

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

Your Committee is in receipt of a transmission from the County Executive recommending approval of an Act amending the County of Westchester's (the "County") current-year Capital Budget (the "Capital Budget Amendment"), as well as adoption of a related bond act (the "Bond Act") which, if approved, would authorize the County to issue \$1,400,000 in bonds to finance capital project BCR59 – Security Systems Upgrade ("BCR59").

The proposed Capital Budget Amendment will amend the County's current year capital budget to add \$1,400,000 in County funds for project BCR59.

Your Committee is advised that this project funds security systems upgrades at the County's correctional facility in Valhalla. The Bond Act, in the amount of \$1,400,000, which was prepared by the law firm of Hawkins Delafield and Wood, LLP, would finance the purchase and installation of Network Video Recorders ("NVRs") to replace existing, obsolete Digital Video Recorder technology.

Upon approval of bonding authorization, it is estimated that the DVR's will be purchased and installed by December 31, 2021.

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. Accordingly, the required Planning Board report is herewith attached.

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.

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

Dated: April 19th, 2021
White Plains, New York

Benjamin Boykoff
Catherine Boy

Benjamin Boykoff
Kip Swell

c/jpg/2-18-21
COMMITTEE ON

Budget &
Appropriations

Public works &
Transportation

Dated: April 19, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Budget & Appropriations

Nancy E. Dunn

Margaret A. Cunzio

Catherine F. Parker

David Q. Jubilo

Ruth Walter

Alfreda Willis

Christy

Vedat Galin

Clarence R. Maher

Public Works & Transportation

Vedat Galin

David Q. Jubilo

Mary Jane Skimsky

Catherine F. Parker

Ruth Walter

Christy

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR59

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 \$ 1,400,000 PPU 5 Anticipated Interest Rate 0.47%

Anticipated Annual Cost (Principal and Interest): \$ 283,965

Total Debt Service (Annual Cost x Term): \$ 1,419,825

Finance Department: Interest rates from March 22, 2021 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: 15

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William Fallon

Title: Director of Administrative Services


Department: Correction

Date: 3/25/21

Reviewed By: 
Budget Director

Date: 4/2/21

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: March 22, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR59 SECURITY SYSTEMS UPGRADE**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02/08/2021 (Unique ID: 1621)

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)(31):** purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.
-

COMMENTS: None.

DSK/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

RESOLUTION 21-08

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2021 Capital Project Requests

BCR59 Security System Upgrades

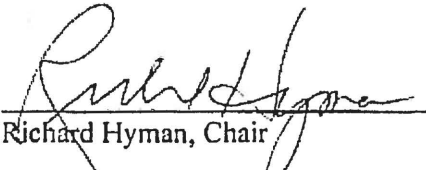
WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would provide funding for **BCR59 Security System Upgrades** by adding an appropriation to the 2021 Capital Budget for the acquisition and installation of security system equipment at the County Correctional Facility at the County-owned Valhalla Campus; and

WHEREAS, bonding in the amount of \$1,400,000 is requested for the purchase and installation of equipment to replace existing DVRs, an obsolete technology, and

WHEREAS, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by maintaining county facilities; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report of 2021 Capital Project Requests to include funding for **Capital Project BCR59 Security System Upgrades** and gives the project a rating of “PL1” – “A project without physical planning aspects of concern to the Planning Board.”

Adopted this 2nd day of March, 2021


Richard Hyman, Chair

ACT No. 71 - 2021

An Act amending the 2021 County
Capital Budget Appropriations for
Capital Project BCR59 - Security
Systems Upgrade

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$250,000	\$1,400,000	\$1,650,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes	\$250,000	\$1,400,000	\$1,650,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$250,000</u>	<u>\$1,400,000</u>	<u>\$1,650,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. 72- 2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE AND INSTALLATION OF NETWORK VIDEO RECORDERS (NVRs) FOR THE DEPARTMENT OF CORRECTION; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,400,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,400,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.

(Adopted 05/10 , 2021)

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, \$1,400,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase and installation of network video recorders (NVRs) in the Correction Facility, located at the County owned Valhalla Campus at Grasslands in the Town of Mount Pleasant, 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 class of

objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,400,000. The plan of financing includes the issuance of \$1,400,000 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 the class of objects or purposes for which the \$1,400,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.35 of the Law, is five (5) 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 \$1,400,000. 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 \$1,400,000 as the estimated total cost of the aforesaid objects or purposes 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.

CAPITAL PROJECT FACT SHEET

Project ID:* BCR59	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 01-25-2021
Fact Sheet Year:* 2021	Project Title:* SECURITY SYSTEMS UPGRADE	Legislative District ID: 3,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* CORRECTION	CP Unique ID: 1621

Overall Project Description

This project will fund security systems upgrades at the correction facility.

- | | | |
|---|---|--|
| <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 checked="" type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	25,250	250	0	0	0	0	0	25,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	25,250	250	0	0	0	0	0	25,000

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

Current Bond Description: Bonding is requested for the purchase and installation of NVR's to replace existing, obsolete technology.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,400,000
Cash:	0
Total:	\$ 1,400,000

SEQR Classification:

TYPE II

Amount Requested:

1,400,000

Comments:

A capital budget amendment in the amount of \$1,400,000 (shown under review) is being requested for purchase and installation of replacement DVR's in the Correction Facility.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2020	250,000	PRELIMINARY STUDY

Total Appropriation History:

250,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
02-08-2021

Department of Public Works
RJB4

Date
02-09-2021

Budget Department
LMY1

Date
02-18-2021

Requesting Department
WPF4

Date
02-18-2021

SECURITY SYSTEMS UPGRADE (BCR59)

User Department : Correction

Managing Department(s) : Correction ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	25,250	250							25,000
Non County Share									
Total	25,250	250							25,000

Project Description

This project will fund security systems upgrades at the correction facility.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the Operating Budget is the appropriation of Cash to Capital and the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2020	250,000	Preliminary Study	AWAITING BOND AUTHORIZATION
Total	250,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Funds Revenue	250,000	250,000	
Total	250,000	250,000	

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on May 10, 2021 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
May 6, 2021

WVOX
FIOS1
News Channel 12
The Journal News
Pluma Libre
Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

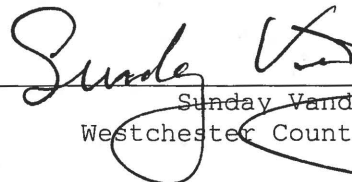
Designated Location(s)
of posted notice

Date of Posting
May 6, 2021

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on May 11, 2021.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

The foregoing Bond Act was duly put to a vote which resulted as follows:

AYES:


Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Kitley Covill
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Ruth Walter
Legislator Alfreda Williams
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 5-11-21

STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. 71 - 2021, and (Bond) Act No. 72 - 2021, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on May 10, 2021, and approved by the County Executive on May 11, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 18th day of May, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

