

ACT NO. -20__

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED AUGUST 3, 2020 IN RELATION TO FINANCING THE COST OF PARTIAL RECONSTRUCTION OF THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; AT THE TOTAL ESTIMATED COST OF \$1,000,000. (Adopted , 20__).

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance partial reconstruction of the Department of Labs and Research facilities, located at the County's Valhalla Campus at Grasslands, at the estimated maximum cost of \$600,000, pursuant to Act No. 137-2020 duly adopted on August 3, 2020, and it has now been determined that the scope of the project must be revised and the period of probable usefulness should be revised so that it relates to heating and air conditioning building systems improvements; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the appropriation for such project by \$400,000 for estimated increases in costs for such improvements;

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 August 3, 2020, entitled:

“(BOND) ACT NO. 137-2020

BOND ACT AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PARTIAL RECONSTRUCTION OF THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY’S VALHALLA CAMPUS AT GRASSLANDS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$600,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$600,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF HEATING AND AIR CONDITIONING IMPROVEMENTS FOR THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of heating and air conditioning improvements for the Department of Labs and Research facilities located at the County's Valhalla Campus at Grasslands; including construction and construction management to address humidity control in the Microbiology division; 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

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purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 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 applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 13 of the Law, is ten (10) 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 \$1,000,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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 6. 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

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

Section 7. 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 Officer 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 August 3, 2020 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 \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF HEATING AND AIR CONDITIONING IMPROVEMENTS FOR THE DEPARTMENT OF LABS AND RESEARCH FACILITIES LOCATED AT THE COUNTY'S VALHALLA CAMPUS AT GRASSLANDS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 heating and air conditioning improvements for the Department of Labs and Research facilities, located at the County's Valhalla Campus at Grasslands; including construction and construction management to address humidity control in the Microbiology division; all as set forth in the County's 20__ Capital Budget, as amended

amount of obligations to be issued:

and period of probable usefulness: \$1,000,000; ten (10) 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:*
BLR10

CBA

Fact Sheet Date:*
06-23-2021

Fact Sheet Year:*
2021

Project Title:*
LABS AND RESEARCH
INFRASTRUCTURE IMPROVEMENTS
2017-2021

Legislative District ID:
3,

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
LABS AND RESEARCH

CP Unique ID:
1714

Overall Project Description

This project will fund a multi-year cycle of infrastructure improvements to the facilities. Included are both interior and exterior work as deemed necessary.

- | | | |
|---|---|--|
| <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	2021	2022	2023	2024	2025	Under Review
Gross	3.820	2.820	600	0	0	0	0	400
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3.820	2.820	600	0	0	0	0	400

Expended/Obligated Amount (in thousands) as of : 146

Current Bond Description: Additional funding is requested for construction and construction management associated with the equipment replacement to address humidity control in the Microbiology division.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	400,000
Cash:	0
Total:	\$ 400,000

SEQR Classification:
TYPE II

Amount Requested:
400,000

Comments:

A Capital Budget Amendment in the amount of \$400,000 (shown under review) is being requested to provide additional funding based upon the bids received for the project. The original intent of the project was to rehabilitate the existing equipment. However, during design and in consultation with the original equipment manufacturer, it was determined that it would be prudent to replace the existing 40+ year old equipment which has conditioned air leaking from the joints.

Energy Efficiencies:

THE NEW EQUIPMENT WILL BE MORE ENERGY EFFICIENT BY USING A VARIABLE FREQUENCY DRIVE, NEWER COIL TECHNOLOGY AND ELIMINATION OF THE HOT WATER HEATING COMPLETELY AND UTILIZING THE EXISTING STEAM AT THE FACILITY.

Appropriation History:

Year	Amount	Description
2017	670,000	EXTERIOR REHABILITATION-PHASE II; NEW UPS BRANCH CIRCUITRY; SUPPLEMENTAL A/C UNIT - EVIDENCE VAULT; ENVIRONMENTAL ABATEMENT AND ASSOCIATED WORK
2018	950,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR REHABILITATION OF THE LOADING DOCK, MAIN LOBBY AND RECEPTION AREA.
2020	600,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT ASSOCIATED WITH HUMIDITY CONTROL IN MICROBIOLOGY DIVISION
2021	600,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR REPLACING UNINTERRUPTED POWER SUPPLY IN THE FORENSIC AREA

Total Appropriation History:

2,820,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
17	99	670,000	0	COST OF PARTIAL RECONSTRUCTION OF THE DEPT OF LABS AND RESEARCH FACILITY
18	139	950,000	0	DESIGN, CONSTRUCTION & CONSTRUCTION MGMT FOR REHAB OF LOADING DOCK, LOBBY, & RECEPTION AREA
20	137	600,000	0	HUMIDITY CONTROL IN THE MICROBIOLOGY DIVISION AT THE DEPT OF LABS & RESEARCH FACILITY IN VALHALLA

Total Financing History:

2,220,000

Recommended By:

Department of Planning
WBB4

Date
06-28-2021

Department of Public Works
RJB4

Date
06-29-2021

Budget Department
LMY1

Date
06-29-2021

Requesting Department
DAA1

Date
07-09-2021

LABS AND RESEARCH INFRASTRUCTURE IMPROVEMENTS 2017-2021 (BLR10)

User Department : Labs and Research
Managing Department(s) : Labs and Research ; Public Works ;
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	2021	2022	2023	2024	2025	Under Review
Gross	2,820	2,220	146	600					
Non County Share									
Total	2,820	2,220	146	600					

Project Description

This project will fund a multi-year cycle of infrastructure improvements to the facilities. Included are both interior and exterior work as deemed necessary.

Current Year Description

The current request funds design, construction and construction management for replacement of the uninterrupted power supply (UPS) in the Forensic area and address moisture in the electrical room.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	600,000			600,000

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
2017	670,000	Exterior rehabilitation-Phase II; New UPS branch circuitry; supplemental a/c unit - evidence vault; environmental abatement and associated work	DESIGN
2018	950,000	Design, construction and construction management for rehabilitation of the loading dock, main lobby and reception area.	DESIGN
2020	600,000	Design, construction and construction management associated with humidity control in microbiology division	DESIGN
Total	2,220,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,220,000		2,220,000
Total	2,220,000		2,220,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
99 17	670,000			670,000
139 18	950,000			950,000
137 20	600,000			600,000
Total	2,220,000			2,220,000