

ACT NO. -20\_\_

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING BOND ACT NO. 172-2023 ADOPTED SEPTEMBER 18, 2023 AND BOND ACT NO. 207-2024 ADOPTED OCTOBER 7, 2024 CONSOLIDATING PREVIOUSLY ADOPTED BOND ACTS FOR CAPITAL PROJECT BES24 FOR THE REPLACEMENT OF A SMOKE HOUSE FIRE PROP BUILDING LOCATED ON THE VALHALLA GRASSLANDS CAMPUS, AND AUTHORIZING ADDITIONAL BONDS FOR SUCH PROJECT; AT THE TOTAL ESTIMATED COST OF \$8,210,000. (Adopted , 20\_\_)

Recitals

WHEREAS, this Board has heretofore duly authorized the issuance of bonds to finance various elements of Capital Project BES24 (the “Project”), at the total estimated maximum cost of \$2,810,000, pursuant to Act No. 172-2023 adopted September 18, 2023 and Bond Act No. 207-2024 adopted October 7, 2024 (collectively, the “Previous Bond Acts”), and it has now been determined that the Previous Bond Acts should be consolidated into one bond act so that the aggregate proceeds of authorized but unissued amounts of bonds pursuant to the Previous Bond Acts may be expended as required on any respective element of the Project; and the period of probable usefulness of the Project shall be amended and restated as set forth herein;

WHEREAS, in addition to such consolidation, due to additional costs of the Project, it is necessary to increase the appropriation for such Project by \$5,400,000; and

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), TO AMEND AND RESTATE BOND ACT NOS. 172-2023 and 207-2024 IN THERE ENTIRETY AS FOLLOWS:

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING BOND ACT NO. 172-2023 ADOPTED SEPTEMBER 18, 2023 AND BOND ACT NO. 207-2024 ADOPTED OCTOBER 7, 2024 CONSOLIDATING PREVIOUSLY ADOPTED BOND ACTS FOR CAPITAL PROJECT BES24 FOR THE REPLACEMENT OF A SMOKE HOUSE FIRE PROP BUILDING LOCATED ON THE VALHALLA GRASSLANDS CAMPUS, AND AUTHORIZING ADDITIONAL BONDS FOR SUCH PROJECT; AT THE TOTAL ESTIMATED COST OF \$8,210,000. (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, \$8,210,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the replacement of a Smoke House Fire Prop Building located on the Valhalla Grasslands Campus; all as collectively set forth in section 1 of each of the Previous Bond Acts and the County's current year Capital Budget, as amended. To the extent that the County has previously issued bonds pursuant to each of the Previous Bond Acts, the proceeds of such previously issued bonds shall only be expended for the scope of the project as set forth in the respective bond act, from which such proceeds are derived, when originally adopted and/or amended. The total estimated

maximum cost of said objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$8,210,000. The plan of financing includes the issuance of \$8,210,000 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 of said specific object or purpose, 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 \$8,210,000. 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

(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.

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\_\_.

(SEAL)                                   The Clerk and Chief Administrative Officer of the  
County Board of Legislators  
County of Westchester, New York

## LEGAL NOTICE

An amended and restated Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on September 18, 2023 and October 7, 2024 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 OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING AND RESTATING BOND ACT NO. 172-2023 ADOPTED SEPTEMBER 18, 2023 AND BOND ACT NO. 207-2024 ADOPTED OCTOBER 7, 2024 CONSOLIDATING PREVIOUSLY ADOPTED BOND ACTS FOR CAPITAL PROJECT BES24 FOR THE REPLACEMENT OF A SMOKE HOUSE FIRE PROP BUILDING LOCATED ON THE VALHALLA GRASSLANDS CAMPUS, AND AUTHORIZING ADDITIONAL BONDS FOR SUCH PROJECT; AT THE TOTAL ESTIMATED COST OF \$8,210,000. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance the cost for replacement of a Smoke House Fire Prop Building located on the Valhalla Grasslands Campus; all as set forth in the County's 20\_\_ Capital Budget, as amended

amount of obligations to be issued:

and period of probable usefulness: \$8,210,000; fifteen (15) 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

<b>Project ID:*</b> BES24	<input checked="" type="checkbox"/> <b>CBA</b>	<b>Fact Sheet Date:*</b> 01-23-2025
<b>Fact Sheet Year:*</b> 2025	<b>Project Title:*</b> REPLACEMENT OF SMOKE HOUSE BUILDING	<b>Legislative District ID:</b> 3,
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> EMERGENCY SERVICES	<b>CP Unique ID:</b> 2828

### Overall Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input 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	2025	2026	2027	2028	2029	Under Review
<b>Gross</b>	8,210	6,310	0	0	0	0	0	1,900
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	8,210	6,310	0	0	0	0	0	1,900

**Expended/Obligated Amount (in thousands) as of :** 1,942

**Current Bond Description:** Bonding authorization is requested to complete construction to replace the current 50 year old "prop" building located at the Westchester County Department of Emergency Service Training Center and used by local fire Depts and other first responders to train in a variety of fire response conditions, including live fire. The current building doesn't meet NFPA standards and failed inspection so is out of services. DES needs to replace the building in order to meet our responsibilities as a county training facility. The bond request includes a Capital Budget amendment increase of \$1.9M due to higher than anticipated construction cost estimates. The new building is prefabricated construction, and replaces the current building, in a similar, but slightly larger and angled footprint on an already paved surface. The building allows us to replicate different types of fire situations for training purposes.

### Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	5,400,000
Cash:	0
<b>Total:</b>	<b>\$ 5,400,000</b>

### SEQR Classification:

TYPE II

### Amount Requested:

5,400,000

### Expected Design Work Provider:

- |                                       |  |   |
|---------------------------------------|--|---|
| <input type="checkbox"/> County Staff | <input checked="" type="checkbox"/> Consultant | <input type="checkbox"/> Not Applicable |
|---------------------------------------|--|---|

### Comments:

The current request includes a 2025 CBA in the amount of \$1.9m. These funds are shown above in "Under Review".

### Energy Efficiencies:



**Appropriation History:**

Year	Amount	Description
2023	810,000	DESIGN
2024	5,500,000	CONSTRUCTION

**Total Appropriation History:**

6,310,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
23	172	810,000	0	REPLACEMENT OF SMOKE HOUSE BUILDING
24	207	2,000,000	0	

**Total Financing History:**

2,810,000

**Recommended By:**

Department of Planning  
MLLL

Date  
01-28-2025

Department of Public Works  
RJB4

Date  
01-29-2025

Budget Department  
DEV9

Date  
01-30-2025

Requesting Department  
TCH1

Date  
01-30-2025

## REPLACEMENT OF SMOKE HOUSE BUILDING ( BES24 )

**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 Uft Cost	Appropriated	Exp / Obl	2025	2026	2027	2028	2029	Under Review
Gross	6,310	6,310	1,942						
Non County Share									
Total	6,310	6,310	1,942						

### **Project Description**

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

### **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
2023	810,000	Design	DESIGN
2024	5,500,000	Construction	\$2,000,000 IN PROGRESS; \$3,500,000 AWAITING BOND AUTHORIZATION
Total	6,310,000		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	6,310,000		6,310,000
Total	6,310,000		6,310,000

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
172 23	810,000			810,000
207 24	2,000,000			2,000,000
Total	2,810,000			2,810,000