

**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 \$1,692,000 to finance capital project BLR2E – Labs and Research Equipment Acquisition (2021-2025). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of the acquisition of various lab equipment, including, but not limited to Biosafety cabinets, QIAGEN EZ1 Advanced XL Instrument, BioFire modules, Quadrupole Time-of-Flight Liquid Chromatography Mass Spectrometer, Gas Chromatograph/Mass Spectrometer, Gas Chromatograph/Electron Capture Detectors, Advanced Molecular Wastewater Surveillance System, Biotage Automated TurboVap System, EpMotion Liquid Handling System and Life Technologies 3500 Genetic Analyzer.

The Department of Labs and Research (“Department”) has advised that the project funds the acquisition of new and replacement equipment for the Department’s Public Health Environmental and Microbiology labs, Forensic, Toxicology and Medical Examiner’s labs. The Department must use complex, high-tech new and replacement instrumentation in order to carry out its required activities and maintain a state of the art laboratory facility.

Following bond authorization, it is expected that the Department will purchase the equipment within eighteen to twenty-four months.

It should be noted that the County Budget Department is submitting this bond act to your Honorable Board simultaneously with the proposed 2024 Capital Budget. It is the County’s goal to submit these bond acts now so that the referenced projects will be ready to proceed without delay in early 2024.

The Planning Department has advised your Committee that based on its review, BLR2E may be 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 environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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 #: BLR2E

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 \$ 1,692,000 PPU 5 Anticipated Interest Rate 3.59%

Anticipated Annual Cost (Principal and Interest): \$ 380,707

Total Debt Service (Annual Cost x Term): \$ 1,903,535

Finance Department: Interest rates from October 10, 2023 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: 18

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/7/23


Reviewed By: 

Date: 10/11/23

Budget Director

10/11/23

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

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

DATE: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BLR2E LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-22-2023 (Unique ID: 2352)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20 ____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,692,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF LAB EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,692,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,692,000 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, \$1,692,000 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 various lab equipment, including, but not limited to Biosafety cabinets, QIAGEN EZ1 Advanced XL Instrument, BioFire modules (4), Q-TOF LC/MS/MS, Gas Chromatograph/Mass Spectrometer(2), Gas Chromatograph/Electron Capture Detectors (2), Advanced Molecular Wastewater Surveillance System, Biotage Automated TurboVap System, EpMotion Liquid Handling System and Life Technologies 3500 Genetic Analyzer, 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 class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,692,000. The plan of financing includes the issuance of \$1,692,000 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 class of objects or purposes, 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 \$1,692,000. 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 \$1,692,000 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. 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, 2024 and 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 \$1,692,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION OF LAB EQUIPMENT FOR THE DEPARTMENT OF LABS AND RESEARCH, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,692,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,692,000 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 acquisition of various lab equipment, including, but not limited to Biosafety cabinets, QIAGEN EZ1 Advanced XL Instrument, BioFire modules (4), Q-TOF LC/MS/MS, Gas Chromatograph/Mass Spectrometer(2), Gas Chromatograph/Electron Capture Detectors (2), Advanced Molecular Wastewater Surveillance System, Biotage Automated TurboVap System, EpMotion Liquid Handling System and Life Technologies 3500 Genetic Analyzer, 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: \$1,692,000; five (5) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:* BLR2E	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2024
Fact Sheet Year:* 2024	Project Title:* LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025)	Legislative District ID: 3,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* LABS AND RESEARCH	CP Unique ID: 2352

Overall Project Description

This project fund the replacement and acquisition of equipment to support this department's programs.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
Gross	5,863	4,171	1,692	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,863	4,171	1,692	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of: 3,530

Current Bond Description: Bonding is required to purchase equipment such as: Biosafety cabinets, QIAGEN EZ1 Advanced XL Instrument, BioFire modules (4), Q-TOF LC/MS/MS, Gas Chromatograph/Mass Spectrometer(2), Gas Chromatograph/Electron Capture Detectors (2), Advanced Molecular Wastewater Surveillance System, Biotage Automated TurboVap System, EpMotion Liquid Handling System, LifeTechnologies 3500 Genetic Analyzer

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,692,000
Cash:	0
Total:	\$ 1,692,000

SEQR Classification:

TYPE II

Amount Requested:

1,692,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	840,000	FUNDS EQUIPMENT FOR TOXICOLOGY
2022	1,992,000	CONTINUATION OF THIS PROJECT
2023	1,339,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

4,171,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	39	840,000	503,103	LABS AND RESEARCH EQUIP - GAS CHROMATOGRAPH/MASS SPECTROMETER, SPECTOPHOTOMETER, IIP LIGUID CHROM ETC
21	220	1,992,000	129,777	LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025)
23	32	1,339,000	0	LABS AND RESEARCH EQUIPMENT ACQUISITION

Total Financing History:

4,171,000

Recommended By:

Department of Planning
MLLL

Date
08-22-2023

Department of Public Works
RJB4

Date
08-22-2023

Budget Department
DEV9

Date
08-23-2023

Requesting Department
DAA1

Date
08-23-2023

LABS AND RESEARCH EQUIPMENT ACQUISITION (2021-2025) (BLR2E)

User Department : Labs and Research
Managing Department(s) : Labs and Research ;
Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	5,863	4,171	3,695	1,692					
Non County Share									
Total	5,863	4,171	3,695	1,692					

Project Description

This project fund the replacement and acquisition of equipment to support this department's programs.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2024	1,692,000			1,692,000

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	840,000	Funds equipment for Toxicology	IN PROGRESS
2022	1,992,000	Continuation of this project	IN PROGRESS
2023	1,339,000	Continuation of this project	IN PROGRESS
Total	4,171,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	4,171,000	632,880	3,538,120
Total	4,171,000	632,880	3,538,120

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
39 21	840,000	12/01/22	457,624	336,897
		12/01/22	45,479	
220 21	1,992,000	12/01/22	118,045	1,862,223
		12/01/22	11,731	
32 23	1,339,000			1,339,000
Total	4,171,000		632,880	3,538,120