

**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 \$750,000 to finance a component of capital project B015D – Interior Infrastructure Repairs, White Plains Complex (2016 – 2020) (“B015D”). The Bond Act, which was prepared by the law firm Harris Beach, PLLC, will finance the cost of design, construction management, and construction associated with the installation of isolation valves on the domestic water system throughout the Richard J. Daronco Courthouse Annex (the “Annex”).

The Department of Public Works and Transportation (“Department”) has advised that the current domestic water system in the Annex cannot be separated by floor or section. If a particular area needs to be repaired, then the entire water system needs to be shut off, and the building will be closed for as long as it takes to resolve the issue. Installing isolation valves in strategic locations will allow the water service in that area to be turned off, allowing the remaining portions of the building to remain operational.

Following bonding authorization, design will be scheduled and is estimated to take six (6) months to complete and will be performed by an outside consultant. Construction is estimated to take nine (9) months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with separable components of B015D as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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: April 8th, 2024
White Plains, New York

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COMMITTEE ON

c/jpg/2-20-2024

Budget & Appropriations

Public Works &
Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B015D

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 \$ 750,000 PPU 10 Anticipated Interest Rate 2.53%

Anticipated Annual Cost (Principal and Interest): \$ 86,384

Total Debt Service (Annual Cost x Term): \$ 863,840

Finance Department: Interest rates from March 12, 2024 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: 8

Prepared by: Robert Abbamont

Title: Director of Operations (Capital)

Department: Public Works and Transportation

Date: 3/12/24

Reviewed By: 

Date: 3/13/24

Budget Director

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: February 23, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B015D Interior Infrastructure Repairs, White Plains Complex (2016-2020)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
02-07-2024 (Unique ID: 2405)

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.

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
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS AT THE RICHARD J. DARONCO COURTHOUSE ANNEX; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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, to the provisions of other laws applicable thereto, \$750,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements at the Richard J. Daronco Courthouse Annex, including design, construction management and construction of the installation of isolation valves on the domestic water system; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$750,000. The plan of financing includes the issuance of \$750,000 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 existing building is of at least Class "A" construction as defined by Section 11.00 a. 11. (a)(1) of the Law, and the period of probable usefulness applicable to the specific objects or purposes for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) 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 \$750,000. 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, 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 AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS AT THE RICHARD J. DARONCO COURTHOUSE ANNEX; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$750,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$750,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; 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 improvements at the Richard J. Daronco Courthouse Annex, including design, construction management and construction of the installation of isolation valves on the domestic water system; 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: \$750,000; ten (10) 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

Project ID:* B015D	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2024
Fact Sheet Year:* 2024	Project Title:* INTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2016-2020)	Legislative District ID: 8,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* PUBLIC WORKS	CP Unique ID: 2405

Overall Project Description

Rehabilitation of building interiors and infrastructure including all building systems in the White Plains Complex (Michaelian Office Building, Low Rise Building, Richard J. Daronco Courthouse and Annex, Parking Structure, 112 East Post Road, 85 Court Street, and 143 Grand Street).

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
Gross	5,145	5,145	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	5,145	5,145	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 869

Current Bond Description: Funding is requested for design, construction management, and construction of the installation of isolation valves on the domestic water system throughout the Richard J. Daronco Courthouse Annex.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	750,000
Cash:	0
Total:	\$ 750,000

SEQR Classification:

TYPE II

Amount Requested:

750,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	3,650,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT FOR WORK AT RICHARD J. DARONCO COURTHOUSE AND ANNEX; LOW RISE AND 143 GRAND ST.
2018	850,000	FUNDS WORK AT THE RICHARD J. DARONCO COURTHOUSE ANNEX.
2019	425,000	COST OF ACQUISITION
2021	220,000	COST ESCALATION

Total Appropriation History:

5,145,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	196	425,000	211,998	INTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX - 112 EAST POST ROAD & 85 COURT STREET
20	197	100,000	58,350	ELECTRICAL IMPROVEMENTS AT THE RICHARD J. DARONCO COURTHOUSE BUILDING
21	53	3,870,000	269,924	INTERIOR INFRASTRUCTURE REPAIRS - JUDGES ELAVATOR AT COURTHOUSE- THREE PASSENGER ELAVATORS

Total Financing History:

4,395,000

Recommended By:

Department of Planning
SEDR

Date
02-07-2024

Department of Public Works
RJB4

Date
02-07-2024

Budget Department
DEV9

Date
02-13-2024

Requesting Department
RJB4

Date
02-13-2024

INTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2016-2020) (B015D)

User Department : Public Works
Managing Department(s) : 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	2024	2025	2026	2027	2028	Under Review
Gross	5,145	5,145	869						
Non County Share									
Total	5,145	5,145	869						

Project Description

Rehabilitation of building interiors and infrastructure including all building systems in the White Plains Complex (Michaelian Office Building, Low Rise Building, Richard J. Daronco Courthouse and Annex, Parking Structure, 112 East Post Road, 85 Court Street, and 143 Grand Street).

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
2017	3,650,000	Design, construction and construction management for work at Richard J. Daronco Courthouse and Annex; Low Rise and 143 Grand St.	CONSTRUCTION
2018	850,000	Funds work at the Richard J. Daronco Courthouse Annex.	\$100,000 STUDY ; \$750,000 AWAITING BOND AUTHORIZATION
2019	425,000	Cost of acquisition	COMPLETE
2021	220,000	Cost escalation	CONSTRUCTION
Total	5,145,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	5,145,000	774,890	4,370,110
Total	5,145,000	774,890	4,370,110

**INTERIOR INFRASTRUCTURE REPAIRS, WHITE PLAINS COMPLEX (2016-2020)
(B015D)**

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
196 19	425,000	12/01/21	118,160	213,002
		12/01/22	85,356	
		12/01/22	8,483	
197 20	100,000	12/01/22	53,075	41,650
		12/01/22	5,275	
53 21	3,870,000	12/01/21	39,616	3,600,076
		12/01/22	209,489	
		12/01/22	20,819	
Total	4,395,000		540,272	3,854,728