

# Westchester County

George Latimer  
County Executive

September 8, 2023

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 a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,011,000 to finance a component of the following capital project:

WCC88 – Maintenance Building Infrastructure Upgrade ("WCC88").

The Bond Act, in the amount of \$1,011,000, would finance the County's 50% share of the cost of the initial phase of the Maintenance Building Infrastructure Upgrade project at the Westchester Community College ("College") campus.

The College has advised that the total amount appropriated for this component of WCC88 is \$2,022,000. This bond request, in the amount of \$1,011,000, represents the County's 50% share of this component of the project. The remaining 50% will be funded by New York State. The College has further advised that the Maintenance Building was formerly used as a residence for the Site Superintendent but is now used as storage space. The College's Master Plan calls for the former residence to be renovated for full storage space.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized bonding for the initial phase of this project as set forth in the attached fact sheet

The Planning Department has advised that based on its review, WCC88 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. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Bond Act 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/BM/DG/jpg/nn

**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 \$1,011,000 to finance a component of capital project WCC88 – Maintenance Building Infrastructure Upgrade (“WCC88”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the County’s 50% share of the cost of the initial phase of the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College (“College”) campus.

The College has advised that the total amount appropriated for this component of WCC88 is \$2,022,000. This bond request, in the amount of \$1,011,000, represents the County’s 50% share of this component of the project. The remaining 50% will be funded by New York State. The College has further advised that the Maintenance Building was formerly used as a residence for the Site Superintendent but is now used as storage space. The College’s Master Plan calls for the former residence to be renovated for full storage space.

Following bonding authorization, design will be scheduled and is anticipated to take twelve (12) months to complete. It is anticipated that the design work will be completed by consultants. It is estimated that construction will take eighteen (18) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, WCC88 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: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC88

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 \$ 1,011,000 PPU 15 Anticipated Interest Rate 3.27%

Anticipated Annual Cost (Principal and Interest): \$ 86,112

Total Debt Service (Annual Cost x Term): \$ 1,291,673

Finance Department: Maab 8-30-23

## 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):

No Operating Impact

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 10

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gillins

Title: Assistant VP/Controller

Department: WCC

Date: 8/31/23


Reviewed By: 

02/9/23

Budget Director

Date: 9/6/23

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 25, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC88 MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 07-11-2023 (Unique ID: 2253)

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.
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**COMMENTS:** None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Dianne Vanadia, Associate Budget Director  
Robert Cirillo, Director of Physical Plant, Westchester Community College  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,011,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PROJECT AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS; STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$2,022,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,011,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND APPLICATION OF \$1,011,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 Third-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, \$1,011,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College campus; 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$2,022,000. The plan of financing includes the issuance of \$1,011,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, application of \$1,011,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes, and the levy of a tax to pay the principal of and interest on said bonds and notes.

Section 2. The existing building is of at least Class "B" construction as defined by Section 11.00 a. 11. (b) of the Law, and 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. 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 \$1,011,000. 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 WESTCHESTER        )

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 \_\_\_\_\_, 20\_\_ and approved 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 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 \$1,011,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE PROJECT AT THE WESTCHESTER COMMUNITY COLLEGE CAMPUS, STATING THE TOTAL ESTIMATED MAXIMUM COST THEREOF IS \$2,022,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,011,000 BONDS HEREIN AUTHORIZED TO FINANCE THE COUNTY'S SHARE OF SUCH COST AND APPLICATION OF \$1,011,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TOWARDS THE COST OF SAID OBJECTS OR PURPOSES; 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 the Maintenance Building Infrastructure Upgrade Project at the Westchester Community College campus; at the estimated maximum cost of \$2,022,000; all as set forth in the County's current year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$1,011,000; 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> WCC88	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 07-05-2023
<b>Fact Sheet Year:*</b> 2023	<b>Project Title:*</b> MAINTENANCE BUILDING INFRASTRUCTURE UPGRADE	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 2253

**Overall Project Description**

The Maintenance Building Upgrade Project Phase II is in the amount of \$2,022,000. Maintenance I was constructed in 1932 at 2,448 sq. ft. this is utilized as a vehicle service garage. The Maintenance Building 3 was constructed in 1933 at 24,459 sq. ft. and houses the physical plant, facilities and receiving departments.

- |   |   |  |
|---|---|--|
| <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	2023-24	2024-25	2025-26	2026-27	2027-28	Under Review
<b>Gross</b>	4,458	2,730	1,728	0	0	0	0	0
<b>Less Non-County Shares</b>	2,229	1,365	864	0	0	0	0	0
<b>Net</b>	2,229	1,365	864	0	0	0	0	0

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

**Current Bond Description:** Current bonding approval is necessary to fund the County's 50% share of this initial phase of the Maintenance Building Infrastructure Upgrade project. This phase addresses the infrastructure of the Maintenance House. The master plan calls for the house to be renovated for full storage space.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 1,011,000
Bonds/Notes:	1,011,000
Cash:	0
<b>Total:</b>	<b>\$ 2,022,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,011,000

**Expected Design Work Provider:**

- County Staff
  Consultant
  Not Applicable

**Comments:**

The amount appropriated for the design and construction of this phase is \$2,022,000. This bonding request is in the amount of \$1,011,000 and represents the County's 50% share of approved Capital Project WCC88 - Maintenance Building Infrastructure Upgrade. New York State has approved funding on the remaining 50%.

**Energy Efficiencies:**