

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

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED APRIL 27, 2015 IN RELATION TO THE CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES, AT THE MAXIMUM ESTIMATED COST OF \$9,708,000. (Adopted \_\_\_\_\_, 20\_\_\_\_).

WHEREAS, this Board has heretofore duly authorized the issuance of \$815,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of an equipment storage building for the Department of Emergency Services, pursuant to Act No. 55-2015 duly adopted on April 27, 2015; and

WHEREAS, it is now appropriate to authorize such improvement, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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 April 27, 2015, entitled:

“ACT NO. 55-2015

BOND ACT AUTHORIZING THE ISSUANCE OF \$815,000 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 CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$815,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$815,000 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 \$9,708,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,708,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$9,708,000 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; \$9,708,000 bonds of the County, or so much thereof

as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of an equipment storage building for the Department of Emergency Services to house, clean and maintain deployable emergency equipment, 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$9,708,000. The plan of financing includes the issuance of \$9,708,000 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 and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$9,708,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 11(b) of the Law, is twenty-five (25) 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 \$9,708,000. 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 \$9,708,000 as the estimated maximum cost of the aforesaid specific 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.

**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 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\_\_\_\_.

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

(SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on April 27, 2015 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 \$9,708,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF AN EQUIPMENT STORAGE BUILDING FOR THE DEPARTMENT OF EMERGENCY SERVICES, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$9,708,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$9,708,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on April 27, 2015 and amended on \_\_\_\_\_, 20\_\_\_\_)

object or purpose: to finance the design, construction and construction management of an equipment storage building for the Department of Emergency Services to house, clean and maintain deployable emergency equipment, 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: \$9,708,000; twenty-five (25) 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

## CAPITAL PROJECT FACT SHEET

**Project ID:\***  
BES14

CBA

**Fact Sheet Date:\***  
06-28-2021

**Fact Sheet Year:\***  
2021

**Project Title:\***  
EQUIPMENT STORAGE BUILDING

**Legislative District ID:**  
3,

**Category\***  
BUILDINGS, LAND &  
MISCELLANEOUS

**Department:\***  
EMERGENCY SERVICES

**CP Unique ID:**  
1715

**Overall Project Description**

This project provides for the design, construction and associated site work of a storage building to house, clean and maintain deployable emergency equipment. The building will provide a secure, dry and climate controlled environment to house this expensive equipment.

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	9,708	6,608	0	0	0	0	0	3,100
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	9,708	6,608	0	0	0	0	0	3,100

**Expended/Obligated Amount (in thousands) as of :** 278

**Current Bond Description:** Funding is requested for construction and construction management associated with a storage building to house, clean and maintain deployable emergency equipment.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	8,893,000
Cash:	0
<b>Total:</b>	<b>\$ 8,893,000</b>

**SEQR Classification:**  
UNLISTED

**Amount Requested:**  
8,893,000

**Comments:**

A Capital Budget Amendment in the amount of \$3,100,000 (shown under review) is being requested to provide additional funding to account for an increase in size to accommodate current and future needs; installation of a solar photovoltaic system, and inflation since the project was first budgeted in 2015.

**Energy Efficiencies:**

THE BUILDING HAS BEEN DESIGNED WITH ENERGY EFFICIENT BUILDING SYSTEMS, LED LIGHTING AND A SOLAR PHOTOVOLTAIC SYSTEM.

**Appropriation History:**

Year	Amount	Description
2015	815,000	DESIGN FOR A BUILDING THAT WILL HOUSE DEPLOYABLE EMERGENCY EQUIPMENT
2016	5,793,000	CONSTRUCTION

**Total Appropriation History:**  
6,608,000



**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
15	55	815,000		0 EQUIPMENT STORAGE BUILDING FOR DES

**Total Financing History:**

815,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
07-21-2021

**Department of Public Works**  
RJB4

**Date**  
07-21-2021

**Budget Department**  
LMY1

**Date**  
07-21-2021

**Requesting Department**  
SBS9

**Date**  
07-21-2021

## EQUIPMENT STORAGE BUILDING ( BES14 )

**User Department :** Emergency Services  
**Managing Department(s) :** Emergency Services ; 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	2021	2022	2023	2024	2025	Under Review
Gross	6,608	6,608	278						
Non County Share									
<b>Total</b>	<b>6,608</b>	<b>6,608</b>	<b>278</b>						

### Project Description

This project provides for the design, construction and associated site work of a storage building to house, clean and maintain deployable emergency equipment. The building will provide a secure, dry and climate controlled environment to house this expensive equipment.

### Current Year Description

There is no current year request.

### 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
2015	815,000	Design for a building that will house deployable emergency equipment	DESIGN
2016	5,793,000	Construction	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>6,608,000</b>		

### Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	6,608,000		6,608,000
<b>Total</b>	<b>6,608,000</b>		<b>6,608,000</b>

### Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
55 15	815,000			815,000
<b>Total</b>	<b>815,000</b>			<b>815,000</b>