



George Latimer  
County Executive

October 19, 2018

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 seven (7) bond acts (the “Bond Acts,”) which, if adopted, would authorize the County of Westchester (the “County”) to issue bonds of the County to finance design and construction for road and bridge capital projects in the total aggregate amount of up to Twelve Million Twenty Five Thousand (\$12,025,000) Dollars as follows:

<u>Project</u>	<u>Amount</u>
RB141 Overhead Sign Structure Replacements, Various Locations	\$ 7,000,000
RB187 Old Saw Mill River Road (Westbound), CR 303, Mt. Pleasant	\$ 700,000
RB188 Seven Bridges Road, CR 21, New Castle	\$ 375,000
RB189 Westchester Avenue (Eastbound), CR 62, White Plains	\$ 1,800,000
RB191 Union Avenue, CR 94, Harrison	\$ 275,000
RB192 Long Ridge Road, CR 3, Pound Ridge	\$ 1,250,000
RB193 Orchard Street, CR 149, White Plains	<u>\$ 625,000</u>
<b>Total:</b>	<b>\$ 12,025,000</b>

The Department of Public Works & Transportation (the “Department”) has advised that the roads listed above are in need of rehabilitation. All the associated pavement condition index ratings (“PCI”) in 2016 were at or below 56 and the roadways have continued to deteriorate. The PCI is a pavement condition rating with a range of 0 to 100, with 0 signifying that the road requires reconstruction and 100 signifying that the road is new. Based on their ratings, these roads require structural rehabilitation to extend their life. In addition, a number of sign structures along these roads are in dire need of replacement. In light of the deteriorating condition of these roadways and sign structures, the Department has requested that the Board of Legislators take early action on these capital projects in order to accelerate their implementation.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act (“SEQR”) have been met. The Planning Department has advised that based on its review, the above-referenced capital projects have been classified as Type “II” actions pursuant to SEQR and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. A copy of the Planning Department’s analysis is attached. It should be noted that the effective date of the Bond Acts shall not be before January 2, 2019 and shall be subject to Section 107.71 of the Westchester County Charter.

Office of the County Executive

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148 Martine Avenue  
White Plains, New York 10601

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

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

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 of an amended bond act which seeks to increase the \$800,000.00 previously authorized by Bond Act No. 177-2014 by an additional \$6,200,000.00, bringing the total bonding amount to \$7,000,000.00 ( the “Amended Bond Act”), to finance Capital Project RB141 - Overhead Sign Structure Replacements, Various Locations (“RB141”).

The Amended Bond Act, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, is required to fund the cost of design, construction management and construction associated with the replacement of overhead sign structures and/or sign panels on County roadways. The new signs and structures will meet current design standards

The Department of Public Works and Transportation (the “Department”) has advised that the location and text of the signs are mandated by the Manual of Uniform Traffic Control Devices. Many of these signs were installed by the New York State Department of Transportation (“NYSDOT”) as part of the interstate highway construction and most are more than 40 years old. Recent NYSDOT inspections have revealed many deficiencies on structures and sign panels.

Your Committee is advised that design is currently underway and shall be completed by the fourth quarter of 2018. Construction is estimated to take twelve (12) months and shall begin after award and execution of the construction contracts. The design work is being completed using consultants.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds which financed a prior component of this project as follows: Bond Act No. 177-2014 in the amount of \$800,000.00 which funded the design phase of this project. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 177-2014 be amended to increase the initial amount authorized by an additional \$6,200,000.00, for a total authorized amount, as amended, of \$7,000,000.00, to revise the scope of said bond act to include construction management and construction services and to increase the period of probable usefulness of said bonds.

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 documentation and concurs with this conclusion.

Please note that the effective date of the Bond Act will not be before January 2, 2019 and shall be subject to Section 107.71 of the Westchester County Charter.

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: \_\_\_\_\_, 2018  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RB141

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 \$ 7,000,000 PPU 10 Anticipated Interest Rate 2.48%

Anticipated Annual Cost (Principal and Interest): \$ 795,527

Total Debt Service (Annual Cost x Term): \$ 7,955,269

Finance Department: Interest rates from 10-11-2018 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): N/A

Potential Related Revenues (Annual): N/A

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: 76

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 10/19/18

Reviewed By: 

Budget Director

Date: 10/19/18

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

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

DATE: October 10, 2018

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RB141 Overhead Sign Structure Replacements, Various Locations**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 10-05-18 (Unique ID: none)

**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.
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**COMMENTS:** None.

DSK/ejh

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 Yazzetta, Associate Budget Analyst  
Norma Drummond, Commissioner  
Anthony Zaino, Assistant Commissioner  
Edward Hoffmeister, Secretary to the Capital Projects Committee  
William Brady, Chief Planner  
Claudia Maxwell, Associate Environmental Planner



ACT NO. -20\_\_\_\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED OCTOBER 6, 2014 IN RELATION TO THE REPLACEMENT OF OVERHEAD SIGN STRUCTURES AND/OR SIGN PANELS ON VARIOUS COUNTY ROADWAYS, AT THE TOTAL ESTIMATED COST OF \$7,000,000. (Adopted \_\_\_\_\_, 20\_\_\_\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance planning the preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning the replacement of overhead sign structures and/or sign panels on various County roadways, at the estimated maximum cost of \$800,000, pursuant to Act No. 177-2014 duly adopted on October 6, 2014; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the appropriation for such project for estimated costs of such improvements and increase the period of probable usefulness for such improvements;

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 October 6, 2014, entitled:

“ACT NO. 177-2014



BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REPLACEMENT OF OVERHEAD SIGN STRUCTURES AND/OR SIGN PANELS ON COUNTY ROADWAYS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF OVERHEAD SIGN STRUCTURES AND/OR SIGN PANELS ON COUNTY ROADWAYS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20 \_\_\_\_)

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

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”), the Westchester

County Administrative Code, being Chapter 852 of the Laws of 1948, as amended, and to the provisions of other laws applicable thereto; \$7,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the replacement of overhead sign structures and/or sign panels on County roadways, all as set forth in the County's 2019 Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent with any details set forth in the 2019 Capital Budget of the County, such Budget shall be deemed and is hereby amended. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$7,000,000. The plan of financing includes the issuance of \$7,000,000 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 of the class of objects or purposes for which said \$7,000,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.72(2<sup>nd</sup>)(b) 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 \$7,000,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$7,000,000 as the estimated total cost of the aforesaid objects or purposes 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 on January 2, 2019 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 on January 2, 2019 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 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 October 6, 2014, 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 \$7,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF OVERHEAD SIGN STRUCTURES AND/OR SIGN PANELS ON COUNTY ROADWAYS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$7,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$7,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on October 6, 2014 and amended on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the replacement of overhead sign structures and/or sign panels on County roadways, all as set forth in the County's 2019 Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$7,000,000; 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

# OVERHEAD SIGN STRUCTURE REPLACEMENTS, VARIOUS LOCATIONS ( RB141 )

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	2019	2020	2021	2022	2023
Gross	7,000	6,530	415	470				Under Review
Non County Share								
<b>Total</b>	<b>7,000</b>	<b>6,530</b>	<b>415</b>	<b>470</b>				

### Project Description

This project will replace 30 overhead sign structures and/or sign panels on County Roadways. The location and text of these signs are mandated by the Manual of Uniform Traffic Control Devices. Many of these signs were installed by the NYSDOT as part of the interstate highway construction and most are older than 40 years old. Recent NYSDOT inspection has revealed many deficiencies on these structures and on the sign panels. New signs and structures will meet current design standards.

### Current Year Description

The current year request funds cost escalation for this project.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2019	470,000			470,000

### 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	800,000	Design for this project	DESIGN
2015	5,730,000	Construction and Construction Management	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>6,530,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	6,530,000		6,530,000
<b>Total</b>	<b>6,530,000</b>		<b>6,530,000</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
177 14	800,000			800,000
<b>Total</b>	<b>800,000</b>			<b>800,000</b>