

**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 \$800,000 to finance capital project BPL35 – Hilltop Hanover Farm and Environmental Center (“BPL35”).

The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of building and site rehabilitation work at the County’s Hilltop Hanover Farm and Environmental Center.

The Department of Planning (“Department”) has advised that while the Master Plan provides an exciting and comprehensive vision for the future of the facility, the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs as well as the native plant program, which has been extremely successful and requires additional investment in infrastructure to achieve its potential. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site and promote best practices for environmental stewardship and sustainable and resilient living.

Projects that do not require substantive design will be designed in-house or utilizing on-call consultant services. More substantive projects—such as the continued development of the master plan, the preparation of an associated building, site and cultural resources study, and the design of an electrical system upgrade—will be designed by appropriate consultants. Following bonding authorization, all projects will be moved forward to implementation. The master plan continuation and related work will begin in Fall of 2023 and take approximately twelve months to complete. The electrical system design will begin in early 2024 and take six to twelve months to complete. Design and implementation of needed building, site and infrastructure rehabilitation will begin as soon as needed and take approximately six to twelve months to complete. Funding for continuation of the master plan development, supporting surveys and studies, and design for the rehabilitation work (\$1,200,000) is proposed under a separate bond act. All projects will be coordinated with the master plan.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with BPL35 as indicated in the annexed fact sheet.

The Department of Planning has advised your Committee that based on its review, the authorization of BPL35 may be classified as a Type "II" action pursuant to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 ("SEQR"). 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: November 1st, 20 23
White Plains, New York

James Z. Kelly
John J. Kelly
John J. Kelly
John J. Kelly
John J. Kelly
Symon Brandon
Mary K. Barr

John J. Kelly
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Budget & Appropriations | Public Works & Transportation | Parks & Recreation
COMMITTEE ON

Dated: November 1, 2023
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.

Clamon R. Maher

Clamon R. Maher

COMMITTEES ON

Budget & Appropriations

Public Works & Transportation

Parks & Recreation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL35

☐ 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 \$ 800,000 PPU 15 Anticipated Interest Rate 2.92%

Anticipated Annual Cost (Principal and Interest): \$ 66,574

Total Debt Service (Annual Cost x Term): \$ 998,610

Finance Department: Interest rates from August 1, 2023 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):

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 9

SECTION E - EXPECTED DESIGN WORK PROVIDER

☐ County Staff

☒ Consultant

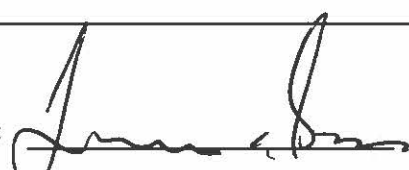
☐ Not Applicable

Prepared by: Michael Lipkin

Title: Associate Planner

Department: Planning

Date: 8/3/23

Reviewed By: 

08/2/23

Budget Director

Date: 8/3/23

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: July 7, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL35 HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
06-16-2023 (Unique ID: 2234)

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)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

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
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF BUILDING AND SITE REHABILITATION WORK AT HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER, STATING THE ESTIMATED TOTAL COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 BONDS HEREIN AUTHORIZED; 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 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, \$800,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance building and site rehabilitation work at Hilltop Hanover Farm and Environmental Center; 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$800,000. The plan of financing includes the issuance of \$800,000 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.

Section 2. The period of probable usefulness of said specific object or purpose, within the limitations of Section 11.00 a. 91 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 \$800,000. 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 \$800,000 as the estimated total cost of the aforesaid specific object or purpose 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 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 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.

* * *

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____.

(SEAL)

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

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 \$800,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF BUILDING AND SITE REHABILITATION WORK AT HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER, STATING THE ESTIMATED TOTAL COST THEREOF IS \$800,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$800,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

object or purpose: to finance building and site rehabilitation work at Hilltop Hanover Farm and Environmental Center; as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued
and period of probable usefulness: \$800,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

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



CAPITAL PROJECT FACT SHEET

Project ID:* BPL35	☐ CBA	Fact Sheet Date:* 05-26-2023
Fact Sheet Year:* 2023	Project Title:* HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER	Legislative District ID: 4, 2
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PLANNING	CP Unique ID: 2234

Overall Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

☒ Best Management Practices	☒ Energy Efficiencies	☒ Infrastructure
☒ Life Safety	☐ Project Labor Agreement	☐ Revenue
☒ Security	☐ Other	

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	10,500	1,000	7,000	0	0	0	0	2,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	10,500	1,000	7,000	0	0	0	0	2,500

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

Current Bond Description: This funding request will advance the master plan to provide feasibility analysis and conceptual layout and design of buildings and infrastructure in accordance with the master plan recommendations. This request will also fund design of needed electrical upgrades, architectural and cultural resources analysis and documentation, and provide funding for additional needed building and site rehabilitation work.

Financing Plan for Current Request:

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

SEQR Classification:

TYPE II

Amount Requested:

2,000,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2022	1,000,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR PARKING IMPROVEMENTS AND HIGH TUNNEL FOR ADDITIONAL CROPS. STUDY FOR BUILDING AND UTILITY SCOPE DEVELOPMENT
2023	7,000,000	IMPROVEMENTS

Total Appropriation History:

8,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
22	127	1,000,000		0 HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER

Total Financing History:

1,000,000

Recommended By:**Department of Planning**

MLLL

Date

06-16-2023

Department of Public Works

RJB4

Date

06-16-2023

Budget Department

DEV9

Date

06-20-2023

Requesting Department

DSK2

Date

06-20-2023

HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER (BPL35)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project has historical implications. Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	10,500	1,000		7,000					2,500
Non County Share									
Total	10,500	1,000		7,000					2,500

Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

Current Year Description

The current year request will fund improvements.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	7,000,000			7,000,000

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
2022	1,000,000	Design, construction and construction management for parking improvements and high tunnel for additional crops. Study for building and utility scope development	AWAITING BOND AUTHORIZATION
Total	1,000,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	1,000,000		1,000,000
Total	1,000,000		1,000,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
127 22	1,000,000			1,000,000
Total	1,000,000			1,000,000