

September 29, 2022

TO: Hon. Catherine Borgia, Chair
Hon. Nancy Barr, Vice Chair
Hon. Christopher Johnson, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: **Message Requesting Immediate Consideration: CBA & Amended Bond Act – T0050 – Replacement of Heating Units and Ventilation Fans at CMF.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 3, 2022 Agenda.

Transmitted herewith for your review and approval is an Act to amend the current-year capital budget (“Capital Budget Amendment”) as well as a related amended bond act (“Amended Bond Act,”) which, if adopted, would authorize the County of Westchester (“County”) to issue up to \$3,250,000 in additional bonds of the County to finance the following capital project: T0050.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 3, 2022 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

September 29, 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 is an Act to amend the current-year capital budget (“Capital Budget Amendment”) as well as a related amended bond act (“Amended Bond Act,”) which, if adopted, would authorize the County of Westchester (“County”) to issue up to \$3,250,000 in additional bonds of the County to finance the following capital project:

T0050 – Replacement of Heating Units and Ventilation Fans at CMF (“T0050”).

The proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for this project by \$3,250,000. The total cost of the project is higher than originally expected due to unanticipated construction costs identified during the initial construction phase.

The Amended Bond Act, in the total amount of \$13,950,000, which includes \$10,700,000 in previously-authorized bonds of the County, would provide additional construction funding to pay for repairs to gas piping throughout the Central Maintenance Facility, lead abatement, and additional structural supports at various locations in the building.

The Department of Public Works and Transportation (“Department”) has advised that the work will result in a more energy-efficient facility and significant utility cost savings.

The Department has further advised that design is complete and construction is underway. It is estimated that the additional construction will take twenty-four (24) months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for T0050 as follows: Bond Act No. 327-2016 in the amount of \$400,000, which was amended by Bond Act No. 236-2019 in the total amount of \$5,715,000, to finance design, construction and construction management of heating and ventilation improvements at the Central Maintenance Facility; and Bond Act No. 80-2020, which amended Bond Act No. 236-2019 by increasing the total amount authorized by \$4,985,000 for a total authorized amount, as amended, of \$10,700,000. These bonds have been partially sold. It is now requested that Bond Act No. 80-2020 be amended to increase the amount authorized by an additional \$3,250,000, for a total authorized amount, as amended, of \$13,950,000.

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.

The Planning Department has further 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,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

GL/LS/jpg
Attachments

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER, NEW YORK**

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year Capital Budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) which, if adopted, will authorize the County to issue up to \$3,250,000 in additional bonds to finance capital project T0050 – Replacement of Heating Units and Ventilation Fans at CMF (“T0050”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for this project by \$3,250,000. The total cost of the project is higher than originally expected due to unanticipated construction costs identified during the initial construction phase.

The Amended Bond Act, in the total amount of \$13,950,000, which includes \$10,700,000 in previously-authorized bonds of the County, would provide additional construction funding to pay for repairs to gas piping throughout the Central Maintenance Facility, lead abatement, and additional structural supports at various locations in the building.

The Department of Public Works and Transportation (“Department”) has advised that the work will result in a more energy-efficient facility, thus providing significant utility cost savings to the County.

The Department has further advised that design is complete and construction is under way. It is estimated that the additional construction will take twenty-four (24) months to complete.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for T0050 as follows: Bond Act No. 327-2016 in the amount of \$400,000, which was amended by Bond Act No. 236-2019 in the total amount of \$5,715,000, to finance design, construction and construction management of heating and ventilation improvements at the

Central Maintenance Facility; and Bond Act No. 80-2020, which amended Bond Act No. 236-2019 by increasing the total amount authorized by \$4,985,000 for a total authorized amount, as amended, of \$10,700,000. These bonds have been partially sold. It is now requested that Bond Act No. 80-2020 be amended to increase the total amount authorized by an additional \$3,250,000, for a total authorized amount, as amended, of \$13,950,000.

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.

The Planning Department has further advised your Committee 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 has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Amended Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County’s Capital Budget and to adopt the Amended Bond Act.

Dated: _____, 20____.
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: T0050

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 \$ 13,950,000 PPU 10 Anticipated Interest Rate 3.00%

Anticipated Annual Cost (Principal and Interest): \$ 1,626,142

Total Debt Service (Annual Cost x Term): \$ 16,261,420

Finance Department: Interest rates from September 22, 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):

The proposed work will result in a more energy efficient facility. It is anticipated that the proposed improvements will result in utility cost savings.

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 151

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

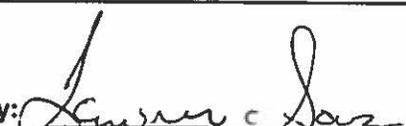
Not Applicable

Prepared by: Gayle M. Katzman

Title: First Deputy Commissioner

Department: Public Works & Transportation

Date: 9/27/22

Reviewed By: 

Budget Director

Date: 9/28/22

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

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

DATE: September 20, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
T0050 Replacement of Heating Units and Ventilation Fans at CMF**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-30-2022 (Unique ID: 1997)

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: 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
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:
T0050 Replacement of Heating Units and Ventilation Fans, Central Maintenance
Facility, Yonkers**

Date: September 1, 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

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 1, 2022

RE: **Capital Budget Amendment –
T0050 Replacement of Heating Units and Ventilation Fans, Central Maintenance
Facility, Yonkers**

The County Executive is requesting an amendment to the 2022 Capital Budget to modify the funding of the above project. Capital project T0050 Replacement of Heating Units and Ventilation Fans, Central Maintenance Facility in Yonkers, will fund the design, construction management, and construction of these repairs.

A Capital Budget Amendment in the amount of \$3,250,000 is being requested to provide additional funding to address increased costs for unanticipated items discovered during construction, including repairs to gas piping throughout the building to address leaks ; lead abatement; and additional structural supports at various locations. This project was classified as a PL1, project without physical planning aspects of concern to the Planning Board in the 2016 Report on the Capital Project Requests adopted July 7, 2015.

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

ACT No. 2022

An Act amending the 2022 County
Capital Budget Appropriations for
Capital Project T0050 Replacement
of Heating Unites & Ventilation Fans
at CMF

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	\$10,700,000	\$3,250,000	\$13,950,000

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	\$10,700,000	\$3,250,000	\$13,950,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$10,700,000</u>	<u>\$3,250,000</u>	<u>\$13,950,000</u>

Section 3. The ACT shall take effect immediately.