

(BOND) ACT 188 - 2024

Reference CC108

**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 \$1,374,000 to finance capital project CC108 – Safety and Security Improvements – Campus Wide (“CC108”). The Bond Act, which was prepared by the law firm Bryant Rabbino LLP, will finance the County’s approximately 50% cost of CC108, consisting of installation of a Security Back-Up Command Center, upgrade and addition of electronic locks and attendant software maintenance, necessary Information Technology upgrades and security systems back-up servers, electronic security components and hardware replacements, upgrade of the Emergency Notification System, installation of new cameras and attendant infrastructure, repairs to the perimeter fence and walls, repairs and upgrades to physical building perimeter access points, service and support for electronic security systems and equipment, and outdoor illumination upgrades,

Westchester Community College (the “College”) has advised that the college’s security systems need further upgrades and improvements.

The College has advised that the total amount appropriated for CC108 is \$2,748,000. This bond request, in the amount of \$1,374,000, represents the County’s 50% share of CC108. The remaining 50% will be funded by New York State.

Following bonding authorization, it is estimated that design and construction will take 24 months to complete. It is anticipated that the design work will be completed by consultants.

The Planning Department has advised your Committee that based on its review, CC108 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: September 30th, 2024
White Plains, New York

James J. Zullo
John
John
Nancy E. Barr
Vedat Jabini
John
John

John
James J. Zullo
John
Nancy E. Barr
Vedat Jabini

COMMITTEE ON

c ing 7-29-24

Budget & Appropriations

Public Works &
Transportation

Dated: September 30, 2024
White Plains, New York

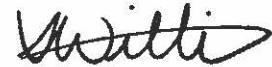
The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below

Committee(s) on:

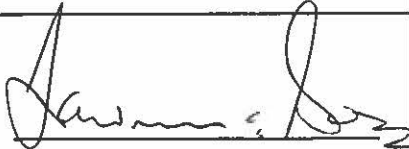
Budget & Appropriations




Public Works & Transportation



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>CC108</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	\$ 1,374,000	PPU 5	Anticipated Interest Rate 2.49%
Anticipated Annual Cost (Principal and Interest):	\$ 298,709		
Total Debt Service (Annual Cost x Term):	\$ 1,493,544		
Finance Department:	maaab 9-3-24		
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:	14		
Prepared by:	<u>Dawn Gillins</u>	Reviewed By:	
Title:	<u>Assistant Vice President/Comptroller</u>		<u>Budget Director</u>
Department:	<u>WCC</u>	Date:	<u>9/9/24</u>
Date:	<u>9/6/24</u>		

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: August 29, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
CC108 SAFETY AND SECURITY IMPROVEMENTS – CAMPUS WIDE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
07-16-2024 (Unique ID: 2583)

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)(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;
 - **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
Dawn Gillins, Westchester Community College
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. 188 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,374,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE SAFETY AND SECURITY IMPROVEMENTS - CAMPUS WIDE AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,748,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,374,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$1,374,000 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 September 30, 2024)

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, \$1,374,000 bonds of the County of Westchester (the "County"), or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of Safety and Security Improvements - Campus Wide at the Westchester Community College Campus, which consist of the installation of a Security Back-Up Command Center, upgrade and addition of electronic locks and attendant software maintenance, necessary Information Technology upgrades and security

systems back-up servers, electronic security components and hardware replacements, upgrade of the Emergency Notification System, installation of new cameras and attendant infrastructure, repairs to the perimeter fence and walls, repairs and upgrades to physical building perimeter access points, service and support for electronic security systems and equipment, and outdoor illumination upgrades, 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 \$2,748,000. The plan of financing includes the issuance of \$1,374,000 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 \$1,374,000 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 applicable to the objects or purposes for which the bonds authorized by this Act are to be issued within the limitations of Section 11.00 a. 35 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 \$1,374,000. 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 \$2,748,000 as the estimated total cost of the aforesaid 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, 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:*
CC108

CBA

Fact Sheet Date:*
07-05-2024

Fact Sheet Year:*
2024

Project Title:*
SAFETY AND SECURITY
IMPROVEMENTS - CAMPUS WIDE

Legislative District ID:
3,

Category*
WCC - BUILDINGS

Department:*
COMMUNITY COLLEGE

CP Unique ID:
2583

Overall Project Description

This Safety and Security Improvements - Campus Wide project is necessary to enhance Westchester Community College's security infrastructure and systems to be adequate and current. The Back-Up Command Center is needed for operational redundancy in the event that the primary Command Center becomes inoperable. The upgrade and addition of electronic locks and attendant software maintenance will provide physical security protection for all interior areas that contain high-value assets or proprietary information.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input 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	24-25	25-26	26-27	27-28	28-29	Under Review
Gross	2,748	2,748	0	0	0	0	0	0
Less Non-County Shares	1,374	1,374	0	0	0	0	0	0
Net	1,374	1,374	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 0

Current Bond Description: Current bonding approval in the amount of \$1,374,000 is necessary to fund the County's 50% of this Safety and Security Improvements - Campus Wide project. The project costs total \$2,748,000 for installation of a Security Back-Up Command Center, upgrade and addition of electronic locks and attendant software maintenance, necessary Information Technology upgrades and security systems back-up servers, electronic security components and hardware replacements, upgrade of the Emergency Notification System, installation of new cameras and attendant infrastructure, repairs to the perimeter fence and walls, repairs and upgrades to physical building perimeter access points, service and support for electronic security systems and equipment, and outdoor illumination upgrades.

Financing Plan for Current Request:

Non-County Shares:	\$ 1,374,000
Bonds/Notes:	1,374,000
Cash:	0
Total:	\$ 2,748,000

SEQR Classification:

TYPE II

Amount Requested:

1,374,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

The amount appropriated for this project is \$2,748,000. This bonding request in the amount of \$1,374,000 represents the County's 50% share of approved Capital Project WCC108 Safety and Security Improvements - Campus Wide. The state has approved funding on the remaining 50%.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2024	2,748,000	SAFETY AND SECURITY IMPROVEMENTS - CAMPUS WIDE

Total Appropriation History:

2,748,000

Total Financing History:

0

Recommended By:

Department of Planning	Date
MLLL	07-16-2024

Department of Public Works	Date
RJB4	07-18-2024

Budget Department	Date
DEV9	07-18-2024

Requesting Department	Date
DAGX	07-19-2024

30 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 September 30, 2024 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
September 25, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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:

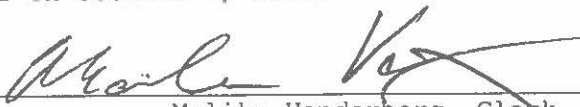
Designated Location(s)
of posted notice

Date of Posting
September 25, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 1, 2024.





Malika 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 Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator Judah Holstein
 Legislator David Imamura
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator David Tubiolo
 Legislator Emiljana Ulaj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

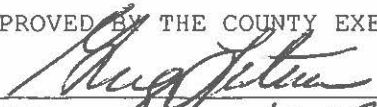
NOES:

ABSENT:

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE



Date: 10-1-24

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 188 - 2024, 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 September 30, 2024, and approved by the County Executive on October 1, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 2nd day of October, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

