

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 are two bond acts ("Bond Acts") of the County of Westchester ("County") as follows:

(1) a bond act to amend prior Bond Act No. 52-2022 to remove a \$2,295,889 portion of the \$2,700,000 allocable to the construction costs of the rehabilitation of the Fenimore Road and Weaver Street Pumping Station components of Capital Project SM095 – Pumping Station Rehabilitation Program – Mamaroneck SSD ("SM095"), and to decrease the estimated maximum amount and bonds authorized to \$38,409,111 ("Amending Bond Act"); and

(2) a bond act authorizing the issuance of bonds in the amount of \$17,795,889 to finance a portion of the \$18,200,000 estimated maximum cost of design, construction management, and construction of the rehabilitation of various pumping stations and improvements to the County's Mamaroneck Water Resource Recovery Facility in the Mamaroneck Sanitary Sewer District in connection with SM095. This \$17,795,889 proposed Bond Act represents an increase in the amount of \$14,500,000 for construction costs and consolidates amounts previously authorized for SM095 in Bond Act Nos. 134-2022 and 52-2022, and increases the estimated maximum cost of SM095 to \$18,200,000 ("Consolidated Bond Act").

The Amending Bond Act is required to remove design and construction management bonding authorizations related to SM095 so that those authorizations may be included in the Consolidated Bond Act for SM095.

The Department of Environmental Facilities ("Department") has advised that, construction funding is for the rehabilitation of the Weaver Street, Fenimore Road, and Saxon Woods Pumping Stations. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator, control panels, floors, walls, windows, and roofs. The Weaver Street Pumping Station will also include flood hazard mitigation measures to raise vulnerable equipment above the anticipated flood level. These stations suffer significant wear and tear due to constant use and require rehabilitation and replacement every 15 to 20 years. They

Office of the County Executive

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White Plains, New York 10601

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are designed to not only cover normal necessary replacement and rehabilitation, but to improve efficiency of the pumping stations by reducing energy usage and manpower costs. The Department is required to keep its equipment in a state of good repair in order to continue to adequately protect the environment.

Design is currently being undertaken by consultants and is expected to be completed by the end of the third quarter of 2023. It is estimated that construction will take 24 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 the County to issue bonds to finance SM095 as indicated in the annexed fact sheet and as follows: Bond Act No. 52-2022, in relevant part, authorized the County to issue bonds to finance design and construction management for rehabilitation of the Fenimore Road and Weaver Street Pumping Stations in the amount of \$2,700,000; \$404,111 has been issued under this authorization; Bond Act No. 134-2022, which, in relevant part, authorized \$1,000,000 in financing for design and construction management costs for the rehabilitation of the Saxon Woods Pumping Stations. Now, it is requested that the County authorize the Amending Bond Act to amend Bond Act No. 52-2022 to remove a \$2,295,889 portion of the \$2,700,000 allocable to the SM095 construction costs for rehabilitation of the Fenimore Road and Weaver Street Pumping Stations, to decrease the estimated maximum amount and bonds authorized to \$38,409,111 bonds, leaving an authorization of \$404,111, representing the amount previously issued against and authorize the Consolidated Bond Act to consolidate amounts authorized for SM095 into one bond act, except for the \$404,111 bonds already issued against under Bond Act No. 52-2022. The Consolidated Bond Act would authorize \$17,795,889 to pay for a portion of the \$18,200,000 estimated maximum cost of design, construction management, and construction of rehabilitation of various pumping stations and improvements to the Mamaroneck Water Resource Recovery Facility in the Mamaroneck Sanitary Sewer District. This amount represents an additional \$14,500,000 for construction costs, consolidating amounts previously authorized for SM095 by Bond Act Nos. 134-2022 and 52-2022, and increases the estimated maximum cost of SM095 to \$18,200,000

The Planning Department has advised that based on its review, SM095 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 Consolidated Bond Act and Amended Bond Act is respectfully requested.

Sincerely,



George Latimer
County Executive

Attachments

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

Your Committee is in receipt of an amended bond act (“Amending Bond Act”) of the County of Westchester (“County”) authorizing amendment to prior Bond Act No. 52-2022 to remove a \$2,295,889 portion of the \$2,700,000 allocable to the construction costs of the rehabilitation of the Fenimore Road and Weaver Street Pumping Station components of Capital Project SM095 – Pumping Station Rehabilitation Program – Mamaroneck SSD (“SM095”), and to decrease the estimated maximum amount and bonds authorized to \$38,409,111.

The Department of Environmental Facilities (“Department”) has advised that, construction funding is required for the rehabilitation of the Weaver Street, Fenimore Road, and Saxon Woods Pumping Stations. The work required in the pumping stations includes the replacement or repair of all mechanical, plumbing, fire protection, HVAC, odor control, electrical, instrumentation, structural, and architectural systems. This includes, but is not limited to, bar screens, pumps, piping and valves, gas and fire detection equipment, odor control equipment, conduit and wire, lighting, electrical distribution equipment, emergency generator, control panels, floors, walls, windows, and roofs. The Weaver Street Pumping Station will also include flood hazard mitigation measures to raise vulnerable equipment above the anticipated flood level. These stations suffer significant wear and tear due to constant use and require rehabilitation and replacement every 15 to 20 years. They are designed to not only cover normal necessary replacement and rehabilitation, but to improve efficiency of the pumping stations by reducing energy usage and manpower costs. The Department is required to keep its equipment in a state of good repair in order to continue to adequately protect the environment.

Design is currently being undertaken by consultants and is expected to be completed by the end of the third quarter of 2023. It is estimated that construction will take 24 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 the County to issue bonds to finance SM095 as indicated in the annexed fact sheet and as follows: Bond Act No. 52-2022, in relevant part, authorized the County to issue bonds to finance design and construction management for rehabilitation of the Fenimore Road and Weaver Street Pumping Stations in the amount of \$2,700,000; \$404,111 has been issued under this authorization; Bond Act No. 134-2022, which, in relevant part,

authorized \$1,000,000 in financing for design and construction management costs for the rehabilitation of the Saxon Woods Pumping Stations. Now, it is requested that the Amending Bond Act be authorize to amend Bond Act No. 52-2022 to remove a \$2,295,889 portion of the \$2,700,000 allocable to the SM095 construction costs for rehabilitation of the Fenimore Road and Weaver Street Pumping Stations, to decrease the estimated maximum amount and bonds authorized to \$38,409,111 bonds, leaving an authorization of \$404,111, representing the amount previously issued against.

A separate, concurrent request seeks authorization of a Consolidated Bond Act to consolidate amounts authorized for SM095 into one bond act, except for \$404,111 bonds already issued against under Bond Act No. 52-2022. The Consolidated Bond Act would authorize \$17,795,889 to pay for a portion of the \$18,200,000 estimated maximum cost of design, construction management, and construction of rehabilitation of various pumping stations and improvements to the Mamaroneck Water Resource Recovery Facility in the Mamaroneck Sanitary Sewer District. This amount represents an additional \$14,500,000 for construction costs, consolidating amounts previously authorized for SM095 by Bond Act Nos. 134-2022 and 52-2022, and increases the estimated maximum cost of SM095 to \$18,200,000.

The Planning Department has advised your Committee that based on its review, SNY95 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 Consolidated Bond Act. Your Committee recommends the adoption of the proposed Consolidated Bond Act.

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

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SM095

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 \$ 38,409,111 PPU 30 Anticipated Interest Rate 3.78%

Anticipated Annual Cost (Principal and Interest): \$ 2,064,406

Total Debt Service (Annual Cost x Term): \$ 61,932,180

Finance Department: Interest rates from September 6, 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: 417

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 9/6/23


Reviewed By: 

09/17/23

Budget Director

Date: 9/18/23

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: September 1, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
SM095 - MAMARONECK SSD PUMPING STATION REHABILITATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 08-03-2023 (Unique ID: 2301)

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/sed

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
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

REFERENCE SM018, SM019, SM021, SM030, SM075, SM095

ACT NO. _____ - 2022

BOND ACT DATED _____, 2022.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 52-2022 DATED MAY 9, 2022, WHICH AUTHORIZED THE ISSUANCE OF \$40,705,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK VALLEY SANITARY SEWER DISTRICT, TO REMOVE \$2,295,889 ALLOCABLE TO THE CONSTRUCTION COSTS OF THE REHABILITATION OF THE FENIMORE ROAD AND WEAVER STREET PUMPING STATIONS (SM095) AND DECREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$38,409,111.

WHEREAS, this Board has previously consolidated Bond Act Nos. 62-2020, 108-2015, and 115-2017 into Bond Act No. 52-2022, dated May 9, 2022, which authorized the issuance of \$40,705,000 bonds to pay the design, construction management and construction costs for various improvements to the facilities of the Mamaroneck Valley Sanitary Sewer District, in and for said County;

WHEREAS, of the \$40,705,000 bonds authorized in Bond Act 52-2022, \$2,700,000 was allocable to the rehabilitation of the Fenimore Road And Weaver Street Pumping Stations (SM095);

WHEREAS, approximately \$404,111 of obligations have been issued under Bond Act No. 52-2022 ;

WHEREAS, it has now been determined that it would be beneficial to decrease the amount allocable to SM095 from \$2,700,000 to \$404,111 (amount previously issued against) in Act No. 52-2022 by removing \$2,295,889 bonds authorized from said act and, accordingly, decrease the estimated maximum cost and the amount of bonds authorized to \$38,409,111;

WHEREAS, the capital project described herein has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section (A)(i): The bond act duly adopted by this Board on May 9, 2022, entitled:

ACT NO. 52-2022

A BOND ACT AUTHORIZING THE ISSUANCE OF \$40,705,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK VALLEY SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY.

are hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$38,409,111 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK VALLEY SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the maximum estimated cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, and compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Mamaroneck Valley Sanitary Sewer District, which are specially benefitted by said class of objects or purposes; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. There are hereby authorized to be issued \$38,409,111 bonds of the County of Westchester to finance the design, construction management and construction costs for various improvements to the facilities of the County's Mamaroneck Valley Sanitary Sewer District, including the following projects (i) rehabilitation of the HVAC system at the Mamaroneck Water Resource Recovery Facility (SM018) (ii) emergency power upgrades at the Mamaroneck Water Resource Recovery Facility (SM019), (iii) blower replacement at the Mamaroneck Water Resource Recovery Facility (SM021), (iv) replacement of roofs at the Mamaroneck Water Resource Recovery Facility (SM030), (v) rehabilitation and modification of the Cove Road Pumping Station, replacement of the Cove Road force main and installation of a new wet cell at the Edgewater Pumping Station (SM075), and (vi) rehabilitation of the Fenimore Road and Weaver Street Pumping Stations (SM095), and incidental expenses in connection therewith, which is a class of objects or purposes, in and for the benefit of the County's Mamaroneck Valley Sanitary Sewer District. To the extent that the details of the aforesaid class of objects or purposes set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$38,409,111, and that the plan for the financing thereof is by the issuance of \$38,409,111 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner

of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Mamaroneck Valley Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk of the County Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section (B). The amendments of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect immediately upon approval by the County Executive.

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

AYES:

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * *

APPROVED BY THE COUNTY EXECUTIVE

Date: _____, 2022

STATE OF NEW YORK)
) ss.:
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 _____,
2022, 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, [please check one below]

_____ (1) pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said
meeting was open to the general public, or

_____ (2) said meeting was held remotely by conference call, video conference, or other
similar means in accordance with the requirements set forth in Chapter 417 of the Laws of 2021.

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

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 Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on _____, 2022.

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

(CORPORATE
SEAL)

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 2022 and approved by the County Executive on _____, 2022 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 and Administrative Officer 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. _____-2022

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING ACT NO. 52-2022 DATED MAY 9, 2022, WHICH AUTHORIZED THE ISSUANCE OF \$40,705,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR VARIOUS IMPROVEMENTS TO THE FACILITIES OF THE MAMARONECK VALLEY SANITARY SEWER DISTRICT, TO REMOVE \$2,295,889 ALLOCABLE TO THE CONSTRUCTION COSTS OF THE REHABILITATION OF THE FENIMORE ROAD AND WEAVER STREET PUMPING STATIONS (SM095) AND DECREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$38,409,111.

objects or purposes: providing funding for design, construction management and construction of various improvements to the facilities of the County's Mamaroneck Sanitary Sewer District as described therein

period of probable usefulness: thirty (30) years

amount of obligations to be issued: \$38,409,111

Dated: _____, 2022
White Plains, New York

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