

**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 \$730,000 to finance a component of capital project WCC79 – Roof Replacement Various Buildings (“WCC79”). The Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood, will finance the County’s approximately 50% share of the cost of the design and construction of a phase of the Westchester Community College (“College”) roof replacement program, including design and construction to replace roofs on the Physical Education Building on the College campus.

The College has advised that the total amount appropriated for WCC79 is \$1,460,000, of which 50% (\$730,000) will be funded by New York State and 50% by the County.

The College has further advised that this phase is necessary to preserve the College’s critical infrastructure and reduce the risk of roof leaks that have the potential to cause severe damage to the buildings strength, foundation and overall structure due to rotting. Roofs that remain in place after their useful life will have an increased risk of damage.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding in connection with WCC79 as indicated in the annexed fact sheet.

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.

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: April 4th, 2022
White Plains, New York

W. H. H.
May Jane Smith
J. H. H.

May Jane Smith
J. H. H.

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COMMITTEE ON

Budget &
Appropriations

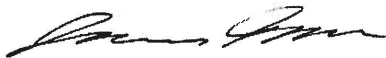

Public Works
& Transportation

Dated: April 4, 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.

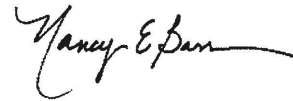
Committee(s) on:

Budget & Appropriations



Catherine F. Parker

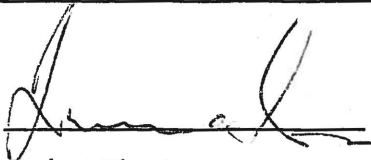
Public Works & Transportation




Catherine F. Parker



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>WCC79</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED				
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget						
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND				
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment			
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance						
Total Principal	\$	730,000	PPU	15	Anticipated Interest Rate	1.41%
Anticipated Annual Cost (Principal and Interest):		\$	54,172			
Total Debt Service (Annual Cost x Term):		\$	812,580			
Finance Department:		Interest rates from January 26, 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):						
<u>No operating impact</u>						
SECTION D - EMPLOYMENT As per federal guidelines, each \$92,000 of appropriation funds one FTE Job						
Number of Full Time Equivalent (FTE) Jobs Funded:		7				
SECTION E - EXPECTED DESIGN WORK PROVIDER						
<input type="checkbox"/> County Staff	<input checked="" type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable				
Prepared by:	<u>Dawn Gillins</u>	Reviewed By:				
Title:	<u>Controller</u>	Date:	<u>2/7/22</u>			
Department:	<u>Westchester Community College</u>					
Date:	<u>2/4/22</u>					

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

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

DATE: January 28, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
WCC79 ROOF REPLACEMENTS VARIOUS BUILDINGS**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 01-11-2022 (Unique ID: 1873)

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: Roofs should be inspected prior to project construction to confirm that replacement is necessary at this time.

DSK/dvw

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 Director
Robert Cirillo, Director of Physical Plant
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO.22- 2022

BOND ACT AUTHORIZING THE ISSUANCE OF \$730,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PHASE OF THE WESTCHESTER COMMUNITY COLLEGE ROOF REPLACEMENT PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,460,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$730,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$730,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES 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 04/11, 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, \$730,000 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 and construction of a phase of the Westchester Community College roof replacement program,

including design and construction and will replace roofs on the Physical Education Building on the College's campus, 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,460,000. The plan of financing includes the issuance of \$730,000 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 \$730,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes 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 class of objects or purposes for which said \$730,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(2) 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 \$730,000. 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 \$1,460,000 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 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:* WCC79	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-07-2022
Fact Sheet Year:* 2022	Project Title:* ROOF REPLACEMENTS VARIOUS BUILDINGS	Legislative District ID: 3,
Category* WCC - BUILDINGS	Department:* COMMUNITY COLLEGE	CP Unique ID: 1873

Overall Project Description

This project will replace various roofs which are approaching the end of their useful life in order to preserve the College's critical infrastructure. Roofs that remain in place after their useful life will have an increased risk of damage and susceptibility to leaking. Roof leaks and the inability to adequately curtail roof leaks have the potential to cause severe damage to a buildings strength, foundation and overall structure due to rotting.

- | | | |
|---|---|--|
| <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	2022-23	2023-24	2024-25	2025-26	2026-27	Under Review
Gross	9,338	8,962	0	0	0	0	0	376
Less Non-County Shares	4,669	4,481	0	0	0	0	0	188
Net	4,669	4,481	0	0	0	0	0	188

Expended/Obligated Amount (in thousands) as of : 3,858

Current Bond Description: Current bonding approval is necessary to fund the County's 50% share of the next phase of the College's Roof Replacement - Various Buildings Project. The amount appropriated for this Phase is \$1,460,000 of which 50% (\$1,230,000) will be funded by the State and 50% by the County. This project is for both design and construction and will replace roofs on the Physical Education Building on the College's campus. It is anticipated that the roofs in this bonding request are approaching the end of their useful live and will be in need of replacement.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 730,000
Bonds/Notes:	730,000
Cash:	0
Total:	\$ 1,460,000

SEQR Classification:
TYPE II

Amount Requested:
730,000

Comments:

These funds will protect and preserve the College's critical infrastructure and avoid substantial and significant health implications to building inhabitants.

Energy Efficiencies:

WCC WILL INSTALL "COOL ROOFS" TO REDUCE BUILDING COOLING COSTS. THEY WILL MEET THE COOL ROOFING REQUIREMENTS OF USGBC'S LEED PROGRAM.

Appropriation History:

Year	Amount	Description
2013	1,210,000	ROOF REPLACEMENT AT CHILDREN'S CENTER, CLASSROOM BUILDING, BOOKSTORE
2014	1,068,000	ROOF REPLACEMENT AT HARTFORD HALL
2017	1,886,000	VARIOUS ROOF REPLACEMENT
2019	602,000	ROOF REPLACEMENT MAINT BLDG
2020	2,540,000	ROOF REPLACEMENT VARIOUS BLDGS
2021	1,460,000	PHYSICAL EDUCATION BUILDING
2122	196,000	KNOLLWOOD CTR

Total Appropriation History:

8,962,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
15	64	1,139,000	1,107,544	ROOF REPLACEMENT VARIOUS BUILDINGS FOR WCC (PHASE I & II)
18	43	943,000	956,352	ROOF REPLACEMENT VARIOUS BUILDINGS - WCC
19	188	301,000	0	WCC ROOF REPLACEMENTS - VARIOUS LOCATIONS
21	95	1,270,000	0	ROOF REPLACEMENT VARIOUS BUILDINGS FOR WCC (ART, LIBRARY, SCIENCE BLDGS)

Total Financing History:

3,653,000

Recommended By:**Department of Planning**

WBB4

Date

01-11-2022

Department of Public Works

RJB4

Date

01-11-2022

Budget Department

LMY1

Date

01-12-2022

Requesting Department

DAGX

Date

01-14-2022

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 11, 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 7, 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:

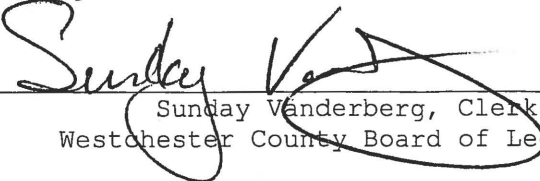
Designated Location(s)
of posted notice

Date of Posting
April 7, 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 12, 2022.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

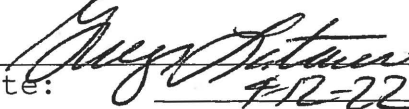
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
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: 7-12-22

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 22 - 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 11, 2022, and approved by the County Executive on April 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 13th day of April, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

