact on the environment from Capital Projects P0024 (Unique ID# 1886) - Bronx River Parkway Rehabilitation Program and P0028 (Unique ID#1887) - Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670).

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

6. [2022-382](#) CBA-P0029-Bronx River Pkwy over Bronx River, Eastchester

AN ACT amending the 2022 County Capital Budget Appropriations for Capital Project P0029 - Bronx River Parkway Over Bronx River (North & South of Leewood Dr.), Eastchester.

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

7. [2022-383](#) BOND ACT(Amended)-P0024-1886, P0028-1887, P0029-1908-Bronx River Pkwy

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of EIGHT MILLION, SIXTY-FIVE THOUSAND (\$8,065,000) DOLLARS to finance Capital Project P0024 (Unique ID 1886) - Bronx River Parkway Rehabilitation Program, Capital Project P0028 (Unique ID 1887) Bronx River Parkway (NB-North of County Center over Bronx River, Greenburgh and Capital Project P0029 (Unique ID 1908) Bronx River Parkway over Bronx River (North & South of Leewood Drive), Eastchester.

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

8. [2022-384](#) BOND ACT-P0024-1937-Bronx River Rehab Prgm

A BOND ACT authorizing the issuance of ONE MILLION, ONE HUNDRED THOUSAND (\$1,100,000) DOLLARS in bonds of Westchester County to finance a component of Capital Project P0024 - Bronx River Parkway Rehabilitation Program.

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

9. [2022-385](#) BOND ACT-P0024-1927-Bronx River Pkwy Rehab Prgm

A BOND ACT authorizing the issuance of TWO MILLION, FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS in bonds of Westchester County to finance Capital Project P0024 (Unique ID 1927) - Bronx River Parkway Rehabilitation Program.

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

10. [2022-375](#) BOND ACT-B0108-85 Court St. Bldg Improvements-White Plains

A BOND ACT authorizing the issuance of TWO MILLION, SEVEN HUNDRED TEN THOUSAND (\$2,710,000) DOLLARS in bonds of Westchester County to finance Capital Project B0108 - 85 Court Street Building Improvements, White Plains (2015-2019).

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

Joint with PW&T.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

11. [2022-416](#) BOND ACT-BLR13-Labs & Research Infrast. Improvements '22-'26

A BOND ACT authorizing the issuance of up to ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BLR13 - Labs & Research Infrastructure Improvements 2022-2026.

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

Joint with PW&T and HEALTH.

Guests:

Department of Public Works & Transportation

Commissioner Hugh Greechan

Office of the Medical Examiner: Dr. Aleksandar Milovanovic, Deputy Commissioner

12. [2022-424](#) BOND ACT(Amended)-BIT32-1961-Radio System Replacement

An Amended Bond Act authorizing the issuance of additional bonds in the amount of EIGHT

MILLION FIVE HUNDRED THOUSAND (\$8,500,000) DOLLARS to finance a component of Capital Project BIT32- Radio System replacement, as well as to expand the scope of services under BIT32.

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

Joint with PW&T.

Guests: DoIT: Lennox Harris, Deputy CIO; Adam Epstein, Program Coordinator, Radio Systems; Thomas Raffaelli and Danish Syed, Radio System Consultants; Law Dept.: Rachel Noe, Associate County Attorney

13. [2022-458](#) LEGISLATORS GASHI AND TUBIOLO - PH - The Senior Citizens and Persons with Disabilities Home Owner's Tax Exemption

A RESOLUTION to set a Public Hearing on A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to allow senior citizens and persons with disabilities to reduce their income by the amount of unreimbursed medical and prescription drug expenses in order to qualify for tax exemptions and to increase the maximum eligible income. [Public Hearing set for _____, 2022 at _____ .m.]. LOCAL LAW INTRO: 2022-459.

Joint with S&Y.

Guest: Budget Department

Budget Director Larry Soule and Mark Medwid

14. [2022-459](#) LEGISLATORS GASHI AND TUBIOLO - LL - The Senior Citizens and Persons with Disabilities Home Owner's Tax Exemption

A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to allow senior citizens and persons with disabilities to reduce their income by the amount of unreimbursed medical and prescription drug expenses in order to qualify for tax exemptions and to increase the maximum eligible income.

Joint with S&Y.

Guest: Budget Department

Budget Director Larry Soule and Mark Medwid

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

George Latimer
County Executive

June 30, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval are two bond acts which, if adopted, would authorize the County of Westchester ("County") to issue bonds to finance two separate components of capital project BSS14 – Infrastructure Improvements to Shelter Facilities – Coachman Family Center (2015 – 2019) ("BSS14") as follows:

- (1) A bond act in the amount of \$965,000 to finance the cost of replacement and upgrade of the playground at the Coachman Family Center in White Plains ("Bond Act No. 1"); and
- (2) a bond act in the amount of \$435,000 to finance the cost of mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains ("Bond Act No. 2").

The Department of Social Services ("Department") has advised that the work to be performed under Bond Act No. 1 will include the resurfacing of the parking lot and playground areas, installation of new playground equipment and LED lighting with an EV charging station.

The Department has further advised that the work to be performed under Bond Act No. 2 will include replacing the domestic water valves and the fire suppression system as well as the air exchange system in the hair salon.

For the work to be performed in connection with Bond Act No. 1, following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

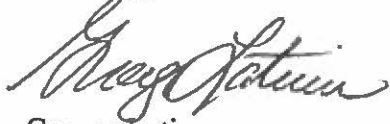
For the work to be performed in connection with Bond Act No. 2, following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has authorized bonding in connection with prior components of BSS14 as described on the attached fact sheets.

The Planning Department has advised that based on its review, both Bond Act No. 1 and Bond Act No. 2 have been classified as a "Type II" actions pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of these projects to the County, favorable action on both of the proposed Bond Acts is most respectfully requested.

Sincerely,

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

George Latimer
County Executive

GL/LGT/TR/jpg

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$965,000 to finance a component of capital project BSS14 – Infrastructure Improvements to Shelter Facilities – Coachman Family Center (2015 – 2019) (“BSS14”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood LLP, will finance the cost of replacement and upgrade of the playground at the Coachman Family Center in White Plains

The Department of Social Services (“Department”) has advised that the work for this component of BSS14 will include the resurfacing of the parking lot and playground areas, installation of new playground equipment and LED lighting with an EV charging station.

The Department has advised that following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance separable components of BSS14 as described in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, this component of BSS14 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: _____, 2022
White Plains, New York

COMMITTEE ON

c:\jpg 6-06-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS14

☐ 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

Coachman Playground

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 965,000 PPU 15 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 80,523

Total Debt Service (Annual Cost x Term): \$ 1,207,852

Finance Department: maab 6-23-22

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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Thomas Rooney

Title: Reimbursement Manager

Department: Social Services


Date: 6/27/22

Reviewed By: [Signature]

Budget Director

Date: 6/29/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 15, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BSS14 INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES
– COACHMAN FAMILY CENTER (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-16-2022 (Unique ID: 1955)

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: A separate request is being made under the same capital project to fund additional work at the same facility (Fact Sheet ID#1956). The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
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 \$965,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT AND UPGRADE OF THE PLAYGROUND AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$965,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$965,000 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; \$965,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the replacement and upgrade of the playground at the County-owned Coachman Family Center in White Plains, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of

said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$965,000. The plan of financing includes the issuance of \$965,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$965,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) of the Law, is fifteen (15) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$965,000. 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 \$965,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to

providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act 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 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 \$965,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT AND UPGRADE OF THE PLAYGROUND AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$965,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$965,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.
(adopted on _____, 20____)

object or purpose: to finance the replacement and upgrade of the playground at the County-owned Coachman Family Center in White Plains, 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: \$965,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board
of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* BSS14	<input type="checkbox"/> CBA	Fact Sheet Date:* 05-13-2022
Fact Sheet Year:* 2022	Project Title:* INFRASTRUCTURE IMPROVEMENTS 5, TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015- 2019)	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* SOCIAL SERVICES	CP Unique ID: 1955

Overall Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input 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	2022	2023	2024	2025	2026	Under Review
Gross	4,840	3,440	1,400	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,840	3,440	1,400	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 2,368

Current Bond Description: This requests funds the replacement and upgrade of the playground at the Coachman Family Center in White Plains, NY.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	965,000
Cash:	0
Total:	\$ 965,000

SEQR Classification:

TYPE II

Amount Requested:

965,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2015	1,050,000	REPLACEMENT AND UPGRADES TO HVAC AND REFRIGERATION SYSTEMS
2016	1,640,000	ROOF REPLACEMENT; SELECTIVE REPLACEMENT OF BRICK MASONRY, LINTELS; AND REPAINTING OF FACADE, INSTALLATION OF LIGHTNING RODS, RESURFACING OF THE PARKING LOT AND PLAY AREA. UPGRADING LIGHTING FIXTURES AROUND THE BUILDING TO ENERGY EFFICIENT LED LIGHT
2020	750,000	IMPROVEMENTS TO THE ROOF AND FACADE
2022	1,400,000	PLAYGROUND RENOVATIONS AND UPGRADES TO BUILDING MECHANICAL AND ELECTRICAL SYSTEMS

Total Appropriation History:

4,840,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	214	1,050,000	1,032,532	INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER
16	167	1,026,859	1,026,859	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS
20	171	1,363,141	273,182	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS

Total Financing History:

3,439,999

Recommended By:

Department of Planning
WBB4

Date
05-16-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMY1

Date
05-23-2022

Requesting Department
TTR1

Date
06-06-2022

INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015-2019) (BSS14)

User Department : Social Services

Managing Department(s) : Public Works ; Social Services ;

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	4,840	3,440	2,368	1,400					
Non County Share			30						
Total	4,840	3,440	2,398	1,400					

Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

Current Year Description

The current year request funds playground renovations and upgrades to building mechanical and electrical systems.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,400,000			1,400,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds. A portion of the debt service will be reimbursed by the Federal Government.

Appropriation History

Year	Amount	Description	Status
2015	1,050,000	Replacement and upgrades to HVAC and refrigeration systems	COMPLETE
2016	1,640,000	Roof replacement; selective replacement of brick masonry, lintels; and repainting of facade, installation of lightning rods, resurfacing of the parking lot and play area. Upgrading lighting fixtures around the building to energy efficient LED lighting.	DESIGN
2020	750,000	Improvements to the roof and facade	DESIGN
Total	3,440,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,440,000	2,332,573	1,107,427
Others		(30,166)	30,166
Total	3,440,000	2,302,407	1,137,593

**INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY
CENTER (2015-2019)
(BSS14)**

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
214	15	1,050,000	12/15/17	136,328	17,468
			12/15/17	25,031	
			12/15/17	211	
			12/10/18	709,511	
			12/10/19	134,826	
167	16	1,026,859	12/10/19	26,625	
			12/15/17	20,897	
			12/15/17	3,837	
			12/15/17	32	
			12/10/19	29,073	
			12/10/19	5,741	
			04/30/20	46,975	
			10/28/20	780,746	
			10/28/20	109,393	
			10/28/20	30,166	
171	20	1,363,141			1,363,141
Total		3,440,000		2,059,391	1,380,609

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$435,000 to finance a component of capital project BSS14 – Infrastructure Improvements to Shelter Facilities – Coachman Family Center (2015 – 2019) (“BSS14”). The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood LLP, will finance the cost of mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains.

The Department of Social Services (“Department”) has advised that the work for this component of BSS14 will include replacing the domestic water valves and the fire suppression system as well as the air exchange system in the hair salon.

The Department has advised that following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take six (6) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance separable components of BSS14 as described in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, this component of BSS14 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: _____, 2022
White Plains, New York

COMMITTEE ON

c:\jpg 6-06-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS14

☐ 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

Coachman Building Systems

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 435,000 PPU 10 Anticipated Interest Rate

Anticipated Annual Cost (Principal and Interest): \$ 50,291

Total Debt Service (Annual Cost x Term): \$ 502,913

Finance Department: maab 6-23-22

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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Thomas Rooney

Title: Reimbursement Manager

Department: Social Services


Date: 6/27/22

Reviewed By: 

Budget Director

Date: 6/29/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 15, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BSS14 INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES
– COACHMAN FAMILY CENTER (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-15-2022 (Unique ID: 1956)

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)(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.

COMMENTS: A separate request is being made under the same capital project to fund additional work at the same facility (Fact Sheet ID#1955). The combined actions would not exceed any of the thresholds that would disqualify them from the Type II classification.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
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 \$435,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF MECHANICAL AND ELECTRICAL IMPROVEMENTS AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$435,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$435,000 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; \$435,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance mechanical and electrical systems replacements and upgrades at the County-owned Coachman Family Center in White Plains, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The

estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$435,000. The plan of financing includes the issuance of \$435,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$435,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$435,000. 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 \$435,000 as the estimated maximum cost of the aforesaid specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in

anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act 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 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 \$435,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF MECHANICAL AND ELECTRICAL IMPROVEMENTS AT THE COACHMAN FAMILY CENTER IN WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$435,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$435,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on _____, 20_____)

object or purpose: to finance mechanical and electrical systems replacements and upgrades at the County-owned Coachman Family Center in White Plains, 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: \$435,000; 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

CAPITAL PROJECT FACT SHEET

Project ID:* BSS14	<input type="checkbox"/> CBA	Fact Sheet Date:* 05-13-2022
Fact Sheet Year:* 2022	Project Title:* INFRASTRUCTURE IMPROVEMENTS 5, TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015- 2019)	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* SOCIAL SERVICES	CP Unique ID: 1956

Overall Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

- | | | |
|---|---|--|
| <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	2022	2023	2024	2025	2026	Under Review
Gross	4,840	3,440	1,400	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,840	3,440	1,400	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 2,368

Current Bond Description: This requests funds mechanical and electrical building systems replacement and upgrades at the Coachman Family Center in White Plains, NY.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	435,000
Cash:	0
Total:	\$ 435,000

SEQR Classification:

TYPE II

Amount Requested:

435,000

Comments:

New mechanical and electrical equipment will be more energy efficient than the equipment being replaced.

Energy Efficiencies:

PARKING LOT LIGHTS WILL BE LED. THIS PROJECT WILL ALSO INCLUDE ELECTRONIC VEHICLE (EV) CHARGING STATION(S) TO COMPLY WITH COUNTY STATUTE.

Appropriation History:

Year	Amount	Description
2015	1,050,000	REPLACEMENT AND UPGRADES TO HVAC AND REFRIGERATION SYSTEMS
2016	1,640,000	ROOF REPLACEMENT; SELECTIVE REPLACEMENT OF BRICK MASONRY, LINTELS; AND REPAINTING OF FACADE, INSTALLATION OF LIGHTNING RODS, RESURFACING OF THE PARKING LOT AND PLAY AREA. UPGRADING LIGHTING FIXTURES AROUND THE BUILDING TO ENERGY EFFICIENT LED LIGHT
2020	750,000	IMPROVEMENTS TO THE ROOF AND FACADE
2022	1,400,000	PLAYGROUND RENOVATIONS AND UPGRADES TO BUILDING MECHANICAL AND ELECTRICAL SYSTEMS

Total Appropriation History:

4,840,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	214	1,050,000	1,032,532	INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER
16	167	1,026,859	1,026,859	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS
20	171	1,363,141	273,182	COACHMAN FAMILY CENTER WHITE PLAINS IMPROVEMENTS

Total Financing History:

3,439,999

Recommended By:

Department of Planning
WBB4

Date
05-15-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMY1

Date
05-23-2022

Requesting Department
TTR1

Date
06-06-2022

INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY CENTER (2015-2019) (BSS14)

User Department : Social Services

Managing Department(s) : Public Works ; Social Services ;

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	4,840	3,440	2,368	1,400					
Non County Share			30						
Total	4,840	3,440	2,398	1,400					

Project Description

This project will provide for rehabilitation and upgrades of exterior, interior and site infrastructure to this facility.

Current Year Description

The current year request funds playground renovations and upgrades to building mechanical and electrical systems.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,400,000			1,400,000

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds. A portion of the debt service will be reimbursed by the Federal Government.

Appropriation History

Year	Amount	Description	Status
2015	1,050,000	Replacement and upgrades to HVAC and refrigeration systems	COMPLETE
2016	1,640,000	Roof replacement; selective replacement of brick masonry, lintels; and repainting of facade, installation of lightning rods, resurfacing of the parking lot and play area. Upgrading lighting fixtures around the building to energy efficient LED lighting.	DESIGN
2020	750,000	Improvements to the roof and facade	DESIGN
Total	3,440,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,440,000	2,332,573	1,107,427
Others		(30,166)	30,166
Total	3,440,000	2,302,407	1,137,593

**INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES - COACHMAN FAMILY
CENTER (2015-2019)
(BSS14)**

Bonds Authorized					
Bond Act		Amount	Date Sold	Amount Sold	Balance
214	15	1,050,000	12/15/17	136,328	17,468
			12/15/17	25,031	
			12/15/17	211	
			12/10/18	709,511	
			12/10/19	134,826	
			12/10/19	26,625	
167	16	1,026,859	12/15/17	20,897	
			12/15/17	3,837	
			12/15/17	32	
			12/10/19	29,073	
			12/10/19	5,741	
			04/30/20	46,975	
			10/28/20	780,746	
			10/28/20	109,393	
			10/28/20	30,166	
171	20	1,363,141			1,363,141
Total		3,440,000		2,059,391	1,380,609

George Latimer
County Executive

July 11, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget ("Capital Budget Amendment"), as well to as adopt a related amended bond act ("Amended Bond Act") to finance the following six capital projects:

BCR5E – Infrastructure Improvements (2021–2025)
BCR57 – HQ Rooftop Air Handling Unit Replacement
BCR60 – HVAC Improvements and Upgrades
B0114 - Infrastructure Rehab, Valhalla Campus (2021–2025)
B0117 - Infrastructure Rehab, 450 Saw Mill River Road (2021–2025)
T0068 - Central Maintenance Facility Infrastructure

The proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for B0117 by \$125,000. The Department of Public Works and Transportation ("Department") has advised that the increase is required as the value of the low bid received for construction of this project is higher than the budgeted amount.

The Amended Bond Act, in the total amount of \$18,005,000, which includes \$17,880,000 in previously authorized bonds of the County, would finance the cost of the planning, construction and/or construction management of various building system improvements, including:

- (i) HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex;
- (ii) replacement of eight rooftop air handlers and all associated mechanical and structural components for the Department of Correction;
- (iii) the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit;
- (iv) replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility;

Office of the County Executive

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

Telephone: (914) 995-2900 E-mail: ceo@westchestergov.com

- (v) replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility;
- (vi) improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work; and
- (vii) the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus

Cap ID	Project	Department	Additional Amount Requested	Request	Design Assignment	Time Frame (Months)	
						Design	Const
BCR5E	Infrastructure Improvements (2021–2025)	DOC	\$0	Design/CM/C	Staff	3	3
BCR57	HQ Rooftop Air Handling Unit Replacement	DOC	\$0	Design/CM/C	NYPA	6	9
BCR60	HVAC Improvements and Upgrades	DOC	\$0	Design/CM/C	NYPA	6	9
B0114	Infrastructure Rehab, Valhalla Campus (2021–2025)	DPW	\$0	Design/CM/C	NYPA	2	6
B0117	Infrastructure Rehab, 450 Saw Mill River Road (2021–2025)	DPW	\$125,000	Design/CM/C	Staff	2	6
T0068	Central Maintenance Facility Infrastructure	DOT	\$0	Design/CM/C	Staff	6	9

Total New Request: \$125,000

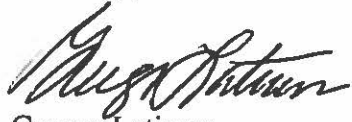
It should be noted that your Honorable Board has authorized the County to issue bonds in connection with the above-referenced projects as indicated in the annexed fact sheet and as follows: Bond Act No. 218-2021 was authorized in the amount of \$17,880,000. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 218-2021 be amended to increase the amount authorized by \$125,000, for a total authorized amount, as amended, of \$18,005,000 and to revise the scope of Bond Act No. 218-2021 to include work associated with ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road.

The Planning Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

The Planning Department has advised that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Based on the importance of this project to the County, favorable action on the proposed Bond Act and Capital Budget Amendment is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is fluid and cursive, with a large initial "G" and "L".

George Latimer
County Executive

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester ("County") of an act amending the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related amended bond act ("Amended Bond Act") which, if adopted, will authorize the County to issue up to \$125,000 in bonds additional of the County to finance the following six capital projects:

BCR5E – Infrastructure Improvements (2021–2025)
BCR57 – HQ Rooftop Air Handling Unit Replacement
BCR60 – HVAC Improvements and Upgrades
B0114 - Infrastructure Rehab, Valhalla Campus (2021–2025)
B0117 - Infrastructure Rehab, 450 Saw Mill River Road (2021–2025)
T0068 - Central Maintenance Facility Infrastructure

The proposed Capital Budget Amendment will amend the County's capital budget to increase the County share for B0117 by \$125,000. The Department of Public Works and Transportation ("Department") has advised that the increase is required as the value of the low bid received for construction of this project is higher than the budgeted amount.

The Amended Bond Act, in the total amount of \$18,005,000, which includes \$17,880,000 in previously authorized bonds of the County, would finance the cost of the planning, construction and/or construction management of various building system improvements, including:

- (i) HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex;
- (ii) replacement of eight rooftop air handlers and all associated mechanical and structural components for the Department of Correction;
- (iii) the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit;

- (iv) replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility;
- (v) replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility;
- (vi) improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work; and
- (vii) the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus.

Cap ID	Project	Department	Additional Amount Requested	Request	Design Assignment	Time Frame (Months)	
						Design	Const
BCR5E	Infrastructure Improvements (2021–2025)	DOC	\$0	Design/CM/C	Staff	3	3
BCR57	HQ Rooftop Air Handling Unit Replacement	DOC	\$0	Design/CM/C	NYPA	6	9
BCR60	HVAC Improvements and Upgrades	DOC	\$0	Design/CM/C	NYPA	6	9
B0114	Infrastructure Rehab, Valhalla Campus (2021–2025)	DPW	\$0	Design/CM/C	NYPA	2	6
B0117	Infrastructure Rehab, 450 Saw Mill River Road (2021–2025)	DPW	\$125,000	Design/CM/C	Staff	2	6
T0068	Central Maintenance Facility Infrastructure	DOT	\$0	Design/CM/C	Staff	6	9

Total New Request:

\$125,000

It should be noted that your Honorable Board has authorized the County to issue bonds in connection with the above-referenced projects as indicated in the annexed fact sheet and as follows: Bond Act No. 218-2021 was authorized in the amount of \$17,880,000. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 218-2021 be amended to

increase the amount authorized by \$125,000, for a total authorized amount, as amended, of \$18,005,000 and to revise the scope of Bond Act No. 218-2021 to include work associated with ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road.

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.

The Planning Department has advised your Committee that the Planning Board has previously reviewed B0117 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0117

☐ 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

BCR60, BCR57, BCR5E, T0068, B0114

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 18,005,000 PPU 10 Anticipated Interest Rate 2.58%

Anticipated Annual Cost (Principal and Interest): \$ 2,056,873

Total Debt Service (Annual Cost x Term): \$ 20,568,730

Finance Department: Interest rates from July 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):

n/a

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 196

SECTION E - EXPECTED DESIGN WORK PROVIDER

☒ County Staff

☐ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Public Works and Transportation


Date: 7/18/22

Reviewed By: 

Budget Director

Date: 7/19/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0117 Infrastructure Rehabilitation, 450 Saw Mill River Road, Ardsley (2021-
2025)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
06-21-2022 (Unique ID: 1979)

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/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner
Jonna Robins, Program Administrator (Capital Planning Program)
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: June 28, 2022

RE: **Capital Budget Amendment –
B0117 Infrastructure Rehabilitation, 450 Saw Mill River Road, Ardsley**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project B0117 Infrastructure Rehabilitation, 450 Saw Mill River Road, will fund the design, construction management and construction to address ventilation and humidity control at the Board of Elections warehouse.

A Capital Budget Amendment in the amount of \$125,000 is being requested to provide additional construction funding based upon the bids received for the project. The project includes the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work.

The Planning Board adopted a report on this project (rated PL2) at its meeting on July 8, 2021.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Norma V. Drummond, Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project B0117 - Infrastructure
Rehab, 450 Saw Mill River Rd., Ardsley

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

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$2,200,000	\$125,000	\$2,325,000

Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$2,200,000	\$125,000	\$2,325,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	\$2,200,000	\$125,000	\$2,325,000

Section 3. The ACT shall take effect immediately.

REFERENCE BCR60
BCR57
BCR5E
T0068
B0117
B0114

ACT NO. -20 _____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 218-2021 ADOPTED DECEMBER 7, 2021, IN RELATION TO THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY, AT THE MAXIMUM ESTIMATED COST OF \$18,005,000. (Adopted _____, 20____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$17,880,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of various building system improvements in and for the County, pursuant to Act No. 218-2021 duly adopted on December 7, 2021; and

WHEREAS, it is has been determined that and additional \$125,000 is required to provide additional construction funding for the design, construction and construction management of ventilation improvements at the County-owned building located at 450 Saw Mill River Road in Ardsley (Project ID: B0117), and it is necessary to increase the amount of bonds to be issued and the appropriation for such project by \$125,000; and

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 7, 2021, entitled:

“ACT NO. 218-2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$17,880,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE

THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$17,880,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$17,880,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

are hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$18,005,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$18,005,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$18,005,000 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, \$18,005,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex, the replacement of eight rooftop air handlers and all associated

mechanical and structural components for the Department of Corrections, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus; 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 \$18,005,000. The plan of financing includes the issuance of \$18,005,000 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 class of objects or purposes for which said \$18,005,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.13 of the Law, is ten (10) years;

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the total amount of \$18,005,000. 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 \$18,005,000 as the estimated total cost of the aforesaid class of objects or purposes is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said

bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect not earlier than January 1, 2022 and 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 7, 2021 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 \$18,005,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF VARIOUS BUILDING SYSTEM IMPROVEMENTS IN AND FOR THE COUNTY; STATING THE ESTIMATED TOTAL COST THEREOF IS \$18,005,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$18,005,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on December 7, 2021 and amended on _____, 20_____)

object or purpose: to finance the cost of the planning, construction and/or construction management of various building system improvements, to wit: HVAC improvements and upgrades in the G and K blocks of the County Jail and preliminary design for the Jail annex, the replacement of eight rooftop air handlers and all associated mechanical and structural components for the Department of Corrections, the replacement of reheat coils, fan coil units and associated piping in the basement mechanical room of the Old Jail medical unit, replacement of penthouse HVAC unit, mezzanine HVAC unit, computer room HVAC unit and HVAC unit serving money room, fare box room and cleaners' lounge along with associated work at the Bee-Line Maintenance Facility and the replacement of the existing backflow prevention device associated with the main water pipe serving the Bee-Line central maintenance facility, improvements to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley, including the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work, and the replacement of the existing piping from the condensate tanks to the deaerator tanks at the central heating plant at the Valhalla campus; 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: \$18,005,000; thirty-five (35) 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:* B0117	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 06-16-2022
Fact Sheet Year:* 2022	Project Title:* INFRASTRUCTURE REHABILITATION, 450 SAW MILL RIVER ROAD, ARDSLEY (2021-2025)	Legislative District ID: 12,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 1979

Overall Project Description

This project funds rehabilitation and upgrades of the exterior, interior and site infrastructure.

- | | | |
|---|---|--|
| <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	2022	2023	2024	2025	2026	Under Review
Gross	2,525	1,400	800	0	200	0	0	125
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,525	1,400	800	0	200	0	0	125

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

Current Bond Description: Funding is requested for design, construction management and construction to address ventilation and humidity control issues in the Board of Election warehouse at 450 Saw Mill River Road in Ardsley. The project includes the installation of new supply ductwork from five existing heating and ventilating units to extend the air distribution area and minimize turbulence and noise, installation of variable frequency drives on the existing supply and exhaust fans and all associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	125,000
Cash:	0
Total:	\$ 125,000

SEQR Classification:

TYPE II

Amount Requested:

125,000

Comments:

A Capital Budget Amendment in the amount of \$125,000 (shown under review) is being requested to provide additional construction funding based upon the bids received for the project. (Amend BA #218-2021).

Energy Efficiencies:

THE INSTALLATION OF VARIABLE FREQUENCY DRIVES (VFDS) ON THE EXISTING SUPPLY AND EXHAUST FANS WILL PROVIDE MORE EFFICIENT ENERGY USAGE.

Appropriation History:

Year	Amount	Description
2021	1,400,000	REPLACEMENT OF THE FIRE SERVICE UTILITY LINE AND REHABILITATION OF THE CURTAIN WALL, STOREFRONT AND WINDOWS
2022	800,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR WORK AT THE BOARD OF ELECTIONS WAREHOUSE

Total Appropriation History:

2,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	22	1,400,000		0 INFRASTRUCTURE REHABILITATION, 450 SAW MILL RIVER ROAD, ARDSLEY (2021-2025)
21	218	800,000		0 HVAC IMPROVEMENTS, 450 SAW MILL RIVER RD

Total Financing History:

2,200,000

Recommended By:**Department of Planning**

WBB4

Date

06-21-2022

Department of Public Works

JZR7

Date

06-22-2022

Budget Department

GKGA

Date

06-23-2022

Requesting Department

JZR7

Date

06-23-2022

INFRASTRUCTURE REHABILITATION, 450 SAW MILL RIVER ROAD, ARDSLEY (2021-2025) (B0117)

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	2022	2023	2024	2025	2026	Under Review
Gross	2,400	1,400		800		200			
Non County Share									
Total	2,400	1,400		800		200			

Project Description

This project funds rehabilitation and upgrades of the exterior, interior and site infrastructure.

Current Year Description

The current year request funds design, construction and construction management for work at the Board of Elections warehouse.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	800,000			800,000

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	1,400,000	Replacement of the fire service utility line and rehabilitation of the curtain wall, storefront and windows	DESIGN
Total	1,400,000		

Prior Appropriations


	Appropriated	Collected	Uncollected
Bond Proceeds	1,400,000		1,400,000
Total	1,400,000		1,400,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
22 21	1,400,000			1,400,000
Total	1,400,000			1,400,000

July 7, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **CBA-P0029 and Bond Acts P0024, P0028, P0029 – Bronx River Parkway Debt Authorization.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators July 11, 2022 Agenda.

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget for project P0029 (the "Capital Budget Amendment"), as well as adopt a related amended Bond Act (the "Amended Bond Act") which would authorize the County to issue additional bonds in the amount of \$14,575,000 to finance the following three (3) capital projects and to consolidate all three projects into the Amended Bond Act: P0024, P0028, P0029.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for July 11, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

June 30, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester ("County") to amend its current year Capital Budget for project P0029 (the "Capital Budget Amendment"), as well as adopt a related amended Bond Act (the "Amended Bond Act") which would authorize the County to issue additional bonds in the amount of \$14,575,000 to finance the following three (3) capital projects and to consolidate all three projects into the Amended Bond Act:

Capital Project Number	Project Name	Unique ID	Amend	Old Amount	Requested amount	New Amount
P0024	Bronx River Parkway Rehabilitation Program	1886			\$5,710,000	\$5,710,000
P0028	Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670)	1887	162-2019	\$1,550,000	\$8,065,000	\$9,615,000
P0029	Bronx River Parkway over Bronx River (North & South of Leewood Drive), Eastchester (BIN 3348829/BIN 3348839)	1908			\$800,000	\$800,000
				\$1,550,000	\$14,575,000	\$16,125,000

Also transmitted are two (2) stand-alone bond acts (each a "Bond Act" and together the "Bond Acts") which, if adopted, would authorize the County to issue bonds in the amounts of \$1,100,000 and \$2,500,000 respectively to finance components of capital project P0024 (1937 & 1927) – Bronx River Parkway Rehabilitation Program.

The proposed Capital Budget Amendment will amend the County's current year capital budget to increase the County share for project P0029 by \$800,000 to cover additional construction management costs.

The Amended Bond Act, in the total amount of \$16,125,000, which includes \$1,550,000 in previously authorized bonds of the County, would finance the costs of design, construction management and construction associated with various improvements to the Bronx River Parkway.

Office of the County Executive

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

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

westchestergov.com

Project P0024 (1886) will fund the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road, including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work. Following bonding authorization, design will be scheduled and is anticipated to take one (1) month to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Project P0028 (1887) will fund construction associated with the replacement of the existing bridge structure (northbound - north of the County Center) over the Bronx River, including construction of pile foundations, abutments, structural deck, approaches, railings and related work. The project will also fund the replacement of culverts CBP0040, CBP0050, and CBP0060. Design for this project is currently underway by consultants and is expected to be completed shortly. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Project P0029 (1908) will provide additional funding for construction management associated with the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, in the Town of Eastchester. Work will include the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, increase of channel width where possible, installation of bank protection where erosion is evident and associated work. Following bonding authorization, design will be scheduled and is anticipated to take nine (9) months to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with project P0028 as follows: Bond Act No. 162-2019, in the amount of \$1,550,000, which funded design and construction management associated with a new Bronx River parkway bridge (northbound- north of the County Center) over the Bronx River and three new culverts. The bonds authorized by Bond Act No. 162-2019 have not been sold. Accordingly, authority of your Honorable Board is now requested to amend Bond Act No. 162-2019 to increase the initial amount authorized thereunder by \$14,575,000, to modify the scope of the project to include construction funding, and to consolidate all three capital projects referenced in the table into the Amended Bond Act, for a new total authorized amount, as amended, of \$16,125,000.

The first stand-alone Bond Act for project P0024 (1937), in the amount of \$1,100,000, will fund design, construction management and construction associated with the upgrade of the existing “cobra head” and “teardrop” lighting fixtures to LED lighting fixtures along the Bronx River Parkway. Also included in the project is the replacement of any missing or damaged light poles, arms, bases, and associated work. Following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take nine (9) months to complete and will begin after award and execution of the construction contracts.

The second stand-alone Bond Act for project P0024 (1927), in the amount of \$2,500,000, will fund design associated with the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road, including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work. The project will also address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration

lane southbound to Vermont Terrace. In addition, wall rehabilitation on left side of the northbound parkway, north of Harney Road, will be performed and a new barrier on the left side of the southbound parkway will be installed to replace the existing temporary barrier. In addition, installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road will be performed. Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts, subject to the further approval of your Honorable Board of construction funding.

The Planning Department has advised that based on its review, projects P0024 (1927 & 1937) and P0029 have each been classified as "Type II" actions pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required for these projects. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

The Planning Department has further advised that based on its review, projects P0024 (1886) and P0028, which fund components of the same project, have collectively been classified as an "Unlisted" action under SEQR. A Resolution and proposed Negative Declaration, along with an Environmental Assessment Form, prepared by the Planning Department, are attached to assist your Honorable Board in complying with SEQR. Should your Honorable Board conclude that the proposed action will not have any significant impact on the environment, it must approve the Resolution adopting the Negative Declaration prior to enacting the Amended Bond Act. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

With respect to project P0029, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board has previously reviewed project P0029 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Based on the importance of these projects to the County, favorable action on the proposed Capital Budget Amendment, the proposed Amended Bond Act and the proposed Bond Acts is respectfully requested.

Sincerely,



George Latimer
County Executive

GL/HJG/jpg
Attachment

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act amending the County of Westchester's (the "County") current-year Capital Budget for project P0029 (the "Capital Budget Amendment"), as well as adoption of a related amended Bond Act (the "Amended Bond Act") which would authorize the County to issue additional bonds in the amount of \$14,575,000 to finance the following three (3) capital projects and to consolidate all three projects into the Amended Bond Act:

Capital Project Number	Project Name	Unique ID	Amend	Old Amount	Requested amount	New Amount
P0024	Bronx River Parkway Rehabilitation Program	1886			\$5,710,000	\$5,710,000
P0028	Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670)	1887	162-2019	\$1,550,000	\$8,065,000	\$9,615,000
P0029	Bronx River Parkway over Bronx River (North & South of Leewood Drive), Eastchester (BIN 3348829/BIN 3348839)	1908			\$800,000	\$800,000
				\$1,550,000	\$14,575,000	\$16,125,000

The proposed Capital Budget Amendment will amend the County's current year capital budget to increase the County share for project P0029 by \$800,000 to cover additional construction management costs.

The Amended Bond Act, in the total amount of \$16,125,000, which includes \$1,550,000 in previously authorized bonds of the County, would finance the cost of design, construction management and construction associated with various improvements to the Bronx River Parkway.

Project P0024 (1886) will fund the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road, including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work. Following bonding authorization, design will be scheduled and is anticipated to take one (1) month to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Project P0028 (1887) will fund construction associated with the replacement of the existing bridge structure (northbound - north of the County Center) over the Bronx River, including construction of pile foundations, abutments, structural deck, approaches, railings and related work. The project will also fund the replacement of culverts CBP0040, CBP0050, and CBP0060. Design for this project is currently underway by consultants and is expected to be completed shortly. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

Project P0029 (1908) will provide additional funding for construction management associated with the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, in the Town of Eastchester. Work will include the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, increase of channel width where possible, installation of bank protection where erosion is evident and associated work. Following bonding authorization, design will be scheduled and is anticipated to take nine (9) months to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with project P0028 as follows: Bond Act No. 162-2019 in the amount of \$1,550,000, which funded design and construction management associated with a new Bronx River Parkway bridge (northbound- north of the County Center) over the Bronx River and three new culverts. The bonds authorized by Bond Act No. 162-2019 have not been sold. Accordingly, authority of your Honorable Board is now requested to amend Bond Act No. 162-2019 to increase the initial amount authorized thereunder by \$14,575,000, to modify the scope of the project to include construction funding, and to consolidate all three capital projects referenced in the table into the Amended Bond Act, for a new total authorized amount, as amended, of \$16,125,000.

The Planning Department has advised your Committee that based on its review, project P0029 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 with respect to this project. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

The Planning Department has further advised your Committee that based on its review, projects P0024 (1886) and P0028, which fund components of the same project, have collectively been classified as an “Unlisted” action under SEQR, requiring an appropriate environmental review. Your Committee has carefully considered the proposed legislation. It has reviewed the attached Short Environmental Assessment Form (“EAF”) and the criteria contained in Section 617.7 of Title 6 of the New York State Code of Rules and Regulations, the SEQRA regulations, to identify the relevant areas of environmental concern for each project. For the reasons set forth in the attached EAF, your Committee believes that the proposed action will not have any significant adverse impact on the environment and urges your Honorable Board to adopt the annexed resolutions by which this Board would issue a Negative Declaration.

With respect to project P0029, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board has previously reviewed project P0029 and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

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 Capital Budget Amendment and the Amended Bond Act. Your Committee recommends the adoption of the proposed Acts.


Dated: _____, 2022

White Plains, New York

COMMITTEE ON

C:\JPG\5-12-22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
P0029 BRONX RIVER PARKWAY OVER BRONX RIVER (NORTH &
SOUTH OF LEEWOOD DR), EASTCHESTER (BIN 3348829/BIN 3348839)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-06-2022 (Unique ID: 1908)

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
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation
Jonna Robins, Program Administrator, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: May 12, 2022

RE: **Capital Budget Amendment –
P0029 Bronx River Parkway over Bronx River
(North and South of Leewood Drive), Eastchester**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project P0029 Bronx River Parkway over Bronx River (North and South of Leewood Drive) provides funds for the reconstruction of the Parkway bridges over the Bronx River, north and south of Leewood Drive, located in the Town of Eastchester.

A Capital Budget Amendment is requested to authorize the County to provide an additional \$800,000 for this project due to cost increases.

The Planning Board adopted a report on this project (rated PL2HP) at its meeting on June 6, 2017.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Norma V. Drummond, Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

RESOLUTION

WHEREAS, there is pending before this Honorable Board an amended bond act which incorporates, *inter alia*, Capital Projects P0024 (Unique ID# 1886) – Bronx River Parkway Rehabilitation Program and P0028 (Unique ID#1887) – Bronx River Parkway (NB: North of County Center) over Bronx River, Greenburgh (BIN 3348670) (the “Bond Act”), and

WHEREAS, this Honorable Board has determined that the proposed Bond Act would constitute an action under Article 8 of the Environmental Conservation Law, known as the New York State Environmental Quality Review Act (“SEQR”); and

WHEREAS, pursuant to SEQR and its implementing regulations (6 NYCRR Part 617), the Bond Act, as it relates to the aforementioned capital projects, has been classified as an “Unlisted action,” which requires this Honorable Board to make a determination as to whether the proposed action will have a significant impact on the environment; and

WHEREAS, the County of Westchester is conducting uncoordinated review as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations; and

WHEREAS, in accordance with SEQR and its implementing regulations, a Short Environmental Assessment Form has been prepared to assist this Honorable Board in its environmental assessment of this proposed action; and

WHEREAS, this Honorable Board has carefully considered the proposed action and has reviewed the attached Short Environmental Assessment Form and the criteria set forth in Section 617.7 of the implementing regulations and has identified the relevant areas of environmental concern, as described in the attached Short Environmental Assessment Form, to determine if this proposed action will have a significant impact on the environment.


NOW, THEREFORE, be it resolved by the County Board of Legislators of the County of Westchester, State of New York, as follows:

RESOLVED, that based upon the Honorable Board’s review of the Short Environmental Assessment Form and for the reasons set forth therein, this Board finds that there will be no significant adverse impact on the environment from the Bond Act and be it further

RESOLVED, that the Clerk of the Board of Legislators is authorized and directed to sign the “Determination of Significance” in the Short Environmental Assessment Form, which is attached hereto and made a part hereof, as the “Responsible Officer in Lead Agency”; to issue this “Negative Declaration” on behalf of this Board in satisfaction of SEQR and its implementing regulations; and to immediately transmit same to the Commissioner of Planning to be filed, published and made available pursuant to the requirements of Part 617 of 6 NYCRR; and be it further

RESOLVED, that the Resolution shall take effect immediately.

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 30, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT
P0024 BRONX RIVER PARKWAY REHABILITATION PROGRAM
P0028 BRONX RIVER PARKWAY (NB: NORTH OF COUNTY CENTER)
OVER BRONX RIVER, GREENBURGH (BIN 3348670)**

The Planning Department has reviewed the above referenced capital projects (Fact Sheets ID #1886 & #1887) in accordance with the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

Pursuant to SEQR, this project has been classified as an Unlisted action. Uncoordinated review is being conducted as permitted for Unlisted actions pursuant to Section 617.6(b)(4) of the implementing regulations. A Short Environmental Assessment Form has been prepared for the project for consideration by the Board of Legislators.

Please contact me if you require any additional information regarding this document.

DSK/cnm

Att.

cc: Andrew Ferris, Chief of Staff
Gideon Grande, Deputy Budget Director
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Marzola, Associate Budget Director
Kevin Roseman, Traffic Engineer, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Short Environmental Assessment Form

Part 1 - Project Information

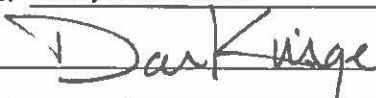
Instructions for Completing

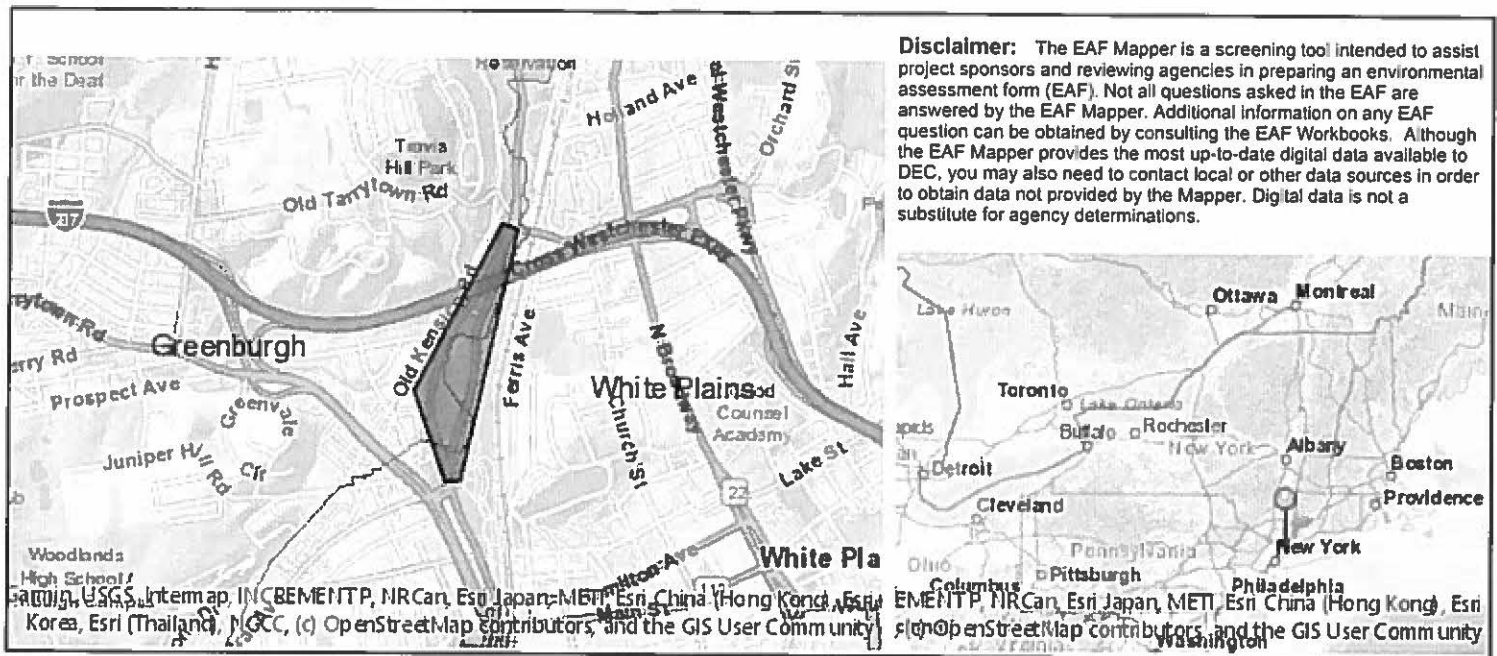
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information							
Name of Action or Project: Bronx River Parkway Rehabilitation - County Center to Cemetery Road							
Project Location (describe, and attach a location map): Bronx River Parkway between Central Ave and Old Tarrytown Road, City of White Plains and Town of Greenburgh, Westchester County, New York							
Brief Description of Proposed Action: Rehabilitation of an approximately 0.7 mile section of the Bronx River Parkway, including milling, resurfacing, curb replacement, new traffic signal loops and pavement markings associated with both the northbound and southbound lanes of the parkway which divide in this section. The project includes replacement of a bridge and 3 culverts and the installation of a temporary roadway to maintain traffic during construction. The project also includes minor relocation of a portion of the trunk sewer crossing underneath the bridge and restoration of wetlands and all areas disturbed by construction.							
Name of Applicant or Sponsor: County of Westchester		Telephone: 914-995-4400 E-Mail: dsk2@westchestergov.com					
Address: 148 Martine Avenue							
City/PO: White Plains		State: NY	Zip Code: 10601				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC Stream Disturbance, 401 Water Quality Certification, SHPO Army Corps of Engineers Section 404			<table border="1" style="width: 100%; text-align: center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? +/- 60.5 acres b. Total acreage to be physically disturbed? 5.81 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 807 acres							
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Institutional/Transportation <input checked="" type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name:Floodplains, Name:County & State Park Lands, Reason:Protect water & natural area, Reason:Exceptional If Yes, identify: or unique character, Agency:Greenburgh, Town of, Agency:Westchester County, Date:1-30-79, Date:1-31-90	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:	NO	YES	
<u>Upon completion of the project, there will be no impact or increase to electrical, mechanical or plumbing at the site. This portion of the Bronx River Parkway is unlit. However, another capital project is proposed that will convert all Bronx River Parkway street lights to LEDs.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ N/A - This project does not require potable water.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ N/A - This project will not generate wastewater.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? This section of the Bronx River Parkway is on the National Register of Historic Places/State Register of Historic Places.	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ The project will disturb portions of the Bronx River, Manhattan Brook and Fulton Brook, along with their associated riverine wetlands. There will be approximately 1,300 square feet of permanent disturbance below the ordinary high water line for the bridge and culvert improvements and approximately 1,700 square feet of temporary disturbance below the ordinary high water line for the temporary road that will be restored following construction.			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Peregrine Falcon (Automated answer. See Part 3 for discussion.)	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
The temporary road will be crowned which will distribute stormwater runoff to the sides of the road inside within the county property. Overall drainage patterns will remain the same following project completion.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A search of the Environmental Site Remediation Database yielded no results. The Spills Incidents Database identified 2 cases of petroleum spills that may have occurred in the project area in 2014 and 2016; both cases have been closed.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>County of Westchester</u> Date: <u>June 30, 2022</u>		
Signature: <u></u> Title: <u>Assistant Commissioner</u>		



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Floodplains, Name:County & State Park Lands, Reason:Protect water & natural area, Reason:Exceptional or unique character, Agency:Greenburgh, Town of, Agency:Westchester County, Date:1-30-79, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Peregrine Falcon
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The project will have an adverse impact on historic resources as it will replace four original structures on the Bronx River Parkway, which is included on the National and State Register of Historic Places. An Alternatives Analysis was conducted, which documented the necessity for replacing these structures to address safety issues and scouring around the foundations. As requested by the New York State Historic Preservation Office (SHPO), a Historic American Engineering Record (HAER) and photographic documentation were made for the historic structures to be replaced. The design of the replacement structures and added safety guardrails will be sympathetic to the character of the reservation. Precast arches will be faced with natural stone utilizing as much of the existing stones as possible. The NYS Office of Parks, Recreation and Historic Preservation had no archaeological concerns.

Apart from the impact to historic resources, other impacts are temporary, negligible or will be mitigated. New disturbances will be less than 2.5 acres, much of which is for the temporary road, which will offset traffic impacts and will be restored following construction. As this project involves construction in and near water, best management practices will be implemented to prevent impacts during construction. Approximately 28 trees (and 2 existing stumps) will need to be removed to eliminate impacts to the parkway infrastructure or to accommodate the temporary road. Tree removals, some of which are sizable, will be mitigated by the planting of over 100 new trees with a total trunk area equivalent to the trunk area to be removed. The streambanks of Fulton Brook were previously in poor condition and were recently restored; they will be restored again, in kind, following completion of the roadwork. According to the US Fish and Wildlife Service, there are no critical habitats within the project area, but the Monarch Butterfly (*Danaus plexippus*), a candidate species, may potentially be present. The New York Natural Heritage Program also indicated there was no record of rare or state-listed animals or plants, or significant natural communities at the project site. However, the Peregrine falcon (*Falco peregrinus*), listed as endangered by the State, has been documented nesting within a half mile of the project site. Noise reducing best management practices will be implemented during construction as recommended by permitting agencies. As this does not involve new development or changes in land use, there will be no other impacts following construction.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
 ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

County of Westchester

Name of Lead Agency

Malika Vanderberg

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

Clerk of the Board of Legislators

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project P0029 - Bronx
River Parkway Over Bronx
River (North & South of
Leewood Dr), Eastchester

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

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$4,610,000	\$800,000	\$5,410,000


Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes	\$4,610,000	\$800,000	\$5,410,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$4,610,000</u>	<u>\$800,000</u>	<u>\$5,410,000</u>

Section 3. The ACT shall take effect immediately.

To: Honorable George Latimer, County Executive
Lawrence Soule, Budget Director

From: Norma Drummond, Commissioner 

Re: **Capital Budget Amendment:
P0029 Bronx River Parkway over Bronx River
(North and South of Leewood Drive), Eastchester**

Date: May 12, 2022

Attached is a memo from the Planning Department to the County Planning Board advising the Board of the proposed Capital Budget Amendments (CBA) to modify funding of the above project.

These are financing changes only and there are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, as stated in the memo, no further action by the Planning Board is required.

NVD/wcb
Attachment

cc: Ken Jenkins, Deputy County Executive
Joan McDonald, Director of Operations
Emily Saltzman, Deputy Director of Operations
Paula Friedman, County Executive's Office
Blanca Lopez, Deputy Commissioner of Planning
Tami Altschiller, Assistant Chief Deputy County Attorney
Jeffrey Goldman, Assistant County Attorney
Michelle Greenbaum, Assistant County Attorney
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: May 12, 2022

RE: **Capital Budget Amendment –
P0029 Bronx River Parkway over Bronx River
(North and South of Leewood Drive), Eastchester**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project P0029 Bronx River Parkway over Bronx River (North and South of Leewood Drive) provides funds for the reconstruction of the Parkway bridges over the Bronx River, north and south of Leewood Drive, located in the Town of Eastchester.

A Capital Budget Amendment is requested to authorize the County to provide an additional \$800,000 for this project due to cost increases.

The Planning Board adopted a report on this project (rated PL2HP) at its meeting on June 6, 2017.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Norma V. Drummond, Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

REFERENCE: P0024
P0028
P0029

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT 162-2019 ADOPTED SEPTEMBER 16, 2019, IN RELATION TO THE BRONX RIVER PARKWAY REHABILITATION, AT THE MAXIMUM ESTIMATED COST OF \$16,125,000. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$1,550,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of a new Bronx River Parkway Bridge (Northbound-North of County Center) over the Bronx River and the construction of new culverts on such site located in the Town of Greenburgh, pursuant to Act No. 162-2019 duly adopted on September 16, 2019; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project by \$8,065,000; and

WHEREAS, it has been determined that additional work is necessary for the rehabilitation of Bronx River Parkway and that it is necessary to authorize bonds to be issued for such purpose and increase the appropriation for such rehabilitation,

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 September 16, 2019,
entitled:

“ACT NO. 162-2019

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,550,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING CONSTRUCTION OF A NEW BRONX RIVER PARKWAY BRIDGE (NORTHBOUND – NORTH OF COUNTY CENTER) OVER THE BRONX RIVER AND CONSTRUCTION OF CULVERTS ON SUCH SITE LOCATED IN THE TOWN OF GREENBURGH; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,550,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,550,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS

are hereby amended and consolidated to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$16,125,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF BRONX RIVER PARKWAY AND THE CONSTRUCTION OF BRIDGE IMPROVEMENTS THEREON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,125,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,125,000 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; \$16,125,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance all or a portion of the costs of the partial rehabilitation of Bronx River Parkway and the construction of bridge improvements thereon, to wit: (a) the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work, (b) the planning and construction associated with the replacement of the existing bridge structure over the Bronx River (Northbound – north of County Center) including construction of pile foundations, abutments, structural deck, approaches, railings and related work, and also the replacement of culverts CBP0040, CBP0050, CBP0060 and related work, and (c) the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, located in the Town of Eastchester, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$16,125,000. The plan of financing includes the issuance of \$16,125,000 bonds herein authorized; and any bond anticipation notes issued in anticipation of the sale of such bonds and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness of the object or purpose for which said \$16,125,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 101 of the Law, is thirty-five (35) 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 \$16,125,000. 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 \$16,125,000 as the estimated maximum 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.

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 September 16, 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 \$16,125,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REHABILITATION OF BRONX RIVER PARKWAY AND THE CONSTRUCTION OF BRIDGE IMPROVEMENTS THEREON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$16,125,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$16,125,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on September 16, 2019 and amended on _____, 20____)

object or purpose: to finance all or a portion of the costs of the partial rehabilitation of Bronx River Parkway and the construction of bridge improvements thereon, to wit: (a) the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work, (b) the planning and construction associated with the replacement of the existing bridge structure over the Bronx River (Northbound – north of County Center) including construction of pile foundations, abutments, structural deck, approaches, railings and related work, and also the replacement of culverts CBP0040, CBP0050, CBP0060 and related work, and (c) the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, located in the Town of Eastchester, 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: \$16,125,000; thirty-five (35) 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

3696311.1 045751 LEG

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: P00XX

☐ 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

P0024, P0028, P0029

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 16,125,000 PPU 35 Anticipated Interest Rate 3.28%

Anticipated Annual Cost (Principal and Interest): \$ 735,100

Total Debt Service (Annual Cost x Term): \$ 25,728,500

Finance Department: Interest rates from July 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: 175

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Department of Public Works and Trans

Date: 7/5/22

Reviewed By: 

Budget Director

Date: 7/8/22

CAPITAL PROJECT FACT SHEET

Project ID:*

P0024

☐ CBA

Fact Sheet Date:*

01-21-2022

Fact Sheet Year:*

2022

Project Title:*

BRONX RIVER PARKWAY
REHABILITATION PROGRAM

Legislative District ID:

3, 15, 14, 12, 10, 8, 5,

Category*

PARKWAYS

Department:*

PUBLIC WORKS

CP Unique ID:

1886

Overall Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	8,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	40,600	32,600	8,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 19,886

Current Bond Description: This project will fund the rehabilitation of approximately 0.7 miles of roadway from the County Center to Cemetery Road including milling; resurfacing; curb replacement; new traffic signal loops; new pavement markings and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	5,710,000
Cash:	0
Total:	\$ 5,710,000

SEQR Classification:

UNLISTED

Amount Requested:

5,710,000

Comments:

PCI: 65 (2019); AADT: 31,099. This project is associated with Capital Project P0028, Fact Sheet #1887, which has been classified as an Unlisted action. There will be one EAF to cover both of these capital projects.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2011	8,000,000	PHASE I DESIGN & CONSTRUCTION
2012	8,000,000	CONTINUATION OF THIS PROJECT
2016	8,600,000	CONTINUATION OF THIS PROJECT
2021	8,000,000	CONSTRUCTION OF THIS PROJECT
2022	8,000,000	CONSTRUCTION

Total Appropriation History:

40,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	29	0	0	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS
19	12	9,900,000	9,900,000	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX RIVER PARKWAY TO SCARSDALE ROAD IN YONKERS
19	189	9,812,654	5,000,046	
19	11	187,346	187,346	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS

Total Financing History:

19,900,000

Recommended By:

Department of Planning
WBB4

Date
06-15-2022

Department of Public Works
JZR7

Date
06-16-2022

Budget Department
LMY1

Date
06-16-2022

Requesting Department
JZR7

Date
06-16-2022

CAPITAL PROJECT FACT SHEET

Project ID:*
P0028

☐ CBA

Fact Sheet Date:*
01-21-2022

Fact Sheet Year:*
2022

Project Title:*
BRONX RIVER PARKWAY (NB:
NORTH OF COUNTY CENTER) OVER
BRONX RIVER, GREENBURGH (BIN
3348670)

Legislative District ID:
8,

Category*
PARKWAYS

Department:*
PUBLIC WORKS

CP Unique ID:
1887

Overall Project Description

This project shall fund the replacement of the existing structure including construction of pile foundations, abutments, structural deck, approaches, railings and associated work. The project shall also fund the replacement of culverts CBP0040, CBP0050, CBP0060 and associated work. The existing structure was built in 1923 and is 33' long by 31' wide.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	9,615	9,615	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	9,615	9,615	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 1,388

Current Bond Description: Funding is requested for construction associated with the replacement of the existing structure including construction of pile foundations, abutments, structural deck, approaches, railings and related work. The project shall also fund the replacement of culverts CBP0040, CBP0050, CBP0060 and related work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	8,065,000
Cash:	0
Total:	\$ 8,065,000

SEQR Classification:

UNLISTED

Amount Requested:

8,065,000

Comments:

Bridge Condition Rating: 4.57 (2021); AADT: 15,200

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	9,100,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT.
2020	515,000	COST ESCALATION

Total Appropriation History:

9,615,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	162	1,550,000		0 PLANNING CONSTRUCTION OF BRONX RIVER PKWY BRIDGE

Total Financing History:

1,550,000

Recommended By:**Department of Planning**

WBB4

Date

06-15-2022

Department of Public Works

JZR7

Date

06-16-2022

Budget Department

LMYI

Date

06-16-2022

Requesting Department

JZR7

Date

06-16-2022

CAPITAL PROJECT FACT SHEET

Project ID:*
P0029

☒ CBA

Fact Sheet Date:*
03-07-2022

Fact Sheet Year:*
2022

Project Title:*
BRONX RIVER PARKWAY OVER
BRONX RIVER (NORTH & SOUTH OF
LEEWOOD DR), EASTCHESTER (BIN
3348829/BIN 3348839)

Legislative District ID:
10,

Category*
PARKWAYS

Department:*
PUBLIC WORKS

CP Unique ID:
1908

Overall Project Description

This project shall fund the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, channel width to be increased where possible, installation of bank protection where erosion is evident and associated work. The structure north of Leewood Drive was built in 1921 and is 47' long by 60' wide. The structure south of Leewood Drive was built in 1925 and is 39' long by 45' wide.

- | | | |
|---|--|--|
| <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	2022	2023	2024	2025	2026	Under Review
Gross	5,410	4,610	0	0	0	0	0	800
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,410	4,610	0	0	0	0	0	800

Expended/Obligated Amount (in thousands) as of: 390

Current Bond Description: Additional funding is requested for the reconstruction of the Bronx River Parkway bridges over the Bronx River, North and South of Leewood Drive, located in the Town of Eastchester.

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:

The bids received were higher than the available construction funding. In order to proceed with the project this year, the available construction management funding was used to award the construction contract. In addition, based on the final design, the construction time frame is longer than originally estimated. Therefore, a capital budget amendment in the amount of \$800,000, shown under review, is requested to cover the costs of construction management.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2018	4,610,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT.

Total Appropriation History:
4,610,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	164	4,610,000	127,598	RECONSTRUCTION OF BRONX RIVER PKWY BRIDGE (NORTH AND SOUTH OF LEEWOOD DRIVE)

Total Financing History:

4,610,000

Recommended By:**Department of Planning**

WBB4

Date

05-06-2022

Department of Public Works

RJB4

Date

05-08-2022

Budget Department

LMY1

Date

05-09-2022

Requesting Department

JZR7

Date

05-11-2022

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	19,886	8,000					
Non County Share			169						
Total	40,600	32,600	20,055	8,000					

Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

Current Year Description

The current year request funds additional work for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	8,000,000			8,000,000

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
2011	8,000,000	Phase I design & construction	COMPLETE
2012	8,000,000	Continuation of this project	CONSTRUCTION
2016	8,600,000	Continuation of this project	\$3,900,000 - CONSTRUCTION; \$4,700,000 - AWAITING BOND AUTHORIZATION
2021	8,000,000	Construction of this project	AWAITING BOND AUTHORIZATION
Total	32,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	32,600,000	18,901,840	13,698,160
Others		(169,448)	169,448
Total	32,600,000	18,732,392	13,867,608

**BRONX RIVER PARKWAY REHABILITATION PROGRAM
(P0024)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
29 13				
11 19	187,346	12/10/19	156,451	
		12/10/19	30,895	
12 19	9,900,000	12/10/19	8,267,396	
		12/10/19	1,632,604	
189 19	9,812,654	10/28/20	4,385,571	4,812,608
		10/28/20	614,475	
		10/28/20	169,448	
		10/28/20	(169,448)	
Total	19,900,000		15,087,392	4,812,608

**BRONX RIVER PARKWAY (NB: NORTH OF COUNTY CENTER) OVER BRONX RIVER,
GREENBURGH (BIN 3348670)
(P0028)**

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	2022	2023	2024	2025	2026	Under Review
Gross	9,615	9,615	1,388						
Non County Share									
Total	9,615	9,615	1,388						

Project Description

This project shall fund the replacement of the existing structure including construction of pile foundations, abutments, structural deck, approaches, railings and associated work. The project shall also fund the replacement of culverts CBP0040, CBP0050, CBP0060 and associated work. The existing structure was built in 1923 and is 33' long by 31' wide.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2017	9,100,000	Design, construction and construction management.	\$1,550,000 - DESIGN; \$7,550,000 - AWAITING BOND AUTHORIZATION
2020	515,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	9,615,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	9,615,000		9,615,000
Total	9,615,000		9,615,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
162 19	1,550,000			1,550,000
Total	1,550,000			1,550,000

**BRONX RIVER PARKWAY OVER BRONX RIVER (NORTH & SOUTH OF LEEWOOD DR),
EASTCHESTER (BIN 3348829/BIN 3348839)
(P0029)**

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	2022	2023	2024	2025	2026	Under Review
Gross	4,610	4,610	375						
Non County Share			2						
Total	4,610	4,610	377						

Project Description

This project shall fund the removal and replacement of the existing asphalt wearing surface and waterproofing, replacement of the existing joint system with a new elastomeric concrete joint system, tendon rehabilitation, channel width to be increased where possible, installation of bank protection where erosion is evident and associated work. The structure north of Leewood Drive was built in 1921 and is 47' long by 60' wide. The structure south of Leewood Drive was built in 1925 and is 39' long by 45' wide.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2018	4,610,000	Design, construction and construction management.	DESIGN
Total	4,610,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,610,000	129,321	4,480,679
Others		(1,723)	1,723
Total	4,610,000	127,598	4,482,402

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
164 19	4,610,000	10/28/20	44,593	4,559,159
		10/28/20	6,248	
		10/28/20	1,723	
		10/28/20	(1,723)	
Total	4,610,000		50,841	4,559,159

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the total amount of \$1,100,000, to finance a component of capital project P0024 – Bronx River Parkway Rehabilitation Program (“P0024”).

The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will finance the cost of design, construction management, and construction associated with the upgrade of the existing “cobra head” and “teardrop” lighting fixtures to LED lighting fixtures along the Bronx River Parkway. Also included in the project is the replacement of any missing or damaged light poles, arms, bases, and associated work.

The Department of Public Works & Transportation (“Department”) has advised that this capital project was created to provide various rehabilitation projects along the Bronx River Parkway. Previous components have included roadway resurfacing, guiderail replacement, concrete curb replacement, drainage improvements, new vehicle detection sensors, new pavement markings and related work. The current request will provide for the replacement of the existing roadway lighting fixtures with new energy efficient LED lighting fixtures.

Following bonding authorization, design will be scheduled and is anticipated to take three (3) months to complete and will be performed by consultants. It is estimated that construction will take nine (9) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

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

Dated: _____, 2022
White Plains, New York

COMMITTEE ON
s/jg/5-12-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: P0024

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,100,000 PPU 5 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 234,595

Total Debt Service (Annual Cost x Term): \$ 1,172,975

Finance Department: Interest rates from July 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: 12

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Planning)

Department: Department of Public Works and Transportation

Date: 7/5/22

Reviewed By: [Signature]

Budget Director

Date: 7/5/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM
Assistant Commissioner



DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
P0024 BRONX RIVER PARKWAY REHABILITATION PROGRAM**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-06-2022 (Unique ID: 1937)

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
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation
Jonna Robins, Program Administrator, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE UPGRADING OF LIGHTING FIXTURES ALONG THE BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,100,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$1,100,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction management, and construction of the upgrading of the existing "cobra head" and "teardrop" lighting fixtures to LED lighting fixtures along the Bronx River Parkway; as well as the replacement of any missing or damaged light poles, arms, bases, and associated work, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are

inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,100,000. The plan of financing includes the issuance of \$1,100,000 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 the \$1,100,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.89 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,100,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$1,100,000 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.

* * *

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____.

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

(SEAL)

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 \$1,100,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE UPGRADING OF LIGHTING FIXTURES ALONG THE BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,100,000 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 the design, construction management, and construction of the upgrading of the existing "cobra head" and "teardrop" lighting fixtures to LED lighting fixtures along the Bronx River Parkway; as well as the replacement of any missing or damaged light poles, arms, bases, and associated work, 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: \$1,100,000; 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

CAPITAL PROJECT FACT SHEET

Project ID:*

P0024

☐ CBA

Fact Sheet Date:*

04-21-2022

Fact Sheet Year:*

2022

Project Title:*

BRONX RIVER PARKWAY
REHABILITATION PROGRAM

Legislative District ID:

3, 15, 14, 12, 10, 8, 5,

Category*

PARKWAYS

Department:*

PUBLIC WORKS

CP Unique ID:

1937

Overall Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	8,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	40,600	32,600	8,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 19,891

Current Bond Description: Funding is requested for design, construction management, and construction to upgrade the existing "cobra head" and "teardrop" lighting fixtures to LED lighting fixtures along the Bronx River Parkway. Also included in the project is the replacement of any missing or damaged light poles, arms, bases, and associated work.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,100,000
Cash:	0
Total:	\$ 1,100,000

SEQR Classification:

TYPE II

Amount Requested:

1,100,000

Comments:

Energy Efficiencies:

THIS PROJECT WILL REPLACE THE EXISTING ROADWAY LIGHTING FIXTURES WITH NEW ENERGY EFFICIENT LED LIGHTING FIXTURES.

Appropriation History:

Year	Amount	Description
2011	8,000,000	PHASE I DESIGN & CONSTRUCTION
2012	8,000,000	CONTINUATION OF THIS PROJECT
2016	8,600,000	CONTINUATION OF THIS PROJECT
2021	8,000,000	CONSTRUCTION OF THIS PROJECT
2022	8,000,000	CONSTRUCTION

Total Appropriation History:

40,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	29	0	0	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS
19	12	9,900,000	9,900,000	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX RIVER PARKWAY TO SCARSDALE ROAD IN YONKERS
19	189	9,812,654	8,645,046	
19	11	187,346	187,346	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS

Total Financing History:

19,900,000

Recommended By:

Department of Planning
WBB4

Date
05-06-2022

Department of Public Works
RJB4

Date
05-08-2022

Budget Department
LMYI

Date
05-09-2022

Requesting Department
JZR7

Date
05-11-2022

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	19,886	8,000					
Non County Share			169						
Total	40,600	32,600	20,055	8,000					

Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

Current Year Description

The current year request funds additional work for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	8,000,000			8,000,000

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
2011	8,000,000	Phase I design & construction	COMPLETE
2012	8,000,000	Continuation of this project	CONSTRUCTION
2016	8,600,000	Continuation of this project	\$3,900,000 - CONSTRUCTION; \$4,700,000 - AWAITING BOND AUTHORIZATION
2021	8,000,000	Construction of this project	AWAITING BOND AUTHORIZATION
Total	32,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	32,600,000	18,901,840	13,698,160
Others		(169,448)	169,448
Total	32,600,000	18,732,392	13,867,608

**BRONX RIVER PARKWAY REHABILITATION PROGRAM
(P0024)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
29 13				
11 19	187,346	12/10/19	156,451	
		12/10/19	30,895	
12 19	9,900,000	12/10/19	8,267,396	
		12/10/19	1,632,604	
189 19	9,812,654	10/28/20	4,385,571	4,812,608
		10/28/20	614,475	
		10/28/20	169,448	
		10/28/20	(169,448)	
Total	19,900,000		15,087,392	4,812,608

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the total amount of \$2,500,000, to finance a component of capital project P0024 – Bronx River Parkway Rehabilitation Program (“P0024”).

The Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will finance the cost of design associated with the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road. The Department of Public Works & Transportation (“Department”) has advised that the work to be performed under this component of the project will include: milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work. The project will also address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace. In addition, wall rehabilitation on left side of the northbound parkway, north of Harney Road, will be performed and a new barrier on the left side of the southbound parkway will be installed to replace the existing temporary barrier. In addition, installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road will be performed.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete and will be performed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts, subject to your Honorable Boards further 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 your Honorable Board is required in order to adopt the Bond Act. Your Committee has carefully considered the proposed Bond Act and most respectfully recommends approval of same.

Dated: _____, 2022
White Plains, New York

s/jg/5-12-22 **COMMITTEE ON**

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: P0024

☐ 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 5 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 533,170

Total Debt Service (Annual Cost x Term): \$ 2,665,850

Finance Department: Interest rates from July 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: 27

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Plannin

Department: Department of Public Works and Transi


Date: 7/5/22

Reviewed By: [Signature]

Budget Director

Date: 7/5/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 1, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
P0024 BRONX RIVER PARKWAY REHABILITATION PROGRAM**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-06-2022 (Unique ID: 1927)

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: The current request is for design only.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner, Department of Public Works & Transportation
Jonna Robins, Program Administrator, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REHABILITATION OF BRONX RIVER PARKWAY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted , 20__)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$2,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of Bronx River Parkway, including the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement

markings; and related work; improvement to address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace, as well as, north of Harney Road, wall rehabilitation on left side of the northbound parkway and a new barrier on the left side of the southbound parkway to replace the existing temporary barrier; installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road; all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$2,500,000. The plan of financing includes the issuance of \$2,500,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the specific object or purpose for which the bonds authorized by this Act are to be issued, 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

\$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 specific object or purpose is hereby approved.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Board of Legislators relative to authorizing the issuance of any notes in anticipation of the sale of the bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Commissioner of Finance of the County, as the chief fiscal officer of the County.

Section 6. Each of the bonds authorized by this Act and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Westchester, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a)

the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 7. The validity of the bonds authorized by this Act and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of this Act or a summary hereof, are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)
 : ss.:
COUNTY OF 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 \$2,500,000 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 THE REHABILITATION OF BRONX RIVER PARKWAY; 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____)

object or purpose: to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the rehabilitation of Bronx River Parkway, including the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work; improvement to address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace, as well as, north of Harney Road, wall rehabilitation on left side of the northbound parkway and a new barrier on the left side of the southbound parkway to replace the existing temporary barrier; installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road; 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; 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

CAPITAL PROJECT FACT SHEET

Project ID:*

P0024

☐ CBA

Fact Sheet Date:*

04-14-2022

Fact Sheet Year:*

2022

Project Title:*

BRONX RIVER PARKWAY
REHABILITATION PROGRAM

Legislative District ID:

3, 15, 14, 12, 10, 8, 5,

Category*

PARKWAYS

Department:*

PUBLIC WORKS

CP Unique ID:

1927

Overall Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

☒ 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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	8,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	40,600	32,600	8,000	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 19,891

Current Bond Description: Funding is requested for design associated with the rehabilitation of approximately 3.0 miles of roadway from Scarsdale Road to Crane Road including milling; resurfacing; guiderail replacement; shoulder widening; curb replacement; stormwater improvements; traffic signal upgrades; new pavement markings; and related work. The project will also address the lengthening of the left turn lane on the southbound approach to Leewood Drive; improvements to the acceleration and deceleration lanes to the former gas stations; and the deceleration lane southbound to Vermont Terrace. In addition, north of Harney Road, wall rehabilitation on left side of the northbound parkway and a new barrier on the left side of the southbound parkway to replace the existing temporary barrier; installation of a concrete barrier near the Ardsley Road exit; and retaining wall rehabilitation along the Bronx River pathway on the northbound side of the parkway, north of Ardsley Road.

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: 60 (2019); AADT: 31,849

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2011	8,000,000	PHASE I DESIGN & CONSTRUCTION
2012	8,000,000	CONTINUATION OF THIS PROJECT
2016	8,600,000	CONTINUATION OF THIS PROJECT
2021	8,000,000	CONSTRUCTION OF THIS PROJECT
2022	8,000,000	CONSTRUCTION

Total Appropriation History:

40,600,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
13	29	0	0	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS
19	12	9,900,000	9,900,000	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX RIVER PARKWAY TO SCARSDALE ROAD IN YONKERS
19	189	9,812,654	8,645,046	
19	11	187,346	187,346	BRONX RIVER PARKWAY REHABILITATION PROGRAM - BRONX LINE TO SCARSDALE ROAD IN YONKERS

Total Financing History:

19,900,000

Recommended By:

Department of Planning
WBB4

Date
05-06-2022

Department of Public Works
RJB4

Date
05-08-2022

Budget Department
LMYI

Date
05-31-2022

Requesting Department
JZR7

Date
05-31-2022

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

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	2022	2023	2024	2025	2026	Under Review
Gross	40,600	32,600	19,886	8,000					
Non County Share			169						
Total	40,600	32,600	20,055	8,000					

Project Description

This project is requested for rehabilitation projects on the Bronx River Parkway. This project will provide a life span of 15 to 20 years on the asphalt surface. This project includes resurfacing, drainage, implementation of stormwater management practices as required by NYSDEC regulations, guiderail replacement, and installation of reflectorized pavement markings and shoulder repairs.

Current Year Description

The current year request funds additional work for this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	8,000,000			8,000,000

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
2011	8,000,000	Phase I design & construction	COMPLETE
2012	8,000,000	Continuation of this project	CONSTRUCTION
2016	8,600,000	Continuation of this project	\$3,900,000 - CONSTRUCTION; \$4,700,000 - AWAITING BOND AUTHORIZATION
2021	8,000,000	Construction of this project	AWAITING BOND AUTHORIZATION
Total	32,600,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	32,600,000	18,901,840	13,698,160
Others		(169,448)	169,448
Total	32,600,000	18,732,392	13,867,608

BRONX RIVER PARKWAY REHABILITATION PROGRAM (P0024)

Bonds Authorized

Bond Act		Amount	Date Sold	Amount Sold	Balance
29	13				
11	19	187,346	12/10/19	156,451	
			12/10/19	30,895	
12	19	9,900,000	12/10/19	8,267,396	
			12/10/19	1,632,604	
189	19	9,812,654	10/28/20	4,385,571	4,812,608
			10/28/20	614,475	
			10/28/20	169,448	
			10/28/20	(169,448)	
Total		19,900,000		15,087,392	4,812,608



George Latimer
County Executive

July 6, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$2,710,000 to finance the following capital project:

B0108 – 85 Court Street Building Improvements, White Plains (2015-2019) ("B0108").

The Bond Act, in the amount of \$2,710,000 would finance the cost of the design, construction management and construction associated with the replacement of the existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains.

The Department of Public Works and Transportation ("Department") has advised that B0108 is necessary to replace existing equipment which is over 40 years old and has exceeded its expected useful service life. The new equipment will reduce the amount of energy required for cooling this building.

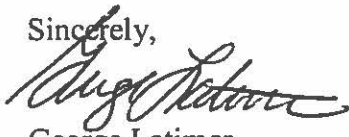
Design has been completed by a consultant. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior components of B0108 as indicated in the annexed fact sheet.

The Planning Department has advised that based on its review, B0108 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,

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

George Latimer
County Executive

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$2,710,000 to finance capital project B0108 – 85 Court Street Building Improvements, White Plains (2015-2019) (“B0108”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of the design, construction management and construction associated with the replacement of the existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains.

The Department of Public Works and Transportation (“Department”) has advised that B0108 is necessary to replace existing equipment which is over 40 years old and has exceeded its expected useful service life. The new equipment will reduce the amount of energy required for cooling this building.

The Department has advised that design has been completed by a consultant. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with prior components of B0108 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, B0108 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: _____, 20____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0108

☐ 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 \$ 2,710,000 PPU 15 Anticipated Interest Rate 3.11%

Anticipated Annual Cost (Principal and Interest): \$ 225,902

Total Debt Service (Annual Cost x Term): \$ 3,388,530

Finance Department: Interest rates from June 23, 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: 29

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Jonna Robins

Title: Program Administrator (Capital Planning)

Department: Department of Public Works and Transportation


Date: 7/5/22

Reviewed By: [Signature]

Budget Director

Date: 7/6/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0108 85 Court Street Building Improvements, White Plains (2015-2019)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
06-23-2022 (Unique ID: 1978)

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
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner
Jonna Robins, Program Administrator (Capital Planning Program)
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. - 20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,710,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF COOLING TOWERS AT 85 COURT STREET IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,710,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (by the affirmative vote of not less than two-thirds of the voting strength of said Board), AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$2,710,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction management and construction associated with the replacement of the existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such

Budget shall be deemed and is hereby amended. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$2,710,000. The plan of financing includes the issuance of \$2,710,000 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 class of objects or purposes for which the \$2,710,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.13 of the Law, is fifteen (15) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$2,710,000. 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 \$2,710,000 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.

* * *

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____.

Clerk and Chief Administrative Officer of the County
Board of Legislators of the County of Westchester, New
York

(SEAL)

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 \$2,710,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF COOLING TOWERS AT 85 COURT STREET IN THE CITY OF WHITE PLAINS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,710,000 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 the design, construction management and construction associated with the replacement of the existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains, 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: \$2,710,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County
Board of Legislators of the County of Westchester, New
York



CAPITAL PROJECT FACT SHEET

Project ID:* B0108	<input type="checkbox"/> CBA	Fact Sheet Date:* 06-14-2022
Fact Sheet Year:* 2022	Project Title:* 85 COURT STREET BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019)	Legislative District ID: 8,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 1978

Overall Project Description

This projects provide for the rehabilitation and upgrades of exterior, interior or site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include but are not limited to façade repairs, replacement of doors, windows and storefronts, interior renovations, upgrades and replacement of mechanical systems and elevators, upgrades of security systems, rehabilitation of pavements and sidewalks.

<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	2022	2023	2024	2025	2026	Under Review
Gross	6,120	4,620	1,500	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,120	4,620	1,500	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 321

Current Bond Description: Funding is requested for design, construction management and construction associated with the replacement of the existing cooling towers with new cooling towers and associated work at 85 Court Street, White Plains.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,710,000
Cash:	0
Total:	\$ 2,710,000

SEQR Classification:

TYPE II

Amount Requested:

2,710,000

Comments:

Energy Efficiencies:

THE NEW COOLING TOWERS AND ASSOCIATED EQUIPMENT WILL BE MORE ENERGY EFFICIENT THAN THE EXISTING COOLING TOWERS.

Appropriation History:

Year	Amount	Description
2015	800,000	REPLACEMENT OF BOILERS AND ELEVATOR MACHINE ROOM HVAC
2016	1,600,000	REPLACEMENT OF BUILDING OVERHANG ENCLOSURE; REPLACEMENT AND UPGRADE OF HEATING DISTRIBUTION SYSTEM; AND REPAIR OF OPERATING WINDOWS,
2017	1,250,000	REPLACEMENT OF COOLING TOWERS AND ASSOCIATED WORK.
2018	150,000	FUNDS A STRUCTURE OR MONUMENT AND IMPROVEMENTS TO CHRISTOPHER RIDLEY PLAZA.
2019	200,000	ADDITIONAL CONSTRUCTION FOR THE CHRISTOPHER RIDLEY PLAZA AND MONUMENT
2020	620,000	COST ESCALATION
2022	1,500,000	COST ESCALATION

Total Appropriation History:

6,120,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
18	105	0	0	IMPROVEMENTS TO CHRISTOPHER RIDLEY PLAZA AT 85 COURT STREET IN WHITE PLAINS
19	19	350,000	320,010	IMPROVEMENTS TO CHRISTOPHER RIDLEY PLAZA AT 85 COURT STREET IN WHITE PLAINS
21	196	2,090,000	0	85 COURT STREET REPLACE EXISITING GAS FIRED BOILERS.

Total Financing History:

2,440,000

Recommended By:

Department of Planning
WBB4

Date
06-23-2022

Department of Public Works
JZR7

Date
06-23-2022

Budget Department
GKGA

Date
06-23-2022

Requesting Department
JZR7

Date
06-23-2022

85 COURT STREET BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019) (B0108)

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	2022	2023	2024	2025	2026	Under Review
Gross	6,120	4,620	320	1,500					
Non County Share									
Total	6,120	4,620	320	1,500					

Project Description

This projects provide for the rehabilitation and upgrades of exterior, interior or site infrastructure which is at the end of its useful life. Infrastructure rehabilitations can include but are not limited to façade repairs, replacement of doors, windows and storefronts, interior renovations, upgrades and replacement of mechanical systems and elevators, upgrades of security systems, rehabilitation of pavements and sidewalks.

Current Year Description

The current year request funds a cost escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,500,000			1,500,000

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
2015	800,000	Replacement of boilers and elevator machine room HVAC	AWAITING BOND AUTHORIZATION
2016	1,600,000	Replacement of building overhang enclosure; replacement and upgrade of heating distribution system; and repair of operating windows,	AWAITING BOND AUTHORIZATION
2017	1,250,000	Replacement of cooling towers and associated work.	AWAITING BOND AUTHORIZATION
2018	150,000	Funds a structure or monument and improvements to Christopher Ridley Plaza.	COMPLETE
2019	200,000	Additional construction for the Christopher Ridley Plaza and monument	COMPLETE
2020	620,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	4,620,000		

85 COURT STREET BUILDING IMPROVEMENTS, WHITE PLAINS (2015-2019) **(B0108)**

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,620,000	320,010	4,299,991
Total	4,620,000	320,010	4,299,991

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
105 18				
19 19	350,000			350,000
196 21	2,090,000			2,090,000
Total	2,440,000			2,440,000

George Latimer
County Executive

July 25, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is a bond act (the "Bond Act,") which, if adopted, would authorize the County of Westchester ("County") to issue up to \$1,000,000 in bonds of the County to finance the following capital project:


BLR13 – Labs & Research Infrastructure Improvements 2022-2026 ("BLR13").

The Department of Labs & Research (the "Department") has advised that this project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities. The current bonding request, in the amount of \$1,000,000, would fund the acquisition and replacement of new fume hoods in the labs. The Department has advised that fume hoods are ventilated enclosures that remove hazardous chemical fumes and volatile vapors from the laboratory. The existing fume hoods have exceeded their useful life and are in need of replacement. The Department expects this project to be completed by December, 2023.

The Planning Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Bond Act is respectfully requested.

Sincerely,



George Latimer
County Executive

Attachments

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$1,000,000, to finance capital project BLR13 – Labs & Research Infrastructure Improvements 2022-2026 (“BLR13”).

The Department of Labs & Research (the “Department”) has advised that this project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities. The current bonding request, in the amount of \$1,000,000, would fund the acquisition and replacement of new fume hoods in the labs. The Department has advised that fume hoods are ventilated enclosures that remove hazardous chemical fumes and volatile vapors from the laboratory. The existing fume hoods have exceeded their useful life and are in need of replacement. The Department expects this project to be completed by December, 2023.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR document 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. Accordingly, your Committee recommends approval of the proposed Bond Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLR13

☐ NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

☒ GENERAL FUND

☐ AIRPORT FUND

☐ SPECIAL DISTRICTS FUND

Source of County Funds (check one):

☒ Current Appropriations

☐ Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,000,000 PPU 5 Anticipated Interest Rate 2.10%

Anticipated Annual Cost (Principal and Interest): \$ 213,268

Total Debt Service (Annual Cost x Term): \$ 1,066,340

Finance Department: Interest rates from July 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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Diane Anton

Title: Chief Administrator

Department: Laboratories and Research


Date: 7/20/22

Reviewed By: [Signature]

Budget Director

Date: 7/20/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: June 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BLR13 Labs And Research Infrastructure Improvements (2022-2026)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
05-20-2022 (Unique ID: 1959)

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/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Marzola, Associate Budget Director
Gayle Katzman, First Deputy Commissioner
Jonna Robins, Program Administrator (Capital Planning Program)
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; 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 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, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition of equipment for the Department of Labs and Research Facilities located at the County's Valhalla

Campus at Grasslands; including the acquisition and replacement of new fume hoods in the labs; all as set forth in the County's current year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the current year Capital Budget of the County, such Budget shall be deemed and is hereby amended. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto, and the financing thereof is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 32 of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,000,000. 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 \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; 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 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 the Department of Labs and Research Facilities located at the County's Valhalla Campus at Grasslands; including the acquisition and replacement of new fume hoods in the labs; 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: \$1,000,000; 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

CAPITAL PROJECT FACT SHEET

Project ID:*

BLR13

☐ CBA

Fact Sheet Date:*

05-13-2022

Fact Sheet Year:*

2022

Project Title:*

LABS AND RESEARCH
INFRASTRUCTURE IMPROVEMENTS
(2022-2026)

Legislative District ID:

3,

Category*

BUILDINGS, LAND &
MISCELLANEOUS

Department:*

LABS AND RESEARCH

CP Unique ID:

1959

Overall Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

☐ 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000	0	1,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,000	0	1,000	0	0	0	0	0

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

Current Bond Description: This request will fund the acquisition and replacement of new fume hoods in the labs.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,000,000	MODIFICATION OF EXISTING OFFICE AND LABORATORY SPACE TO ACCOMMODATE CHANGES IN WORKFLOWS, INSTRUMENTATION, EQUIPMENT, AND/OR PERSONNEL

Total Appropriation History:

1,000,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
05-20-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMY1

Date
05-23-2022

Requesting Department
DAA1

Date
06-22-2022

LABS AND RESEARCH INFRASTRUCTURE IMPROVEMENTS (2022-2026) (BLR13)

User Department : Labs and Research

Managing Department(s) : Labs and Research ; 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000			1,000					
Non County Share									
Total	1,000			1,000					

Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

Current Year Description

The current year request funds modification of existing office and laboratory space to accommodate changes in workflows, instrumentation, equipment, and/or personnel.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

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:* BLR13	<input type="checkbox"/> CBA	Fact Sheet Date:* 05-13-2022
Fact Sheet Year:* 2022	Project Title:* LABS AND RESEARCH INFRASTRUCTURE IMPROVEMENTS (2022-2026)	Legislative District ID: 3.
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* LABS AND RESEARCH	CP Unique ID: 1959

Overall Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

- | | | |
|--|--|--|
| <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 type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	1,000	0	1,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,000	0	1,000	0	0	0	0	0

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

Current Bond Description: This request will fund the acquisition and replacement of new fume hoods in the labs.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

1,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,000,000	MODIFICATION OF EXISTING OFFICE AND LABORATORY SPACE TO ACCOMMODATE CHANGES IN WORKFLOWS, INSTRUMENTATION, EQUIPMENT, AND/OR PERSONNEL

Total Appropriation History:

1,000,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
05-20-2022

Department of Public Works
GGKK

Date
05-23-2022

Budget Department
LMYI

Date
05-23-2022

Requesting Department
DAAI

Date
06-22-2022

LABS AND RESEARCH INFRASTRUCTURE IMPROVEMENTS (2022-2026) (BLR13)

User Department : Labs and Research

Managing Department(s) : Labs and Research ; 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	2022	2023	2024	2025	2026	Under Review
Gross	1,000			1,000					
Non County Share									
Total	1,000			1,000					

Project Description

This project will fund a multi-year cycle of infrastructure improvements, interior and exterior, to the facilities.

Current Year Description

The current year request funds modification of existing office and laboratory space to accommodate changes in workflows, instrumentation, equipment, and/or personnel.

Current Year Financing Plan

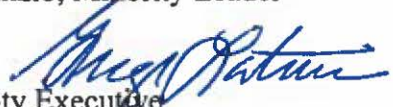
Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

Impact on Operating Budget

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

July 28, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act (Amended) – BIT32 – Radio System Replacement.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators August 1, 2022 Agenda.

Transmitted herewith for your review and approval is 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 \$8,500,000 and expand the scope of services in connection with the following capital project: BIT32.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for July 29, 2022 "blue sheet" calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

July 28, 2022

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is 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 \$8,500,000 and expand the scope of services in connection with the following capital project:

BIT32 – Radio System Replacement ("BIT32").

The Amended Bond Act, in the total amount of \$32,018,183, which includes \$23,518,183 in previously authorized bonds of the County, would provide \$8,500,000 in additional funding for BIT32, including funding for the acquisition of equipment, assets, and services needed to complete the replacement and expansion of County emergency communications systems, which enable fire, EMS, police, and other emergency personnel dispatch and communication. The Amended Bond Act will also expand the scope of services under BIT32 to include the design of structures at the Montrose Station Road site (the "Site") located in Blue Mountain Reservation (the "Park") as part of the County's Voice Radio Communications Systems Replacement Project (the "Project").

The Department of Information Technology (the "Department") has advised that it oversees the Project for the Department of Emergency Services ("DES"), the Department of Public Safety ("DPS"), and the Department of Public Works and Transportation ("DPWT"). The Department has advised that the purpose of the Project is the replacement, expansion and evolution of the County's vital public safety voice radio communication systems which are relied upon by DES, DPS, and DPWT Bee Line transit operations, and by municipal fire, emergency medical services ("EMS"), hospitals, and emergency management agencies. These communication systems operate 24 hours a day, seven days a week. Through the Project, the County is providing mission critical radio systems for first responders and transit personnel.

The Amended Bond Act, if approved by your Honorable Board, would, *inter alia*, finance the design of structures to be constructed, operated and maintained at the Site in the Park. These structures include a 180' radio tower, a 12' by 24' equipment shelter, a generator and a load bank, which will be constructed within a fenced enclosed compound off Montrose Station Road in the Town of Cortlandt (the "Radio Site Equipment"). The Radio Site Equipment, and in particular the antennas located on the tower, will operate as part of the County trunked and paging radio systems.

The Radio Site Equipment will provide public safety radio communication services within the Park and the surrounding communities. Moreover, the Radio Site Equipment will provide reliable on-street portable (hand held) radio coverage for first responders when performing their duties in the Park and surrounding communities.

DES has advised that its emergency communications center, commonly referred to as “60 Control”, will use the Radio Site Equipment to provide dispatch and public safety communication services for fire departments and EMS agencies who respond to emergencies in the Park, as well as in the surrounding communities. In addition, DES has advised that it will use the Radio Site Equipment to manage mutual aid responses for fire departments and EMS agencies in the Park, as well as in the surrounding communities. Moreover, DES has advised that it has dispatched municipal fire and EMS agencies to the Park in response to calls for advanced life support, basic life support, assistance with finding lost persons, and rescue services. In addition, DES has dispatched municipal fire and EMS agencies to the Park in response to mutual aid fire and EMS events, alarms, hazards involving wires, and brush/wood fires.

DPS has advised that it intends to utilize the trunked radio system operating through the Radio Site Equipment, in combination with the County F1/F3 radio system, for public safety communications for its officers and seasonal park rangers stationed in the Park, as well as to assist its officers who provide supplemental police patrol in the Town of Cortlandt (the “Town”). DPS currently has an inter-municipal agreement with the Town to provide supplemental policing services to the Town for a term commencing on February 1, 2020 and terminating on January 31, 2025, which was approved by your Honorable Board by Act No. 2019-240 at a meeting duly held on December 3, 2019. The trunked radio system has the advantage of providing DPS with on-street portable radio coverage for public safety communications. DPS, which is responsible for protecting County properties, including the County’s vast parks system, has advised that it provides year-round public safety services within the Park, including routine inspections and patrols. Moreover, DPS has historically responded to calls for service in the Park that include alarms, suspicious activity, packages, or vehicles, people remaining in the Park after dark, animal complaints, lost or missing persons, illegal dumping, harassing or disorderly conduct, and larceny, and aiding persons in need of medical attention. Additionally, DPS has advised that its seasonal park rangers provide invaluable services for the Park and Park patrons, including being the first set of eyes and ears for the County police, assisting Park users, providing information on Park rules and procedures, helping with lost children, performing basic first aid, and making regular security checks. DPS intends to utilize the trunked radio system operating through the Radio Site Equipment, in combination with the County F1/F3 system, for its seasonal park rangers stationed in the Park who are only equipped with a portable radio.

In addition, having the Radio Site Equipment in the Park will benefit the Park and Park patrons because the closer the first responders are to the Radio Site Equipment, the better the signal quality and reliability they will have on their radios and pagers, and the better the response they will be able to provide to calls and emergencies within the Park. Therefore, the Radio Site Equipment will benefit the Park because it will keep the Park, its buildings, facilities and patrons safe and secure, and this will assure Park patron a safe and enjoyable experience while at the Park.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior components of BIT32, as follows: Bond Act No. 203-2020 in the amount of \$22,338,183, which increased the total aggregate amount of funding under BIT32 by \$1,180,000 and consolidated the unsold debt under Bond Act Nos. 109-2018, 111-2018, 112-

2018, 115-2018, 146-2019, 147-2019 and 148-20 into one amended bond act for a total authorized amount, as amended, of \$22,338,183; and Bond Act No. 208-2021, which amended Bond Act No. 203-2020 to increase the total amount authorized by \$1,180,000, for a total authorized amount, as amended, of \$23,518,183. It should be noted that \$2,341,577 in obligations authorized by Bond Act No. 208-2021 have already been sold. It is now requested that Bond Act No. 208-2021 be amended to increase the total amount authorized by \$8,500,000, for a new total authorized amount, as amended, of \$32,018,183, and to expand the scope of services to include design services associated with the Project.

Upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take four (4) months and will be completed by outside consultants. Construction is estimated to take eight (8) months and shall begin after all necessary legal approvals are obtained, including the future approval of construction funding by your Honorable Board and the award and execution of the construction contracts.

The Planning Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Amended Bond Act is respectfully requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Latimer", is written over a light blue horizontal line.

George Latimer
County Executive

GL/MB/RN/JPG
Attachments

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

Your Committee is in receipt of an amended bond act ("Amended Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue additional bonds in the amount of \$8,500,000 to finance a component of capital project BIT32 - Radio System Replacement ("BIT32"), as well as expand the scope of services under BIT32.

Your Committee is advised that the Amended Bond Act, in the total amount of \$32,018,183, which includes \$23,518,183 in previously authorized bonds of the County, would provide \$8,500,000 in additional funding for BIT32, including funding for the acquisition of equipment, assets, and services needed to complete the replacement and expansion of County emergency communications systems, which enable fire, EMS, police, and other emergency personnel dispatch and communication. The Amended Bond Act will also expand the scope of services under BIT32 to include the design of structures at the Montrose Station Road site (the "Site") located in Blue Mountain Reservation (the "Park") as part of the County's Voice Radio Communications Systems Replacement Project (the "Project").

The Department of Information Technology (the "Department") has advised that it oversees the Project for the Department of Emergency Services ("DES"), the Department of Public Safety ("DPS"), and the Department of Public Works and Transportation ("DPWT"). The Department has advised that the purpose of the Project is the replacement, expansion and evolution of the County's vital public safety voice radio communication systems which are relied upon by DES, DPS, and DPWT Bee Line transit operations, and by municipal fire, emergency medical services ("EMS"), hospitals, and emergency management agencies. These communication systems operate 24 hours a day, seven days a week. Through the Project, the County is providing mission critical radio systems for first responders and transit personnel.

Your Committee is advised that the Amended Bond Act, if approved by your Honorable Board, would, *inter alia*, finance the design of structures to be constructed, operated and maintained at the Site in the Park. These structures include a 180' radio tower, a 12' by 24'

equipment shelter, a generator and a load bank, which will be constructed within a fenced enclosed compound off Montrose Station Road in the Town of Cortlandt (the “Radio Site Equipment”). The Radio Site Equipment, and in particular the antennas located on the tower, will operate as part of the County trunked and paging radio systems. The Radio Site Equipment will provide public safety radio communication services within the Park and the surrounding communities. Moreover, the Radio Site Equipment will provide reliable on-street portable (hand held) radio coverage for first responders when performing their duties in the Park and surrounding communities.

DES has advised that its emergency communications center, commonly referred to as “60 Control”, will use the Radio Site Equipment to provide dispatch and public safety communication services for fire departments and EMS agencies who respond to emergencies in the Park, as well as in the surrounding communities. In addition, DES has advised that it will use the Radio Site Equipment to manage mutual aid responses for fire departments and EMS agencies in the Park, as well as in the surrounding communities. Moreover, DES has advised that it has dispatched municipal fire and EMS agencies to the Park in response to calls for advanced life support, basic life support, assistance with finding lost persons, and rescue services. In addition, DES has dispatched municipal fire and EMS agencies to the Park in response to mutual aid fire and EMS events, alarms, hazards involving wires, and brush/wood fires.

DPS has advised that it intends to utilize the trunked radio system operating through the Radio Site Equipment, in combination with the County F1/F3 radio system, for public safety communications for its officers and seasonal park rangers stationed in the Park, as well as to assist its officers who provide supplemental police patrol in the Town of Cortlandt (the “Town”). DPS currently has an inter-municipal agreement with the Town to provide supplemental policing services to the Town for a term commencing on February 1, 2020 and terminating on January 31, 2025, which was approved by your Honorable Board by Act No. 2019-240 at a meeting duly held on December 3, 2019. The trunked radio system has the advantage of providing DPS with on-street portable radio coverage for public safety communications. DPS, which is responsible for protecting County properties, including the County’s vast parks system, has advised that it provides year-round public safety services within the Park, including routine inspections and patrols. Moreover, DPS has historically responded to calls for service in the Park that include alarms, suspicious activity, packages, or vehicles, people remaining in the Park after dark, animal

complaints, lost or missing persons, illegal dumping, harassing or disorderly conduct, and larceny, and aiding persons in need of medical attention. Additionally, DPS has advised that its seasonal park rangers provide invaluable services for the Park and Park patrons, including being the first set of eyes and ears for the County police, assisting Park users, providing information on Park rules and procedures, helping with lost children, performing basic first aid, and making regular security checks. DPS intends to utilize the trunked radio system operating through the County Equipment, in combination with the County F1/F3 system, for the seasonal park rangers stationed in the Park who are only equipped with a portable radio.

Your Committee is advised that having the Radio Site Equipment in the Park will benefit the Park and Park patrons because the closer the first responders are to the Radio Site Equipment, the better signal quality and reliability they will have on their radios and pagers, and the better the response they will be able to provide to calls and emergencies within the Park. Therefore, the Radio Site Equipment will benefit the Park because it will keep the Park, its buildings, facilities and patrons safe and secure, and this will assure Park patron a safe and enjoyable experience while at the Park.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance prior components of BIT32, as follows: Bond Act No. 203-2020 in the amount of \$22,338,183, which increased the total aggregate amount of funding under BIT32 by \$1,180,000 and consolidated the unsold debt under Bond Act Nos. 109-2018, 111-2018, 112-2018, 115-2018, 146-2019, 147-2019 and 148-20 into one amended bond act for a total authorized amount, as amended, of \$22,338,183; and Bond Act No. 208-2021, which amended Bond Act No. 203-2020 to increase the total amount authorized by \$1,180,000, for a total authorized amount, as amended, of \$23,518,183. It should be noted that \$2,341,577 in obligations authorized by Bond Act No. 208-2021 have already been sold. It is now requested that Bond Act No. 208-2021 be amended to increase the total amount authorized by \$8,500,000, for a new total authorized amount, as amended, of \$32,018,183, and to expand the scope of services to include design services associated with the Project.

Upon receipt by the Department of bonding authorization, design shall be scheduled and is anticipated to take four (4) months and will be completed by outside consultants. Construction

is estimated to take eight (8) months and shall begin after all necessary legal approvals are obtained, including the future approval of construction funding by your Honorable Board and the award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQRA”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQRA Status Sheet 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 Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: _____, 2022
White Plains, New York

COMMITTEE ON

C:jpg/07-26-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT32

☒ 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 \$ 32,018,183 PPU 10 Anticipated Interest Rate 2.21%

Anticipated Annual Cost (Principal and Interest): \$ 359,245

Total Debt Service (Annual Cost x Term): \$ 3,592,450

Finance Department: Interest rates from July 28, 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:

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

☐ Not Applicable

Prepared by: Donna Montera

Title: Director of Admin Services

Department: Information Technology


Date: 7/28/22

Reviewed By: 

Budget Director

Date: 7/28/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT32 RADIO SYSTEM REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07-25-2022 (Unique ID: 1961)

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)(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)(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 physical components covered under the Type II classification only applies to installation or replacement of equipment on or within existing structures, which may include shelter equipment, utilities, small dish antennas, repeater boxes and in-kind replacement antennas. It does not include expansion by adding new sites to the County wireless system or additional antennas or towers at existing sites. The current request will also provide funding for engineering and design of a new radio tower. Further environmental review will be required following design and prior to authorization of any new construction.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lawrence Soule, Budget Director
Marguerite Beirne, Chief Information Officer
Lorraine Marzola, Associate Budget Director
Adam Epstein, Program Coordinator, Radio Systems
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING BOND ACT NO. 208-2021, ADOPTED NOVEMBER 22, 2021, AUTHORIZING THE ISSUANCE OF \$23,518,183 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RADIO SYSTEM REPLACEMENT PROJECT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$23,518,183; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$23,518,183 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__).

Recitals

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance various elements of Capital Project BIT32 pursuant to Act Nos. 109-2018, 110-2018, 111-2018, 112-2018, 113-2018, 114-208 and 115-2018 duly adopted on July 16, 2018, including amendments to 110-2018, 113-2018 and 114-2018 by amending bond acts 146-2019, 147-2019 and 148-2019 duly adopted on July 15, 2019 (collectively, the "Previous Bond Acts"),

WHEREAS, on November 9, 2020, the Board adopted Bond Act No. 203-20 which (i) amended Bond Act 109-2018 to expand the scope of project to be financed pursuant to

such bond act to encompass all project elements as collectively authorized in the Previous Bond Acts, and (ii) revoked the Previous Bond Acts, except for 109-2018 which was amended hereby, to the extent of authorized but unissued amounts of bonds pursuant to each respective bond act;

WHEREAS, on November 22, 2021, the Board adopted Bond Act No. 208-2021, to increase the appropriation for the project by \$2,360,000 for increased costs of such project; and

WHEREAS, it is now necessary to (i) expand and revise the scope of the project and (ii) increase the appropriation for the project by \$8,500,000, including increasing the total maximum cost and the amount of bonds authorized in connection therewith; and

WHEREAS, in order to accomplish such purposes it is necessary to amend and restate Bond Act 208-2021 to (i) expand and revise the scope of the project and (ii) increase the appropriation for such project by \$8,500,000 for increased costs in connection therewith;

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), TO AMEND AND RESTATE BOND ACT NO. 208-2021 IN ITS ENTIRETY AS FOLLOWS:

BOND ACT AUTHORIZING THE ISSUANCE OF \$32,018,183 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RADIO SYSTEM REPLACEMENT PROJECT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED

MAXIMUM COST THEREOF IS \$32,018,183; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$32,018,183 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, \$32,018,183 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the radio system replacement project for the Department of Information Technology; all as collectively set forth in section 1 of each of the Previous Bond Acts, the County's 2021 Capital Budget, the County's current year Capital Budget, and includes any new or additional costs in connection with the project. To the extent that the County has previously issued bonds pursuant to each of the Previous Bond Acts as detailed in column E of the attached Schedule I, the proceeds of such previously issued bonds shall only be expended for the scope of the project as set forth in the respective bond act, from which such proceeds are derived, when originally adopted and/or amended as set forth in column A of Schedule I. The total estimated maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing

thereof is \$32,018,183. The plan of financing includes the issuance of \$32,018,183 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 class of objects or purposes, within the limitations of Section 11.00 a. 25 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 \$32,018,183. 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 not earlier than January 1, 2022 and 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 Officer of the
County Board of Legislators
County of Westchester, New York

LEGAL NOTICE

A Bond Act which is published herewith, has been adopted by the Board of Legislators on November 21, 2021 and amended and restated on _____, 2022 and approved, as amended and restated, by the County Executive on _____, 2022 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 and restated Bond Act 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.

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board of
Legislators of the County of Westchester, New York

SCHEDULE I - BIT32 CAPITAL PROJECTS[illegible]

STUDY

Project ID:* BIT32	<input type="checkbox"/> CBA	Fact Sheet Date:* 05-17-2022
Fact Sheet Year:* 2022	Project Title:* RADIO SYSTEM REPLACEMENT	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* INFORMATION TECHNOLOGY	CP Unique ID: 1961

Overall Project Description

The Department of Information Technology oversees the design, implementation, and management of large mission critical radio systems used by the Departments of Emergency Services, Public Safety, Public Works, and Transportation. These systems are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County. This capital project will begin the process of specifying, designing, procuring, and implementing replacements for the Trunked Systems, the F1 and F3 systems and at least the radio component of the CAD/AVL systems.

- | | | |
|--|--|--|
| <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 checked="" type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	61,700	56,980	1,180	1,180	1,180	1,180	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	61,700	56,980	1,180	1,180	1,180	1,180	0	0

Expended/Obligated Amount (in thousands) as of : 46,531

Current Bond Description: Bonding is requested to fund the cost of equipment, assets, and services needed to complete the replacement and initial expansion of County emergency communications systems, and fund the cost of equipment, assets, and services needed to continue expansion of these systems which enable fire, EMS, police, and other emergency personnel dispatch and communication. Installation of the equipment shall be limited to locations that are within or on existing structures. Services needed for the project shall now also include engineering and design of a radio site with a tower, equipment shelter, and related infrastructure and equipment located on Montrose Station Rd in the Town of Cortlandt.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	8,500,000
Cash:	0
Total:	\$ 8,500,000

SEQR Classification:

TYPE II

Amount Requested:

8,500,000

Comments:

We are requesting an upward amendment to 21-208 from 23,518,183 to a new total of 32,018,183. To the extent the project requires the construction of new and / or expanded structures, such actions require further environmental review in accordance with the SEQR Act and amendment of this bond authorization by the Board of Legislators.

Energy Efficiencies:

Year	Amount	Description
2014	6,000,000	PHASE I AND II
2015	2,000,000	REPLACEMENT OF VOICE RADIO SYSTEMS USED BY FIRE AND EMS RESPONDERS
2016	6,000,000	REPLACEMENT OF VOICE RADIO SYSTEMS USED BY FIRE AND EMS RESPONDERS
2017	8,000,000	CONTINUATION OF THIS PROJECT
2018	25,300,000	IMPLEMENTATION OF STUDY RECOMMENDATIONS
2020	8,500,000	CONTINUATION OF THIS PROJECT
2021	1,180,000	CONTINUATION OF THIS PROJECT
2022	1,180,000	IMPLEMENTATION SERVICES

Total Appropriation History:

58,160,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
14	74	300,000	290,027	RADIO SYSTEM REPLACEMENT - PHASE I & II OF COUNTY WIRELESS SYSTEM
18	110	0	0	TRUNKED RADIO SYSTEM SIMULCAST CONTROL & REMOTE SITE EQUIPMENT
18	111	4,912,714	4,912,714	REPLACEMENT OF MOBILE (VEHICLE-MOUNTED) RADIOS USED BY EMERGENCY PERSONNEL
18	112	4,574,033	4,574,033	REPLACEMENT OF PORTABLE AND BASE STATION RADIOS USED BY EMERGENCY PERSONNEL
18	113	0	0	REPLACEMENT OF RADIO DISPATCH AND COMMUNICATION SYSTEMS USED BY COUNTY POLICE
18	109	3,659,830	3,659,830	REPLACEMENT OF COUNTY'S WIRELESS RADIO SYSTEM FOR FIRE, EMS, POLICE, AND OTHER EMERGENCY PERSONNEL
18	114	3,325,914	3,325,914	REPLACEMENT OF WIRELESS RADIO SYSTEM INCLUDING VOICE RADIO PAGING SYSTEM
18	115	3,392,332	3,392,332	INTEGRATE TRUNKED RADIO SYSTEM WITH TRANSPORTATION COMMUNICATION SYSTEM
19	146	4,247,540	4,247,540	REPLACEMENT OF TRUNKED RADIO SYSTEM FOR EMERGENCY SERVICE COMMUNICATION
19	147	1,729,454	1,729,454	REPLACEMENT OF RADIO DISPATCH & COMMUNICATION SYSTEMS USED BY COUNTY POLICE
19	148	0	0	REPLACEMENT OF VOICE RADIO PAGING SYSTEM USED TO DISPATCH FIRE DEPARTMENTS & EMS AGENCIES
20	203	0	0	
21	208	23,518,183	2,341,577	REPLACEMENT OF VOICE RADIO PAGING SYSTEM USED TO DISPATCH FIRE DEPARTMENTS & EMS AGENCIES

Total Financing History:

49,660,000

Department of Planning
WBB4

Date
07-25-2022

Department of Public Works
RJB4

Date
07-26-2022

Budget Department
LMY1

Date
07-26-2022

Requesting Department
DDMK

Date
07-26-2022

RADIO SYSTEM REPLACEMENT (BIT32)

User Department : Information Technology

Managing Department(s) : Information Technology ;

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	61,700	56,980	46,526	1,180	1,180	1,180	1,180		
Non County Share									
Total	61,700	56,980	46,526	1,180	1,180	1,180	1,180		

Project Description

The Department of Information Technology oversees the design, implementation, and management of large mission critical radio systems used by the Departments of Emergency Services, Public Safety, Public Works, and Transportation. These systems are used by first responders and other governmental personnel to ensure safety of life and property and enable delivery of vital services to the citizens of Westchester County. This capital project will begin the process of specifying, designing, procuring, and implementing replacements for the Trunked Systems, the F1 and F3 systems and at least the radio component of the CAD/AVL systems.

Current Year Description

The current year request funds implementation services.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	1,180,000			1,180,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2014	6,000,000	Phase I and II	IN PROGRESS
2015	2,000,000	Replacement of voice radio systems used by Fire and EMS responders	IN PROGRESS
2016	6,000,000	Replacement of voice radio systems used by Fire and EMS responders	IN PROGRESS
2017	8,000,000	Continuation of this project	IN PROGRESS
2018	25,300,000	Implementation of study recommendations	IN PROGRESS
2020	8,500,000	Continuation of this project	AWAITING BOND AUTHORIZATION
2021	1,180,000	Continuation of this project	IN PROGRESS
Total	56,980,000		

RADIO SYSTEM REPLACEMENT (BIT32)

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	56,980,000	28,473,422	28,506,578
Total	56,980,000	28,473,422	28,506,578

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
74 14	300,000	12/15/17	165,292	9,973
		12/15/17	30,349	
		12/15/17	256	
		12/10/18	94,129	
109 18	3,659,830	12/10/19	3,056,289	
		12/10/19	603,541	
110 18				
111 18	4,912,714	12/10/19	4,102,561	
		12/10/19	810,153	
112 18	4,574,033	12/10/19	3,819,731	
		12/10/19	754,302	
113 18				
114 18	3,325,914	12/10/19	2,777,439	
		12/10/19	548,475	
115 18	3,392,332	12/10/19	2,832,904	
		12/10/19	559,428	
146 19	4,247,540	12/10/19	3,547,080	
		12/10/19	700,460	
147 19	1,729,454	12/10/19	1,444,251	
		12/10/19	285,203	
148 19				
203 20				
208 21	23,518,183			23,518,183
Total	49,660,000		26,131,844	23,528,156



TO: Hon. Catherine Borgia, Chairwoman of the Board
Sunday Vanderberg, Clerk of the

FROM: David Tubiolo, Legislator, 14th District
Vedat Gashi, Legislator, 4th District

DATE: August 29, 2022

RE: The Senior Citizens and Persons with Disabilities Home Owner's Tax
Exemption

We are requesting the attached proposal, A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income, be introduced directly into committee.

The Board must act as quickly as possible to ensure the benefits of the attached proposal are reaped without delay. Introducing the proposal directly into committee will enable the Board to act swiftly.

Thank you.

CC: Marcello Figueroa
Melanie Montalto

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.”

Your Committee is aware that Chapters 470 and 472 of the Laws of Westchester County provide for real property tax exemptions for seniors and persons with disabilities, respectively, and were adopted pursuant to authority granted by the New York State Real Property Tax Law. Under each of these Chapters, the amount of the exemption is calculated based upon the annual income of the applicant; applicants who make more than the threshold limit contained in those Chapters are not entitled to an exemption.

Your Committee is informed that the County is entitled to exclude certain monies from the income calculation. Pursuant to State law, the County can exclude unreimbursed medical and prescription drug expenses incurred by applicants from their calculated income.

Allowing the exclusion of these expenses will provide property tax relief for our low-income seniors and persons with disabilities, recognizing the increased medical expenses that often come with being in these categories. As recognized by the Georgetown University Health Policy Institute, prescription drug spending increases as people age, with persons

over age 65 paying significantly more annually than younger adults, and those with chronic conditions pay more than the average adult.¹ Permitting the exemption of these expenses from income will allow a greater number of individuals to qualify for exemptions, and to qualify for higher exemptions, which will provide them with much needed tax relief.

Additionally, the State of New York has increased the maximum eligible income for these tax exemptions. This legislation adopts those new, increased limits, raising the maximum eligible income to \$50,000.00, to accommodate the effects of inflation on the value of income over the years since the last time the maximum eligible income was increased by the State.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act 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 the Board of Legislators. Your Committee concurs in this conclusion.

In light of all of the foregoing, your Committee recommends the adoption of this Local Law.

¹ <https://www.commonwealthfund.org/blog/2021/medicare-patients-pay-more-drugs-older-adults-other-countries-congress-has-opportunity>

Dated: 2022
White Plains, New York

COMMITTEE ON

RESOLUTION NO. ____ – 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2022, entitled “A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.” The public hearing will be held at __.m. on the _____ day of _____, 2021 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

LOCAL LAW INTRO. NO. -2022

A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.

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

Section 1: Section 470.11(2) of the Laws of Westchester County is hereby amended to read as follows:

2. The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption from all sources, as set forth in § 467 of the Real Property Tax Law, must not exceed]: \$34,399.99 for the period expiring June 30, 2007; \$35,399.99 for the period commencing July 1, 2007 and expiring on June 30, 2008; \$36,399.99 for the period commencing July 1, 2008 and expiring on June 30, 2009; and \$37,399.99 for the period commencing July 1, 2009] \$50,000.00 for the period commencing July 1, 2022. Provided that for the purposes of this chapter, income shall not include veterans' disability compensation, as defined in Title 38 of the United States Code. It is further provided that for the purposes of this chapter, income shall not include medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, as set forth in Section 467(3)(a) of the Real Property Tax Law. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year.

Section 2: Section 472.11(1) of the Laws of Westchester County is hereby amended to reads as follows:

1. The income of the owner or the combined income of the owners of the property, from all sources, as set forth in New York State Real Property Tax Law Section 459-c, for the income tax year immediately preceding the date of making application for exemption must not exceed[: \$34,399.99 for the period expiring June 30, 2007 and expiring on June 30, 2008; July 1, 2007 and expiring on June 30, 2009; \$36,399.99 for the period commencing July 1, 2008 and expiring on June 30, 2009; and \$37,399.99 for the period commencing July 1, 2009]\$50,000.00 commencing July 1, 2022. Provided that for the purposes of this chapter, income shall not include medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, as set forth in Section 459-c(5)(a) of the Real Property Tax Law. “Income tax year” shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year.

Section 3: This Local Law shall take effect immediately.

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed “A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.”

Your Committee is aware that Chapters 470 and 472 of the Laws of Westchester County provide for real property tax exemptions for seniors and persons with disabilities, respectively, and were adopted pursuant to authority granted by the New York State Real Property Tax Law. Under each of these Chapters, the amount of the exemption is calculated based upon the annual income of the applicant; applicants who make more than the threshold limit contained in those Chapters are not entitled to an exemption.

Your Committee is informed that the County is entitled to exclude certain monies from the income calculation. Pursuant to State law, the County can exclude unreimbursed medical and prescription drug expenses incurred by applicants from their calculated income.

Allowing the exclusion of these expenses will provide property tax relief for our low-income seniors and persons with disabilities, recognizing the increased medical expenses that often come with being in these categories. As recognized by the Georgetown University Health Policy Institute, prescription drug spending increases as people age, with persons over age 65 paying significantly more annually than younger adults, and those with chronic conditions pay more than the average adult.¹ Permitting the exemption of these expenses from

¹ <https://www.commonwealthfund.org/blog/2021/medicare-patients-pay-more-drugs-older-adults-other-countries-congress-has-opportunity>

income will allow a greater number of individuals to qualify for exemptions, and to qualify for higher exemptions, which will provide them with much needed tax relief.

Additionally, the State of New York has increased the maximum eligible income for these tax exemptions. This legislation adopts those new, increased limits, raising the maximum eligible income to \$50,000.00, to accommodate the effects of inflation on the value of income over the years since the last time the maximum eligible income was increased by the State. Your Committee notes that the “maximum eligible income” is the maximum amount for the full exemption, and that a reduced exemption is permitted on a sliding income scale up to a maximum income of \$58,399.99.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act 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 the Board of Legislators. Your Committee concurs in this conclusion.

In light of all of the foregoing, your Committee recommends the adoption of this Local Law.

Dated: 2022
White Plains, New York

COMMITTEE ON

RESOLUTION NO. ____ – 2022

RESOLVED, that this Board hold a public hearing pursuant to Section 209.141(4) of the Laws of Westchester County on Local Law Intro. No. ____ - 2022, entitled “A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.” The public hearing will be held at ____m. on the ____ day of _____, 2021 in the Chambers of the Board of Legislators, 8th Floor, Michaelian Office Building, White Plains, New York. The Clerk of the Board shall cause notice of the time and date of such hearing to be published at least once in one or more newspapers published in the County of Westchester and selected by the Clerk of the Board for that purpose in the manner and time required by law.

LOCAL LAW INTRO. NO. -2022

A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income.

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

Section 1: Section 470.11(2) of the Laws of Westchester County is hereby amended to read as follows:

2. The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption from all sources, as set forth in § 467 of the Real Property Tax Law, must not exceed[: \$34,399.99 for the period expiring June 30, 2007; \$35,399.99 for the period commencing July 1, 2007 and expiring on June 30, 2008; \$36,399.99 for the period commencing July 1, 2008 and expiring on June 30, 2009; and \$37,399.99 for the period commencing July 1, 2009] \$50,000.00 for the period commencing July 1, 2022. Provided that for the purposes of this chapter, income shall not include veterans' disability compensation, as defined in Title 38 of the United States Code. It is further provided that for the purposes of this chapter, income shall not include medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, as set forth in Section 467(3)(a) of the Real Property Tax Law. "Income tax year" shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year.

Section 2: Section 472.11(1) of the Laws of Westchester County is hereby amended to reads as follows:

1. The income of the owner or the combined income of the owners of the property, from all sources, as set forth in New York State Real Property Tax Law Section 459-c, for the income tax year immediately preceding the date of making application for exemption must not exceed]: \$34,399.99 for the period expiring June 30, 2007 and expiring on June 30, 2008; July 1, 2007 and expiring on June 30, 2009; \$36,399.99 for the period commencing July 1, 2008 and expiring on June 30, 2009; and \$37,399.99 for the period commencing July 1, 2009] \$50,000.00 commencing July 1, 2022. Provided that for the purposes of this chapter, income shall not include medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, as set forth in Section 459-c(5)(a) of the Real Property Tax Law. “Income tax year” shall mean the twelve-month period for which the owner or owners file a federal personal income tax return or, if no such return is filed, the calendar year.

Section 3: Subparts (i) through (iv) of Section 470.11 of Laws of Westchester County are hereby deleted and the beginning of Section 470.11 is hereby amended to read as follows:

Real property owned by persons 65 years of age or over shall be exempt from certain county taxes, as defined in Section 470.21 hereof, up to a maximum of 50 percent of the assessed valuation pursuant to the following schedule and subject to the following conditions:

For the period commencing July 1, 2022:

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt From Taxation</u>
<u>\$0 to \$50,000.00</u>	<u>50%</u>
<u>\$50,000.01 to \$50,999.99</u>	<u>45%</u>

<u>\$51,000.00 to \$51,999.99</u>	<u>40%</u>
<u>\$52,000.00 to \$52,999.99</u>	<u>35%</u>
<u>\$53,000.00 to \$53,899.99</u>	<u>30%</u>
<u>\$53,900.00 to \$54,799.99</u>	<u>25%</u>
<u>\$54,800.00 to \$55,699.99</u>	<u>20%</u>
<u>\$55,700.00 to \$56,599.99</u>	<u>15%</u>
<u>\$56,600.00 to \$57,499.99</u>	<u>10%</u>
<u>\$57,500.00 to \$58,399.99</u>	<u>5%</u>

Section 4: Subparts (i) through (iv) of Section 472.11 of Laws of Westchester County are hereby deleted and the beginning of Section 472.11 is hereby amended to read as follows:

Real property owned by one or more persons with disabilities, as defined in New York State Real Property Tax Law Section 459-c, or owned by a husband, wife, or both, or by siblings, at least one of whom has a disability, and whose income or combined incomes is limited by reason of such disability, shall be exempt from taxes up to a maximum of 50% of the assessed valuation, pursuant to the following schedule and subject to the following conditions:

For the period commencing July 1, 2022:

<u>Annual Income</u>	<u>Percentage of Assessed Value Exempt From Taxation</u>
<u>\$0 to \$50,000.00</u>	<u>50%</u>
<u>\$50,000.01 to \$50,999.99</u>	<u>45%</u>
<u>\$51,000.00 to \$51,999.99</u>	<u>40%</u>
<u>\$52,000.00 to \$52,999.99</u>	<u>35%</u>

<u>\$53,000.00 to \$53,899.99</u>	<u>30%</u>
<u>\$53,900.00 to \$54,799.99</u>	<u>25%</u>
<u>\$54,800.00 to \$55,699.99</u>	<u>20%</u>
<u>\$55,700.00 to \$56,599.99</u>	<u>15%</u>
<u>\$56,600.00 to \$57,499.99</u>	<u>10%</u>
<u>\$57,500.00 to \$58,399.99</u>	<u>5%</u>

Section 5: This Local Law shall take effect immediately.