

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval of a bond act (the “Bond Act”) which, if adopted, would authorize the County of Westchester (the “County”) to issue up to \$18,697,000 in bonds of the County to finance capital project RP02A – Ice Casino Improvements II (“RP02A”).

Your Committee is advised that the Bond Act, prepared by the law firm of Hawkins Delafield and Wood, LLP, would fund the cost of design, construction and construction management for the first phase of the building improvements for the Ice Casino at Rye Playland. The Bond Act will also fund the cost of design of the second phase of the building improvements for the Ice Casino at Rye Playland.

The Department of Parks, Recreation & Conservation (the “Department”) has advised that the improvements to the Ice Casino will be accomplished over two phases. Phase one will include structural rehabilitation of the facility’s second floor Studio Rink, replacement of roofing over the Studio Rink along with associated mechanical, electrical and ADA improvements. The first phase of the project will also include the historic restoration of the building’s front façade. Phase two will include rehabilitation of the facility’s locker room wing, replacement of roofing over the locker rooms along with associated mechanical, electrical and ADA improvements. The second phase will also include the rehabilitation of the building’s rear and side façades. Both phases will address energy saving lighting and mechanical equipment systems.

Your Committee is advised that the Ice Casino is an integral contributing historic element of Playland Park and helps define Playland’s landmark status. Furthermore, the structure is in dire need of exterior restoration along with structural, weather tightness and mechanical rehabilitation and upgrades in order to continue to serve the public.

Your Committee is advised that in addition to the Bond Act, the County is expected to receive \$350,000 in Federal COVID-19 grant funding for this project.

Following bonding authorization, design will be scheduled and is anticipated to take six (6) months to complete and will be performed by outside consultants. It is estimated that construction will take fourteen (14) 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.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to adopt the related Bond Act.

Your Committee has carefully considered the proposed Bond Act and recommends approval thereof.

Dated: April 11, 2022
White Plains, New York

May Jane Shinsky (WOP)
Robert Micher (w/o prejudice)
JL (WOP)
James Zelenko (WOP)
JL (WOP)
James Zelenko (WOP)

May Jane Shinsky (WOP)
JL (WOP)
James Zelenko (WOP)

Budget & Appropriations

COMMITTEESON

Public Works & Transportation

Dated: April 11, 2022
White Plains, New York

The following members attended the meeting remotely pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Public Works & Transportation

David A. Tubris WOP

Catharine By WOP

Catherine F. Parker WOP

Budget & Appropriations

David A. Tubris WOP

Catharine By WOP

Catherine F. Parker WOP

[Signature] WOP

Vedat Palmi WOP

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RP02A

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 \$ 18,697,000 PPU 15 Anticipated Interest Rate 1.72%

Anticipated Annual Cost (Principal and Interest): \$ 1,418,094

Total Debt Service (Annual Cost x Term): \$ 21,271,410

Finance Department: Interest rates from February 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: 203

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Ken Uhle

Title: Program Coord. Capital Planning PRC

Department: DPW&T


Date: 3/4/22

Reviewed By: 

Budget Director

Date: 3/8/22

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

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

DATE: March 2, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RP02A ICE CASINO IMPROVEMENTS II**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02-01-2022 (Unique ID: 1832)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no further environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
-

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation & Conservation
Peter Tartaglia, First Deputy Commissioner, Dept. of Parks, Recreation & Conservation
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Analyst
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO.30- 2022

BOND ACT AUTHORIZING THE ISSUANCE OF \$18,697,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COUNTY'S SHARE OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT OF THE STUDIO RINK PROJECT AT THE ICE CASINO AT PLAYLAND AND FOR THE DESIGN OF THE GENERAL BUILDING IMPROVEMENT PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$19,047,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$18,697,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$350,000 EXPECTED TO BE RECEIVED FROM THE UNITED STATES OF AMERICA TO BE EXPENDED FOR SUCH PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 04/25 , 2022)

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, \$18,697,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the County's share of the design, construction and construction management of the studio rink project at the Ice Casino at Playland and for the design of the general building improvement project, 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 \$19,047,000. The plan of

financing includes the issuance of \$18,697,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$350,000 expected to be received from the United State of America to be expended towards the cost of said object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the specific object or purpose for which the \$18,697,000 bonds authorized by section 1 of 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 \$18,697,000. 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 \$19,047,000 as the estimated total cost of the aforesaid object or purpose is hereby approved.

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

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

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

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

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

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

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

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

* * *

CAPITAL PROJECT FACT SHEET

Project ID:* RP02A	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-03-2022
Fact Sheet Year:* 2022	Project Title:* ICE CASINO IMPROVEMENTS II	Legislative District ID: 7,
Category* PLAYLAND	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 1832

Overall Project Description

The project funds the rehabilitation of the Ice Casino.

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" 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	37,870	3,300	16,000	18,570	0	0	0	0
Less Non-County Shares	350	0	350	0	0	0	0	0
Net	37,520	3,300	15,650	18,570	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 601

Current Bond Description: This request will fund design, construction and construction management for the studio rink project and for the design of the general building improvement project.

Financing Plan for Current Request:

Non-County Shares:	\$ 350,000
Bonds/Notes:	18,697,000
Cash:	0
Total:	\$ 19,047,000

SEQR Classification:

TYPE II

Amount Requested:

18,697,000

Comments:

The non-county shares represent Federal funds received for HVAC mitigation for Covid-19.

Energy Efficiencies:

ALL MECHANICAL SYSTEMS AND LIGHTING WILL BE LOOKED AT FOR THE LATEST EFFICIENT TECHNOLOGIES.

Appropriation History:

Year	Amount	Description
2008	300,000	DESIGN STUDIO RINK
2010	3,000,000	CONSTRUCTION
2022	16,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

19,300,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
08	E-204	-69,000	0	
08	204	300,000	230,533	DESIGN OF REHAB. OF ICE CASINO AT PLAYLAND

Total Financing History:

231,000

Recommended By:

Department of Planning
WBB4

Date
02-01-2022

Department of Public Works
RJB4

Date
02-01-2022

Budget Department
LMY1

Date
02-02-2022

Requesting Department
KUU1

Date
02-02-2022

ICE CASINO IMPROVEMENTS II (RP02A)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Planning ; 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	37,870	3,300	601	16,000	18,570				
Non County Share	(350)			(350)					
Total	37,520	3,300	601	15,650	18,570				

Project Description

The project funds the rehabilitation of the Ice Casino.

Current Year Description

The current year request funds design, construction and construction management for the studio rink and design of general building improvements. The non-county shares represent Federal Funds received for HVAC mitigation for COVID-19.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2022	15,650,000		350,000	16,000,000

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
2008	300,000	Design Studio Rink	DESIGN
2010	3,000,000	Construction	AWAITING BOND AUTHORIZATION
Total	3,300,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,300,000	230,534	3,069,466
Total	3,300,000	230,534	3,069,466

**ICE CASINO IMPROVEMENTS II
(RP02A)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
204 08	300,000	11/19/15	183,066	69,466
		11/19/15	1,934	
		11/19/15	879	
		12/15/17	44,495	
		12/15/17	160	
E-204 08	(69,000)			(69,000)
Total	231,000		230,534	466

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on April 25, 2022 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
April 20, 2022

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting
April 20, 2022

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on April 27, 2022.



Sunday Vanderberg

Sunday Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:

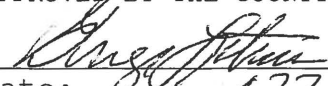
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 4-27-22

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 30 - 2022, 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 April 25, 2022, and approved by the County Executive on April 27, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 28th day of April, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

