



Robert P. Astorino
County Executive

July 27, 2012

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

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act which, if adopted, would authorize the County of Westchester (the "County") to amend its 2012 Capital Budget (the "Capital Budget Amendment"), as well as a related Bond Act (the "Bond Act") to finance the following capital project:

RB03R - Pier Rehabilitation, Ashford Avenue Bridge, Ardsley/Dobbs Ferry (BIN 5348380).

RB03R. The proposed Capital Budget Amendment will amend the County's 2012 Capital Budget by creating a county share for this project in the amount of One Million Five Hundred Thousand (\$1,500,000.00) Dollars. The proposed Bond Act, in the same amount, is necessary to fund the costs of design, construction management and construction in connection with the stabilization of the existing piers and surrounding structure of the Ashford Avenue Bridge located in the Villages of Ardsley and Dobbs Ferry. Work will include, but is not limited to: installation of the steel shoring at pier #1 separating the northbound and southbound New York State Thruway; sealing of the open bridge joints; concrete and curb rehabilitation; and other work as needed.

The Department of Public Works and Transportation (the "Department") has advised that the bridge, which has an annual daily traffic count ("AADT") of 20,342, is in need of rehabilitation to provide a safe roadway for the traveling public. The bridge, built in 1950, was given a condition rating of 3.889 in 2009 by the New York State Department of Transportation. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work will result in the continued deterioration of the bridge.

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 ("SEQRA") 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.

Office of the County Executive

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148 Martine Avenue
White Plains, New York 10601

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In addition, 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. Accordingly, the necessary Planning Board report for RB03R has been annexed.

As your Honorable Board is aware, there must be an appropriation for a capital project before any related bonding authorization may be issued for such capital project. Therefore, the Capital Budget Amendment, annexed hereto, must be approved in advance of your approval of the related Bond Act.

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

Sincerely,



Robert P. Astorino
County Executive

RPA/JP/jpg
Attachments

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of an Act amending the County's 2012 Capital Budget (the "Capital Budget Amendment") as well as a related bond act (the "Bond Act") in the total amount of \$1,500,000.00, to finance capital project RB03R - Pier Rehabilitation, Ashford Avenue Bridge, Ardsley/Dobbs Ferry (BIN 5348380) ("RKD01").

Your Committee is advised that the Capital Budget Amendment is requested to amend the County's 2012 Capital Budget by creating a county share for this project in the amount of \$1,500,000.00. The related Bond Act, prepared by the law firm of Hawkins Delafield & Wood, LLP, is necessary to fund the costs of design, construction management and construction in connection with the stabilization of the existing piers and surrounding structure of the Ashford Avenue Bridge located in the Villages of Ardsley and Dobbs Ferry. Work will include, but is not limited to: installation of the steel shoring at pier #1 separating the northbound and southbound New York State Thruway; sealing of the open bridge joints; concrete and curb rehabilitation; and other work as needed.

The Department of Public Works and Transportation (the "Department") has advised that the bridge, which has an annual daily traffic count ("AADT") of 20,342, is in need of rehabilitation to provide a safe roadway for the traveling public. The bridge, built in 1950, was given a condition rating of 3.899 in 2009 by the New York State Department of Transportation. This rating system, using a scale of 1 ("hazardous") through 7 ("new"), is a weighted average of the condition of an evaluated bridge. A rating below 5 indicates that a bridge requires work and delay of this work shall result in the continued deterioration of the bridge.

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 ("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.

In addition, your Committee is informed that 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. Accordingly, the necessary Planning Board report for RB03R has been annexed.

Please note 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, as well as to adopt the related Bond Act.

Your Committee has carefully considered the proposed Capital Budget Amendment as well as the related 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.

Dated: _____, 2012

White Plains, New York

c/JPG/7.19.12 COMMITTEE ON

SEOR STATUS SHEET

PROJECT: Pier Rehabilitation, Ashford Avenue Bridge
Ardsley / Dobbs Ferry (RB03R)

DEPARTMENT: Public Works & Transportation

Description

This project is for the stabilization of the concrete bridge piers and surrounding structure of the Ashford Avenue Bridge in the villages of Ardsley and Dobbs Ferry. The bridge crosses over the Saw Mill River Parkway and the New York State Thruway with an annual average daily traffic (AADT) of 20,342. Immediate repairs will be undertaken to ensure a safe travelway. Subsequent work will involve rehabilitation or replacement of the piers and rehabilitation of the abutments and wingwalls to meet current federal seismic requirements.

Scope of work under the initial phase includes: stabilization of the existing piers and surrounding structure, including installation of steel shoring on the first pier, which separates the northbound and southbound NYS Thruway; sealing of open bridge joints; and concrete and curb rehabilitation.

SEOR Status

Type II. This project is classified as a Type II action pursuant to section 617.5(c)(1), "maintenance and repair involving no substantial changes in an existing structure or facility."

RESOLUTION 12- 12

WESTCHESTER COUNTY PLANNING BOARD

**Amendment of the Planning Board Report on the 2012 Capital Project Requests
RB03R Pier Rehabilitation, Ashford Avenue Bridge, Ardsley / Dobbs Ferry**

WHEREAS, the County Executive is considering legislation to the County Board of Legislators which would authorize an amendment to the 2012 Capital Budget providing additional funding in the amount of \$1,500,000 for capital project **RB03R Pier Rehabilitation, Ashford Avenue Bridge, Ardsley/Dobbs Ferry**; and

WHEREAS, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010, which recommends enhancing transportation corridors while ensuring public safety; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2012 Capital Project Requests to include the attached report for new Capital Project **RB03R Pier Rehabilitation, Ashford Avenue Bridge, Ardsley/Dobbs Ferry** under the heading of Parkways, Roads and Bridges.

Adopted this 24th day of July, 2012


Susan Konig, Chair

RB03R Pier Rehabilitation, Ashford Avenue Bridge, Ardsley / Dobbs Ferry (BIN 5348380)

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate	Approp-						Under
	Total Cost	riated	2012	2013	2014	2015	2016	Review
Gross	5,000	0	0	0	3,500	0	0	1,500
Less non-County Shares	0	0	0	0	0	0	0	0
Net	5,000	0	0	0	3,500	0	0	1,500

Project Description: This project provides funding for the stabilization of the existing concrete bridge piers and surrounding structure. The work includes, but is not limited to, the replacement of piers 2 & 4 and the rehabilitation of piers 1, 3, & 5; concrete abutments and wingwalls to meet the Federal seismic requirements, and other work as needed.

APPROPRIATION/FUNDING REQUESTS:

2014: Design and construction: replace piers 2 & 4; rehabilitate piers 1, 3, & 5; rehabilitate concrete abutments and wingwalls
 Under Review: Design and Construction: CBA to stabilize pier 1; seal open bridge joints; concrete and curb rehabilitation, and other work as needed.

JUSTIFICATION:

Due to the continued deterioration of the existing concrete bridge piers, it is necessary to stabilize the piers and the surrounding structure to provide a safe travel way.

The Ashford Avenue Bridge is a heavily used bridge that traverses both the Saw Mill River Parkway and the New York State Thruway, with an Annual Average Daily Traffic (AADT) of 20,342. The 2009 Bridge Rating was 3.899, which requires corrective maintenance or rehabilitation.

CONSISTENCY WITH PROGRAMS OR PLANS: This is a new project. The proposed project is consistent with *Westchester 2025*, the County Planning Board's long range planning policy document, as it will maintain existing transportation infrastructure and ease movement on travel routes.

Planning Board Analysis:

PL2: The Planning Board supports the proposed improvements. Planning Department staff will monitor the progress of design to address physical and environmental planning concerns. This project should be coordinated with other nearby capital projects to limit the negative traffic impacts during construction.

ACT No. 2012

AN ACT amending the 2012 County
Capital Budget Appropriation for
Capital Project RB03R – Pier
Rehabilitation, Ashford Avenue Bridge

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

Section 1. The Capital section of the 2012 County Budget is hereby amended as follows:

	<u>Previous 2012 Appropriation</u>	<u>Change</u>	<u>Revised 2012 Appropriation</u>
I. APPROPRIATION			
Capital Project RB03R – Pier Rehabilitation Ashford Avenue Bridge	\$0	+\$1,500,000	\$1,500,000

Section 2. The estimated method of financing in the Capital Section of the 2012 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	+\$1,500,000	\$1,500,000
Non County Shares			
Cash			
Total	\$0	+\$1,500,000	\$1,500,000

Section 3. This ACT shall take effect immediately.

ACT NO. -2012

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION TO STABILIZE THE EXISTING PIERS AND SURROUNDING STRUCTURE OF THE ASHFORD AVENUE BRIDGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 2012)

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, \$1,500,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design, construction management and construction to stabilize the existing piers and surrounding structure of the Ashford Avenue Bridge, including but not limited to: installation of steel shoring at pier #1 separating the northbound and southbound New York State Thruway; sealing of the open bridge joints; concrete and curb rehabilitation; and other work as needed, all as set forth in the County's 2012 Capital Budget, as amended. To the extent that the details set forth in this act are inconsistent

with any details set forth in the 2012 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 \$1,500,000. The plan of financing includes the issuance of \$1,500,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 10 of the Law, is twenty (20) years.

Section 3. Current funds are not required to be provided as a down payment pursuant to Section 107.00 d. 9. of the Law prior to issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation of the sale of such bonds. The County intends to finance, on an interim basis, the costs or a portion of the costs of said improvements for which bonds are herein authorized, which costs are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County, pursuant to this Act, in the maximum amount of \$1,500,000. 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 \$1,500,000 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 immediately upon approval by the County

Executive.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -2012 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 , 2012 and approved by the County Executive on , 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 2012.

(SEAL)

Clerk and Chief Administrative Officer of the
County Board of Legislators of the 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 _____, 2012, and approved by the County Executive on _____, 2012, 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. _____-2012

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,500,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION TO STABILIZE THE EXISTING PIERS AND SURROUNDING STRUCTURE OF THE ASHFORD AVENUE BRIDGE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,500,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,500,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 2012)

object or purpose: to finance the cost of the design, construction management and construction to stabilize the existing piers and surrounding structure of the Ashford Avenue Bridge, including but not limited to: installation of steel shoring at pier #1 separating the northbound and southbound New York State Thruway; sealing of the open bridge joints; concrete and curb rehabilitation; and other work as needed, all as set forth in the County's 2012 Capital Budget, as amended.

amount of obligations to be issued and period of probable usefulness: \$1,500,000; twenty (20) years

Dated: _____, 2012
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: RB03R NO FISCAL IMPACT PROJECTED

CAPITAL BUDGET IMPACT

(To be completed by Finance Department and Budget Department)

A) GENERAL FUND AIRPORT SPECIAL REVENUE FUND (Districts)

EXPENSES AND REVENUES

Source of County Funds (check one): Current Appropriations
 Capital Budget Amendment

B) BONDING AUTHORIZATIONS

Total Principal \$1,500,000 PPU 20 Anticipated Interest Rate 1.988%
Anticipated Annual Cost (Principal and Interest) \$90,660
Total Debt Service (Annual Cost X Term) \$1,813,200

Finance Department: Interest rates from 07-18-2012 Bond Buyer - MD

C) **IMPACT ON OPERATING BUDGET** (exclusive of debt service)
(To be completed by Operating Department and reviewed by Budget Department)

Potential Related Expenses: Annual \$ N/A

Potential Related Revenues: Annual \$ N/A

Anticipated Savings to County and/or Impact on Department Operations
(Describe in detail for current and next four years.):

D) **Employment: As per Federal Guidelines each \$92,000 of appropriation funds one FTE job**
Number of jobs funded: 16 FTE

E) **Expected Design Work Provider:** County Staff Consultant

Prepared by: Robert Abbamont

Reviewed By: [Signature]

Title: Program Coordinator (Capital Planning)

Budget Department

Department: Public Works/Transportation

Date: 7/26/12

Date: July 26, 2012

If you need more space, please attach additional sheets.

CAPITAL PROJECT FACT SHEET

Project: RB03R Pier Rehabilitation, Ashford Avenue Bridge,
Ardsley/Dobbs Ferry (BIN 5348380)

Date Submitted: 07/10/12

Category: Roads & Bridges

Department: Public Works/Transportation

Legislative District: 12

Overall Project Description: This project provides funding for the stabilization of the existing concrete bridge piers and surrounding structure. The work also includes the replacement of piers 2 & 4 and the rehabilitation of piers 1, 3, & 5; concrete abutments and wingwalls to meet the Federal seismic requirements.

Best Management Practices
 Energy Efficiencies
 Infrastructure
 Life Safety
 Project Labor Agreement
 Revenue
 Security
 Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Prior Appropriation	2012	2013	2014	2015	2016	Under Review
Gross	5,000	0	0	0	3,500	0	0	1,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,000	0	0	0	3,500	0	0	1,500

Expended/Obligated Amount (in thousands) as of 7/13/12: \$0

Current Bond Request / Description: Funding is requested for design, construction management and construction to stabilize the existing piers and surrounding structure. The work includes, but is not limited to, installation of steel shoring at pier #1 separating the northbound and southbound New York State Thruway; sealing of the open bridge joints; concrete and curb rehabilitation and other work as needed.

Financing Plan for Current Request:

Non-County Shares: \$ 0
 Bonds/Notes: 1,500,000
 Cash: 0
Total: \$ 1,500,000

Bond Amount Requested: \$1,500,000

PPU: 20

SEOR Classification: Type II

Comments: A Capital Budget Amendment is requested in the amount of \$1,500,000 (shown under review) for the stabilization of the existing piers and surrounding structure to provide a safe travel way.

Energy Efficiencies: N/A

Appropriation History (in thousands):

2012: \$ 1,500 (CBA) design and construction: stabilize pier 1 and surrounding structure.
 Total \$ 1,500

Financing History (in thousands):

NONE

Recommended By:

Lorraine Yazzetta _____ 7/18/12
 Budget Department Date

Robert Abbamont _____ 7/10/12
 Department of Public Works and Transportation Date

Patrick Natarelli _____ 7/18/12
 Department of Planning Date

Robert Abbamont _____ 7/18/12
 Requesting Department Date