

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

South County Trailway Financing. A Bond Act (the “ South County Trailway Bond Act”) which was prepared by the firm of Hawkins Delafield & Wood LLP to authorize the issuance of bonds of the County in a total amount not to exceed \$300,000 to finance the following Capital Project: RPA03 North and South County Trailways Infrastructure (“RPA03”). The total amount to be bonded will finance design of improvements to the South County Trailway.

The design of the South County Trailway will be scheduled upon receipt of bonding authorization and is anticipated to take six months. It is anticipated that this design work will be completed using in-house staff.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of State Environmental Quality Review Act (“SEQRA”) have been met. The Planning Department has advised that pursuant to SEQRA and its implementing regulations, 6 NYCRR Part 617, the overall project is classified as a Type II action. A Type II action is an action determined not to have a significant effect on the environment and therefore does not require further environmental review. A copy of the Planning Department’s analysis is attached. Your Committee concurs with this conclusion.

Based on the foregoing, your Committee believes that the South County Trailway Bond Act is in the best interest of the County and therefore recommends its adoption, noting that it requires the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: 9/17, 2018
White Plains, New York

20 B. W. Mary Jane Shinsky
Manuel Bar

Mary Jane Shinsky

David J. Iulio
Benjamin Boylston

Margaret A. Cio

David J. Iulio

K. J. Stovell

Benjamin Boylston

Cather Parker

W. M. W.
Cather Parker

COMMITTEE ON

C:DLV

Arthur J.

Margaret A. Cio

John B. ...

Manuel Bar

David J. Iulio

Benjamin Boylston


W. M. W.
W. M. W.
Cather Parker

Parks Planning & Economic Development

Public works

Budget & Appropriations

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

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

DATE: May 14, 2018

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RPA03 NORTH AND SOUTH COUNTY TRAILWAYS INFRASTRUCTURE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 04-04-2018 (Unique ID: 694)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested:

DOES NOT CONSTITUTE AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)

IS CLASSIFIED AS TYPE II PURSUANT TO SECTIONS:

- **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 or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
- **617.5(c)(21):** 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: In connection with the rehabilitation of the North County Trailway, improvements to the overflow parking area adjacent to the existing paved parking lot by Route 118 in Yorktown will be limited to the placement of gravel over approximately 5,800 square feet of existing dirt. The current scope of work for the South County Trailway is limited to design. Subsequent environmental review for proposed improvements to the South County Trailway will be undertaken in accordance with SEQR following completion of design.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Lawrence Soule, Budget Director
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Director of Design
Edward Hoffmeister, Secretary to the Capital Projects Committee
William Brady, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$300,000 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 THE SOUTH COUNTY TRAILWAY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$300,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted , 20____)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Westchester County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto, \$300,000 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 existing South County Trailway, all as set forth in the County's Current Year Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the Current Year Capital Budget of the County, such Budget shall be deemed and is hereby

amended. The total estimated cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$300,000. The plan of financing includes the issuance of \$300,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 62(2nd) of the Law, is five (5) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$300,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$300,000 as the estimated total cost of the aforesaid specific object or purpose is hereby approved, and as the amount of bonds herein authorized is not in excess of \$10,000,000, this Act is not subject to referendum.

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 \$300,000 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 THE SOUTH COUNTY TRAILWAY, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$300,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$300,000 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 existing South County Trailway, 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: \$300,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RPA03

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 \$ 300,000 PPU 5 Anticipated Interest Rate 1.75%

Anticipated Annual Cost (Principal and Interest): \$ 63,156

Total Debt Service (Annual Cost x Term): \$ 315,782

Finance Department: Interest rates from 7-19-2018 Bond Buyer - jrf9

SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ - 0

Potential Related Revenues (Annual): \$ - 0

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: 3

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: David DeLucia

Title: Director fo Park Facilities

Department: Parks, Recreation & Conservation

Date: 7/27/18

Reviewed By: 

Deputy Budget Director

Date: 8/1/18

NORTH AND SOUTH COUNTY TRAILWAYS INFRASTRUCTURE (RPA03)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; 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	2018	2019	2020	2021	2022	Under Review
Gross	10,050	8,800	90	250					1,000
Non County Share									
Total	10,050	8,800	90	250					1,000

Project Description

The project will perform repairs and improvements to the paved North and South County trail system located across central Westchester. The work will include: signage, drainage, resurfacing, circulation, parking, and associated site work and landscaping.

Current Year Description

The current year request funds improvements the South County Trailway between the Yonkers/Hastings border and at the Ravensdale Road bridge.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2018	250,000			250,000

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2013	300,000	Design of NCT improvements	DESIGN
2014	3,200,000	Construction for the North County Trail from Eastview to just South of Rte, 119, and from Rte, 119 North to Baldwin Place	AWAITING BOND AUTHORIZATION
2016	300,000	Design and construction management	AWAITING BOND AUTHORIZATION
2017	5,000,000	Construction.	AWAITING BOND AUTHORIZATION
Total	8,800,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	8,800,000		8,800,000
Total	8,800,000		8,800,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
137	13		300,000	300,000
Total			300,000	300,000