

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED DECEMBER 16, 2013 IN RELATION TO THE CONSTRUCTION OF A NEW NATURE CENTER AT CRANBERRY LAKE PRESERVE, AT THE MAXIMUM ESTIMATED COST OF \$4,990,000. (Adopted _____, 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$340,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the construction of a new nature center and associated infrastructure and site work at Cranberry Lake Preserve, pursuant to Act No. 212-2013 duly adopted on December 16, 2013; and

WHEREAS, it is now appropriate to authorize such improvements, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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 (A). The bond act duly adopted by this Board on December 16, 2013, entitled:

“ACT NO. 212-2013

BOND ACT AUTHORIZING THE ISSUANCE OF \$340,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE CONSTRUCTION OF A NEW NATURE CENTER AND ASSOCIATED INFRASTRUCTURE AND SITE WORK AT CRANBERRY LAKE PRESERVE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$340,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$340,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$4,990,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF A NEW NATURE CENTER AND ASSOCIATED INFRASTRUCTURE AND SITE WORK AT CRANBERRY LAKE PRESERVE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,990,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,990,000 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; \$4,990,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of a new nature center and associated infrastructure and site work improvements at Cranberry Lake Preserve, 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$4,990,000. The plan of financing includes the issuance of \$4,990,000 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 and notes.

Section 2. The period of probable usefulness of the specific object or purpose for which said \$4,990,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 19(c) 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

\$4,990,000. 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 \$4,990,000 as the estimated maximum 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.

Section (B). The amendment 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 in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)

: ss.:

COUNTY OF NEW YORK)

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 Office 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 December 16, 2013 and amended 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_____

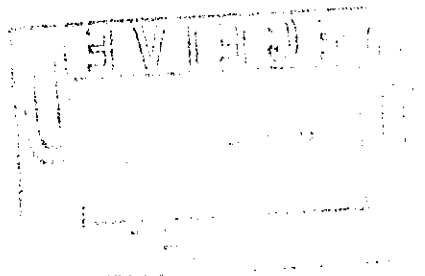
BOND ACT AUTHORIZING THE ISSUANCE OF \$4,990,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE CONSTRUCTION OF A NEW NATURE CENTER AND ASSOCIATED INFRASTRUCTURE AND SITE WORK AT CRANBERRY LAKE PRESERVE, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,990,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$4,990,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on December 16, 2013 and amended on _____, 20____)

object or purpose: to finance the design, construction and construction management of a new nature center and associated infrastructure and site work improvements at Cranberry Lake Preserve, 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: \$4,990,000; 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

Project ID:*

RCL01

CBA

Fact Sheet Date:*

02-04-2022

Fact Sheet Year:*

2022

Project Title:*

CRANBERRY LAKE NATURE CENTER

Legislative District ID:

3,

Category*

RECREATION FACILITIES

Department:*

PARKS, RECREATION & CONSERVATION

CP Unique ID:

1893

Overall Project Description

This project will fund a new nature center, associated infrastructure and site improvements at Cranberry Lake Preserve.

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 | 2022 | 2023 | 2024 | 2025 | 2026 | Under Review |
|-------------------------------|-------------------------------|--------------|-------|------|------|------|------|--------------|
| Gross | 4,990 | 3,990 | 1,000 | 0 | 0 | 0 | 0 | 0 |
| Less Non-County Shares | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Net | 4,990 | 3,990 | 1,000 | 0 | 0 | 0 | 0 | 0 |

Expended/Obligated Amount (in thousands) as of : 315

Current Bond Description: This request will fund the construction and construction management of a new nature center and associated infrastructure and site work improvements at Cranberry Lake Preserve.

Financing Plan for Current Request:

| | |
|--------------------|---------------------|
| Non-County Shares: | \$ 0 |
| Bonds/Notes: | 4,650,000 |
| Cash: | 0 |
| Total: | \$ 4,650,000 |

SEQR Classification:

UNLISTED

Amount Requested:

4,650,000

Comments:

Energy Efficiencies:

PASSIVE HOUSE APPROACH WHICH INCLUDES EXCEEDING INSULATION STANDARDS, HIGH EFFICIENCY MECHANICAL AND PLUMBING FIXTURES, LED LIGHTING, ENERGY RECOVERY VENTILATION AND USE OF RECYCLED MATERIALS.

Appropriation History:

| Year | Amount | Description |
|------|-----------|---|
| 2013 | 340,000 | DESIGN - NEW NATURE CENTER & ASSOCIATED SITE WORK |
| 2015 | 3,350,000 | CONSTRUCTION AND CONSTRUCTION MANAGEMENT |
| 2019 | 300,000 | COST ESCALATION |
| 2022 | 1,000,000 | FIRE SPRINKLER SYSTEM, BACK UP GENERATOR AND ESCALATION |

Total Appropriation History:

4,990,000

CRANBERRY LAKE NATURE CENTER (RCL01)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;
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 | 2022 | 2023 | 2024 | 2025 | 2026 | Under Review | |
| Gross | 4,990 | 3,990 | 315 | 1,000 | | | | | | |
| Non County Share | | | | | | | | | | |
| Total | 4,990 | 3,990 | 315 | 1,000 | | | | | | |

Project Description

This project will fund a new nature center, associated infrastructure and site improvements at Cranberry Lake Preserve.

Current Year Description

The current year request funds additional construction to install a full fire suppression system.

Current Year Financing Plan

| Year | Bonds | Cash | Non County Shares | Total |
|------|-----------|------|-------------------|-----------|
| 2022 | 1,000,000 | | | 1,000,000 |

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 |
|--------------|------------------|---|-----------------------------|
| 2013 | 340,000 | Design - New Nature Center & associated site work | DESIGN |
| 2015 | 3,350,000 | Construction and Construction Management | AWAITING BOND AUTHORIZATION |
| 2019 | 300,000 | Cost escalation | AWAITING BOND AUTHORIZATION |
| Total | 3,990,000 | | |

Prior Appropriations

| | Appropriated | Collected | Uncollected |
|---------------|------------------|-----------|------------------|
| Bond Proceeds | 3,990,000 | | 3,990,000 |
| Total | 3,990,000 | | 3,990,000 |

Bonds Authorized

| Bond Act | Amount | Date Sold | Amount Sold | Balance |
|--------------|----------------|-----------|-------------|----------------|
| 212 13 | 340,000 | | | 340,000 |
| Total | 340,000 | | | 340,000 |