



George Latimer
County Executive

September 30, 2022

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval in connection with Capital Project BCR57 - HQ Rooftop Air Handling Unit Replacement ("BCR57") are the following:

- (1) an Act to amend the current-year capital budget ("Capital Budget Amendment") of the County of Westchester ("County");
- (2) a related bond act ("Bond Act,") which, if adopted, would authorize the County to issue up to \$5,205,000 in bonds of the County to finance BCR57; and
- (3) a related amending bond act ("Amending Bond Act"), which would amend Bond Act No. 218-2021 by removing the authorization for bonds for design, construction management and construction associated with project BCR57 and reduce the total amount of bonds authorized by \$4,505,000.

By Act No. 218-2021, your Honorable Board authorized the County to issue bonds in the total aggregate amount of \$17,880,000 to finance the cost of design, construction management and construction for six (6) separate capital projects, including BCR57, in the individual amounts set forth in Bond Act No. 218-2021 for each project. The amount allocated for BCR57 was \$4,505,000. The Department of Public Works and Transportation (the "Department") has advised that it would now like to increase the amount allocated under Bond Act No. 218-2021 for project BCR57, by an additional \$700,000. To accomplish this, your Honorable Board will need to: (1) amend the County's current year capital budget to increase the County share by an additional \$700,000; (2) authorize an amendment to Bond Act No. 218-2021 to unbundle project BCR57 from the six (6) separate capital projects incorporated therein and reduce the total amount authorized by \$4,505,000; and (3) enter into a separate new bond act for project BCR57 in the amount of \$5,205,000 for design, construction management and construction services.

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BCR57 by \$700,000 based upon the current estimate provided by the New York Power Authority.

Office of the County Executive

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White Plains, New York 10601

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The Bond Act, in the total amount of \$5,205,000, would add \$700,000 in additional funding to project BCR57 for the replacement of the existing rooftop air handling units, ductwork modifications and all associated mechanical, electrical and structural work.

The Amended Bond Act would amend Bond Act No. 218-2021 by removing the authorization for bonds for project BCR57 and reduce the estimated maximum cost and the amount of bonds authorized by \$4,505,000, from \$17,880,000 to \$13,375,000.

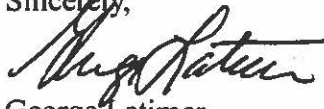
Design is currently being undertaken by consultants and is expected to be completed by the 4th quarter of 2022. It is anticipated that construction will take twelve (12) months to complete and will begin after award and execution of construction contracts.

The Planning Department has advised 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,



George Latimer
County Executive

Attachments

**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 the following Acts associated with Capital Project BCR57 – HQ Rooftop Air Handling Unit Replacement (“BCR57”):

(1) an Act to amend the current-year capital budget (“Capital Budget Amendment”) of the County of Westchester (“County”);

(2) a related bond act (“Bond Act,”) which, if adopted, would authorize the County to issue up to \$5,205,000 in bonds of the County to finance BCR57; and

(3) a related amending bond act (“Amending Bond Act”), which would amend Bond Act No. 218-2021 by removing the authorization for bonds for design, construction management and construction associated with project BCR57 and reduce the total amount of bonds authorized by \$4,505,000.

By Act No. 218-2021, your Honorable Board authorized the County to issue bonds in the total aggregate amount of \$17,880,000 to finance the cost of design, construction management and construction for six (6) separate capital projects, including BCR57, in the individual amounts set forth in Bond Act No. 218-2021 for each project. The amount allocated for BCR57 was \$4,505,000. The Department of Public Works and Transportation (the “Department”) has advised that it would now like to increase the amount allocated under Bond Act No. 218-2021 for project BCR57, by an additional \$700,000. To accomplish this, your Honorable Board will need to: (1) amend the County’s current year capital budget to increase the County share by an additional \$700,000; (2) authorize an amendment to Bond Act No. 218-2021 to unbundle project BCR57 from the six (6) separate capital projects incorporated therein and reduce the total amount authorized by \$4,505,000; and (3) enter into a separate new bond act for project BCR57 in the total amount of \$5,205,000 for design, construction management and construction services.

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BCR57 by \$700,000 based upon the current estimate provided by the New York Power Authority.

The Bond Act, in the total amount of \$5,205,000, would add \$700,000 in additional funding to project BCR57 for the replacement of the existing rooftop air handling units, ductwork modifications and all associated mechanical, electrical and structural work.

The Amended Bond Act would amend Bond Act No. 218-2021 by removing the authorization for bonds for project BCR57 and by reducing the estimated maximum cost and the amount of bonds authorized under Bond Act No. 218-2021 by \$4,505,000, from \$17,880,000 to \$13,375,000.

Your Committee is advised that design is currently being undertaken by consultants and is expected to be completed by the 4th quarter of 2022. It is anticipated that construction will take twelve (12) months to complete and will begin after award and execution of construction contracts.

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.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. The Planning Department has advised that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee is advised that an affirmative vote of two-thirds of the members of this Honorable Board is required in order to amend the County's Capital Budget, as well as to adopt the related Bond Act and Amended Bond Act.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act and Amending Bond Act, and recommends approval of the proposed Acts, noting that the Bond Act may only be enacted following adoption of the Capital Budget Amendment.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

s: jpg/9-27-22

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR57

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 \$ 5,205,000 PPU 10 Anticipated Interest Rate 3.38%

Anticipated Annual Cost (Principal and Interest): \$ 617,471

Total Debt Service (Annual Cost x Term): \$ 6,174,710

Finance Department: Interest rates from October 3, 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):

Replacement of air handlers will increase efficiency and reduce utility costs.

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 57

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William Fallon

Title: Director of Admin. Services

Department: Correction


Date: 10/4/22

10/5/22
Reviewed By: [Signature]

Budget Director

Date: 10/6/22

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

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

DATE: September 29, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR57 HQ ROOFTOP AIR HANDLING UNIT REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-27-2022 (Unique ID: 2098)

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: The proposed action includes an amendment of a prior bond act to reduce the authorized amount so that the funds may be reallocated to this individual capital project bond request.

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
Lorraine Marzola, Associate Budget Director
Robert Abbamont, Director of Operations, Dept. of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

To: Honorable George Latimer, County Executive
Lawrence Soule, Budget Director

From: Norma Drummond, Commissioner 

Re: **Capital Budget Amendment:
BCR57 - HQ Rooftop Air Handling Unit Replacement**

Date: September 29, 2022

Attached is a memo from the Planning Department to the County Planning Board advising the Board of the proposed Capital Budget Amendments (CBA) to modify funding of the above project.

These are financing changes only and there are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, as stated in the memo, no further action by the Planning Board is required.

NVD/ml
Attachment

cc: Ken Jenkins, Deputy County Executive
Joan McDonald, Director of Operations
Emily Saltzman, Deputy Director of Operations
Paula Friedman, County Executive's Office
Blanca Lopez, Deputy Commissioner of Planning
Tami Altschiller, Assistant Chief Deputy County Attorney
Jeffrey Goldman, Assistant County Attorney
Michelle Greenbaum, Assistant County Attorney
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner
William Fallon, Correction

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: September 29, 2022

RE: **Capital Budget Amendment –
BCR57 HQ Rooftop Air Handling Unit Replacement**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital Project BCR57 HQ Rooftop Air Handling Unit Replacement, will fund the design, construction management, and construction to address air conditioning, ventilation, and humidity control at the Correction Headquarters Facility at the Grasslands Campus.

A Capital Budget Amendment in the amount of \$700,000 is being requested to provide additional construction funding. The project includes the replacement of the existing rooftop air handling units, ductwork modifications, and all associated mechanical, electrical, and structural work.

The Planning Board adopted a report on this project (rated PL1) at its meeting on June 6, 2017.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Norma V. Drummond, Commissioner
David S. Kvinge, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner

An Act amending the 2022 County
 Capital Budget Appropriations for
 Capital Project BCR57 - HQ Rooftop
 Air Handling Unit Replacement

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

Section 1. The Capital section of the 2022 County Budget is hereby amended as follows:

	Previous 2022 Appropriation	Change	Revised 2022 Appropriation
I. Appropriation	\$4,505,000	\$700,000	\$5,205,000

Section 2. The estimated method of financing in the Capital Section of the 2022 Westchester County Capital Budget is amended as follows:

II. METHOD OF
 FINANCING

Bonds and/or Notes	\$4,505,000	\$700,000	\$5,205,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$4,505,000</u>	<u>\$700,000</u>	<u>\$5,205,000</u>

Section 3. The ACT shall take effect immediately.