

ACT 202 - 2024
(BOND) ACT 203 - 2024

Reference BIT63

**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 an act, which, if adopted, will amend the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related bond act (“Bond Act”) in the amount of \$525,000, to finance capital project BIT63 – Declaration of Independence Protective Exhibit Encasement (“BIT63”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for BIT63 by \$525,000 and to add this specific project to the program funded through BIT63.

The Bond Act, in the amount of \$525,000, which was prepared by the law firm of Harris Beach, PLLC, would finance the construction of a protective encasement to securely store and preserve a printed copy of the Declaration of Independence dated July 9, 1776, which is currently housed at the Westchester County Archives and Records Center (“Archives”).

The Department of Information Technology (“Department”) has advised that the County’s printed copy of the Declaration of Independence came from a contemporaneous, historic printing of several hundred such copies by John Holt, which was the first printing of the Declaration of Independence in the State of New York, and which copies are commonly known and referred to as ‘Holt Broadside’. The objective and goal of procuring this encasement is twofold. The proposed encasement will both, a.) preserve the document for future generations, and, b.) enable the County to safely provide for the display of the document at various locations throughout Westchester County. The encasement will be constructed by the National Institute of Standards and Technology (“NIST”) in collaboration with staff from the National Archives in Washington, DC. NIST will design, successfully test, and produce a state-of-the-art encasement that will secure and optimally preserve the County’s Holt Broadside. When not being used for displays elsewhere, the encasement will be stored in a vault within the Archives.

Your Committee is advised that design expected to be completed by the first quarter of 2025. It is estimated that construction will take fourteen (14) months to complete and will begin after award and execution of construction contracts. The project estimated end date goal is currently set as completion and delivery by March 2026.

The Department of Planning has advised your Committee that based on its review, the authorization of the proposed capital project 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.

Your Committee is further advised that Section 167.131 of the Laws of Westchester County, 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 Planning Board report for this project has been annexed.

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 may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Bond Act.

Dated: October 7th, 2024
White Plains, New York

James Bell Jones
John A. Smith
James Bell Jones
Vedat Gashi
C:\cmc\9-26-2024

John A. Smith
James Bell Jones
Vedat Gashi

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Budget & Appropriations

Information Technology & Cybersecurity

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BIT63

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	\$	525,000	PPU	5	Anticipated Interest Rate	2.36%
Anticipated Annual Cost (Principal and Interest):	\$	113,668				
Total Debt Service (Annual Cost x Term):	\$	568,341				
Finance Department:	maab 9-27-24					

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: 6

Prepared by: Dianne Vanadia

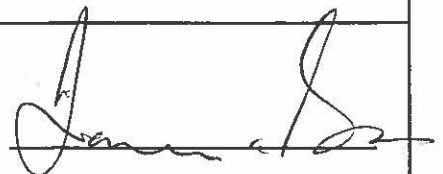
Title: Associate Budget Director

Department: Budget

Date: 9/27/24

Reviewed By:

wa127/24




Budget Director

Date:

9/27/24

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 17, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BIT63 Declaration of Independence Mobile Exhibit Encasement**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-03-2024 (Unique ID: 2691)

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)(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
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner



Memorandum

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Susan Darling, Chief Planner

Date: September 3, 2024

RE: **NO-ACTION MEMO - Capital Budget Amendment –BIT63 Declaration of Independence Mobile Exhibit Encasement (2024 CBA)**

The County Executive is requesting an amendment to the 2024 Capital Budget to modify the funding of the above project. Capital project **BIT63 Declaration of Independence Mobile Exhibit Encasement (2024 CBA)** will fund the construction of the mobile encasement needed to securely store and preserve an original copy of the Declaration of Independence being housed at the Records and Archive Center.

This project was classified as a PL1, "*a project approved in concept, subject to review when more detailed studies or plans are prepared*" in the 2025 Planning Board Report on the Capital Project Requests adopted August 6, 2024. The CBA is to move the funding requested for 2025 to the 2024 capital budget.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Blanca P. López, Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

ACT No. 202 -2024

An Act amending the 2024 County
Capital Budget Appropriations for
Capital Project BIT63 DECLARATION
OF INDEPENDENCE MOBILE EXHIBIT
ENCASEMENT

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

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation		\$525,000	\$525,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$0	\$525,000	\$525,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$0</u>	<u>\$525,000</u>	<u>\$525,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. 203 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$525,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION AND INSTALLATION OF THE DECLARATION OF INDEPENDENCE MOBILE EXHIBIT ENCASEMENT FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$525,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$525,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 10/07 , 2024)

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, \$525,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition and installation of the Declaration of Independence mobile exhibit encasement for the Department of

Information Technology; 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 \$525,000. The plan of financing includes the issuance of \$525,000 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 applicable to the objects or purposes for which the bonds authorized by 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 \$525,000. 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.

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CAPITAL PROJECT FACT SHEET

Project ID:* BIT63	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 08-30-2024
Fact Sheet Year:* 2024	Project Title:* DECLARATION OF INDEPENDENCE MOBILE EXHIBIT ENCASEMENT	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* INFORMATION TECHNOLOGY	CP Unique ID: 2691

Overall Project Description

The County of Westchester’s original copy of the Declaration of Independence dated July 9, 1776, is currently housed at the Westchester County Archives. The objective and goal of manufacturing this encasement is twofold. To preserve the document for future generations as well as enable the County to safely display the document at various locations throughout the County. Its initial display is slated for July 2026, celebrating the 250th anniversary of Westchester’s role in the Revolutionary War. It is believed that this particular copy, which is currently one of five in existence, was read aloud on the steps of the courthouse in White Plains. The encasement will be constructed by the National Institute of Standards and Technology (NIST) in collaboration with staff from the National Archives in Washington, DC. The main objective and final product of the collaboration between NIST and the County of Westchester is to design, successfully test, and produce a state-of-the-art encasement that secures and optimally preserves the Declaration of Independence. The case will be designed such that it can be hermetically sealed and filled with argon gas. It will be designed and based on the principle that it is a passive system. The encasement will be stored in a vault within the Westchester County Archives when not on display.

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|---|--|---|
| <input checked="" type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies | <input type="checkbox"/> Infrastructure |
| <input 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	2024	2025	2026	2027	2028	Under Review
Gross	525	0	0	0	0	0	0	525
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	525	0	0	0	0	0	0	525

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

Current Bond Description: The current bonding will fund the construction of the mobile encasement needed to securely store and preserve an original copy of the Declaration of Independence being housed at the Records and Archive Center.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	525,000
Cash:	0
Total:	\$ 525,000

SEQR Classification:
TYPE II

Amount Requested:
525,000

Expected Design Work Provider:

<input type="checkbox"/> County Staff	<input type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable
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Comments:
The 2024 Capital Budget Amendment request of \$525,000 is shown Under Review. This is advancing funds requested in 2025 with the May 1, 2024, capital submission of the 2025 – 2029 capital program. If the CBA is approved, the 2025 funds can be reduced accordingly.

Energy Efficiencies:

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

09-03-2024

Department of Public Works

RJB4

Date

09-03-2024

Budget Department

DEV9

Date

09-04-2024

Requesting Department

DDMK

Date

09-04-2024

430 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 October 7, 2024 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
October 3, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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
October 3, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 8, 2024.





Malika 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 Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator David Imamura
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator David Tubiolo
 Legislator Emiljana Uraj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels


NOES:

ABSENT: Legislator Judah Holstein

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE



Date: 10-9-24

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 202 - 2024, and (Bond) Act No. 203 - 2024, 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 October 7, 2024, and approved by the County Executive on October 9, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 9th day of October, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

