



# Public Works & Transportation Meeting Agenda

Committee Chair: Vedat Gashi

800 Michaelan Office Bldg.  
148 Martine Avenue, 8th Floor  
White Plains, NY 10601  
www.westchesterlegislators.com

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**Monday, May 24, 2021**

**10:00 AM**

**Committee Room**

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## CALL TO ORDER

Meeting joint with the Committees on Budget & Appropriations and Labor & Housing

## MINUTES APPROVAL

May 17, 2021 at 10:00 AM Minutes

## I. ITEMS FOR DISCUSSION

1. [2021-312](#) **BOND ACT-BPL30-76 Locust Hill Avenue, Yonkers**

A BOND ACT authorizing the issuance of ONE MILLION, FOUR HUNDRED THOUSAND (\$1,400,000) DOLLARS in bonds of Westchester County to finance Capital Project BPL 30 New Homes Land Acquisition II.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LABOR & HOUSING**

Joint with B&A and L&H.

Guests: Commissioner Norma Drummond and Leonard Gruenfeld, Housing Administrator - Department of Planning

2. [2021-313](#) **ACT-Land Acquisition-76 Locust Hill Avenue, Yonkers**

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.96 acres of real property located at 76 Locust Hill Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating one hundred thirteen (113) affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND LABOR & HOUSING**

Joint with B&A and L&H.

Guests: Commissioner Norma Drummond and Leonard Gruenfeld, Housing Administrator - Department of Planning

**3. [2021-325](#) ACT-Permanent Easement-Mamaroneck WWTP**

AN ACT authorizing the County of Westchester ("County" or "Grantee") to accept a permanent easement from the People of the State of New York, acting by the Commissioner of General Services ("State" or "Grantor") required in connection with the County's rehabilitation of its outfall jetty located at the County's Mamaroneck Wastewater Treatment Plant ("Project").

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with B&A.

Guests: Commissioner Vincent Kopicki- Department of Environmental Facilities; Michelle Greenbaum, Senior Assistant County Attorney

**4. [2021-315](#) BOND ACT-WCC79-Roof Replacement Various Buildings**

A BOND ACT authorizing the issuance of ONE MILLION, TWO HUNDRED SEVENTY THOUSAND (\$1,270,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC79 - Roof Replacement Various Buildings.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with B&A.

Guests: Brian Murphy, Vice President, Dean of Administrative Services & CFO, Robert Cirillo, Director of Physical Plant, and Anthony Scordino, Vice President of Information Technology - Westchester Community College

**5. [2021-316](#) BOND ACT-WCC83-Infrastructure Upgrade-Variou Buildings**

A BOND ACT authorizing the issuance of THREE HUNDRED NINETY TWO THOUSAND (\$392,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC83 - Infrastructure Upgrade - Various Buildings.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with B&A.

Guests: Brian Murphy, Vice President, Dean of Administrative Services & CFO, Robert Cirillo, Director of Physical Plant, and Anthony Scordino, Vice President of Information Technology - Westchester Community College

6. [2021-317](#) **BOND ACT-WCC85-Academic Arts Building Infrastructure Upgrade**

A BOND ACT authorizing the issuance of SEVEN HUNDRED EIGHTY SIX THOUSAND (\$786,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC85 - Academic Arts Building Infrastructure Upgrade.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with B&A.

Guests: Brian Murphy, Vice President, Dean of Administrative Services & CFO, Robert Cirillo, Director of Physical Plant, and Anthony Scordino, Vice President of Information Technology - Westchester Community College

7. [2021-318](#) **BOND ACT-WCC90-Technology Upgrade Off Campus 2017-'18 - 2021-'22**

A BOND ACT authorizing the issuance of FIFTY THOUSAND (\$50,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC90 - Technology Upgrade Off Campus 2017/18 - 2021/22.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with B&A.

Guests: Brian Murphy, Vice President, Dean of Administrative Services & CFO, Robert Cirillo, Director of Physical Plant, and Anthony Scordino, Vice President of Information Technology - Westchester Community College

8. [2021-319](#) **BOND ACT-WCC91-Technology Upgrade On-Campus 2017-'18 - 2021-'22**

A BOND ACT authorizing the issuance of SIX HUNDRED EIGHTEEN THOUSAND (\$618,000) DOLLARS in bonds of Westchester County to finance Capital Project WCC91 - Technology Upgrade On-Campus 2017/18 - 2021/22.

**COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS AND PUBLIC WORKS & TRANSPORTATION**

Joint with B&A.

Guests: Brian Murphy, Vice President, Dean of Administrative Services & CFO, Robert Cirillo, Director of Physical Plant, and Anthony Scordino, Vice President of Information Technology - Westchester Community College

## II. OTHER BUSINESS

## III. RECEIVE & FILE

## ADJOURNMENT

April 22, 2021

Westchester County Board of Legislators  
800 Michaelian Office Building  
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval please find the following:

**Land Purchase and Conveyance.** An Act (the "Land Acquisition Act") to authorize the purchase and subsequent conveyance of approximately +/- 0.96 acres of real property located at 76 Locust Hill Avenue (the "Property") in the City of Yonkers (the "City") to 76 Locust Hill, L.P., its successors or assigns, (the "Developer") as part of the County's program to support the construction of affordable housing units that affirmatively further fair housing (the "Affordable AFFH Units"). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

**Acquisition Financing.** A New Homes Land Acquisition Bond Act (the "NHLA Bond Act"), prepared by the firm of Hawkins Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed One Million Four Hundred Thousand (\$1,400,000) Dollars as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning ("Planning") has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed One Million Four Hundred Thousand (\$1,400,000) Dollars to purchase the Property from the current owner of record to create one hundred thirteen (113) Affordable AFFH Units for rent including one superintendent's unit (the "Development"). The Developer will also provide eighty-four (84) parking spaces for use by the residents.

Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property, to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to eligible households earning at or below 40% and up to 60% of the Westchester County area median income. The units will remain affordable for a period of not less than fifty (50) years noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer, its successors or assigns, for One (\$1.00) Dollar to construct a six-story building to create the Affordable AFFH Units with a total of one hundred thirteen (113) rental units including one superintendent's unit.

Office of the County Executive

Michaelian Office Building  
148 Martine Avenue  
White Plains, New York 10601

Telephone: (914)995-2900 E-mail: ceo@westchestergov.com



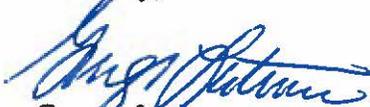
Planning has further advised that additional funds for the Development are anticipated to be provided from Tax Exempt Bonds issued by New York State Housing Finance Agency, Low Income Housing Tax Credits allocated by New York State Homes and Community Renewal (“HCR”), HCR Subsidy, NYSERDA funding and City of Yonkers HOME funding for an estimated total Development cost of approximately \$53.76 Million.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review (“SEQR”) Act have been met. Planning has advised that the City of Yonkers Zoning Board (“Yonkers ZBA”) classified the proposed Development as an Unlisted action. On July 23, 2020, the Yonkers ZBA issued a notice of intent to serve as lead agency and circulated Part I of a Full Environmental Assessment Form. On October 20, 2020, the Yonkers ZBA issued a Negative Declaration for the proposed Development. Since the City undertook coordinated review and the County was included in the coordinated review process, then, in accordance with 6 NYCRR 617.6(b)(3), no further environmental review is required by the County. As you know, your Honorable Board may use such expert advice to reach its own conclusion. A copy of Planning’s analysis is attached.

On March 2, 2021, the Westchester County Planning Board (the “Planning Board”) adopted Resolution No. 21-05 that recommends funding for the purchase and conveyance of the Property. Planning has further advised that 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 by a report of the Planning Board with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board report for BPL30 has been annexed. In addition, the report of the Commissioner of Planning is annexed pursuant to Section 191.41 of the Westchester County Charter.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County, your favorable action on the annexed Acts is respectfully requested.

Sincerely,



George Latimer  
County Executive

GL/NVD/LAC  
Attachments

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending the enactment of the following:

Land Purchase and Conveyance. An Act (the “Land Acquisition Act”) to authorize the purchase and subsequent conveyance of approximately +/- 0.96 acres of real property located at 76 Locust Hill Avenue (the “Property”) in the City of Yonkers (the “City”) to 76 Locust Hill, L.P., its successors or assigns, (the “Developer”) as part of the County’s program to support the creation of affordable housing units that affirmatively further fair housing (the “Affordable AFFH Units”). The Land Acquisition Act also authorizes the County to grant and accept any property rights necessary in furtherance thereof.

Acquisition Financing. A New Homes Land Acquisition Bond Act (the “NHLA Bond Act”), prepared by the firm of Hawkins Delafield & Wood LLP, to authorize the issuance of bonds of the County in a total amount not to exceed One Million Four Hundred Thousand (\$1,400,000) Dollars as a part of Capital Project BPL30 New Homes Land Acquisition II. The Department of Planning (“Planning”) has advised that subject to the receipt of approval of your Honorable Board, the proposed NHLA Bond Act will authorize an amount not to exceed One Million Four Hundred Thousand (\$1,400,000) Dollars to purchase the Property from the current owner of record to create one hundred thirteen (113) Affordable AFFH Units for rent including one superintendent’s unit (the “Development”) The Developer will also provide eighty-four (84) parking spaces for use by the residents.

Upon acquisition, the County will file a Declaration of Restrictive Covenants against the Property, to require that the proposed Affordable AFFH Units be marketed and leased in accordance with an approved affordable fair housing marketing plan to households earning at or below 40% and up to 60% of the Westchester County area median income and will remain affordable for a period of not less than fifty (50) years noting that the income limits are subject to change based on the median income levels at the time of initial occupancy and subsequent

occupancies, as established by the U.S. Department of Housing and Urban Development.

In accordance with the Land Acquisition Act, the County will subsequently convey the Property to the Developer, its successors or assigns, for One (\$1.00) Dollar to construct a six-story building to create the Affordable AFFH Units including one superintendent's unit.

Your Committee has been advised that additional funds for the Development are anticipated to be provided from Tax Exempt Bonds issued by New York State Housing Finance Agency, Low Income Housing Tax Credits allocated by New York State Homes and Community Renewal ("HCR"), HCR Subsidy, NYSEDA funding and City of Yonkers HOME funding for an estimated total development cost of approximately \$53.76 Million.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review ("SEQR") Act have been met. Your Committee has been advised the City of Yonkers Zoning Board ("Yonkers ZBA") classified the proposed Development as an Unlisted action. On July 23, 2020, the Yonkers ZBA issued a notice of intent to serve as lead agency and circulated Part I of a Full Environmental Assessment Form. On October 20, 2020, the Yonkers ZBA issued a Negative Declaration for the proposed Development. Since the City undertook coordinated review and the County was included in the coordinated review process, then, in accordance with 6 NYCRR 617.6(b)(3), no further environmental review is required by the County. Your Committee has reviewed the attached analysis prepared by Planning and concurs with this conclusion

Your Committee has been further advised that on March 2, 2021, the Westchester County Planning Board (the "Planning Board") adopted Resolution No. 21-05 that recommends funding for the purchase and conveyance of the Property. 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 by a report of the Planning Board with respect to the physical planning aspects of the project. Accordingly, the necessary Planning Board report for BPL30 has been annexed. In addition, the report of the

Commissioner of Planning is annexed pursuant to Section 191.41 of the Westchester County Charter.

Based on the importance of creating more affordable housing units that affirmatively further fair housing in the County, your favorable action on the annexed Acts is respectfully requested, noting that the Land Acquisition Act and the NHLA Bond Act require the affirmative vote of two-thirds of the members of your Honorable Board.

Dated: \_\_\_\_\_, 2021

White Plains, New York

COMMITTEE ON  
C;lac4.9.21.

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL30

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    30            Anticipated Interest Rate    1.42%

Anticipated Annual Cost (Principal and Interest):                    \$    57,052

Total Debt Service (Annual Cost x Term):                    \$    1,711,560

Finance Department:            Interest rates from April 20, 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:                    N/A

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Norma V. Drummond

Title: Commissioner

Department: Planning

Date: 4/27/21

Reviewed By:

Budget Director

Date: 4/25/21

Department of Planning  
432 Michaelian Office Building  
148 Martine Avenue  
White Plains, NY 10601

TO: Honorable George Latimer  
County Executive

FROM: Norma V. Drummond  
Commissioner



DATE: April 22, 2021

SUBJECT: Acquisition of Real Property-76 Locust Hill Avenue-City of Yonkers

Pursuant to Section 191.41 of the County Charter, submitted herewith is the required report of the Commissioner of Planning on the proposed acquisition and subsequent conveyance of +/- 0.96 acres of real property located at 76 Locust Hill Avenue in the City of Yonkers, identified on the City tax maps as Section 2, Block 2027, Lot 101 (the "Property") for the purpose of creating 113 affordable housing units (the "Affordable AFFH Units"), including one superintendent's unit that will affirmatively further fair housing ("AFFH"). The development will also provide approximately 84 parking spaces for residents.

The County of Westchester ("the County") intends to finance the purchase of the Property from the current owner in an amount not to exceed \$1,400,000 as a part of Capital Project BPL30 New Homes Land Acquisition II. Upon acquisition of the Property, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units are marketed and leased in accordance with an approved affirmative fair housing marketing plan and will remain available to eligible households for a period of not less than 50 years. The County will then convey ownership of the Property to 76 Locust Hill, L.P. (the "Developer"), its successors or assigns, for One (\$1.00) Dollar.

The Developer proposes to construct a new six-story building on the Property that will include a mix of affordable studio, one and two bedroom rental apartments that will be leased to households who earn at or below 40% and up to 60% of the area median income (collectively the "Development").

I recommend funding for acquisition and conveyance of the Property for the following reasons:

1. The acquisition of this Property will advance the County's efforts to provide fair and affordable housing;
2. The acquisition and subsequent conveyance of the Property to develop fair and affordable housing is consistent with development policies adopted by the County Planning Board as set forth in *Westchester 2025 - Context for County and Municipal Planning*

*in Westchester County and Policies to Guide County Planning*, adopted May 6, 2008, and amended January 5, 2010, and the recommended strategies set forth in *Patterns for Westchester: The Land and the People*, adopted December 5, 1995;

3. The Development is proposed to include green technology, such as triple pane windows, airtight envelope, energy efficient appliances, lighting and heating systems and water-conserving fixtures. A solar array will both help to reduce electric consumption. The Development is designed to meet the green building standards of both Energy Star Multifamily New Construction and NYSERDA Multifamily New Construction, Tier III.;
4. The Development is consistent with the land use policies and regulations of the City of Yonkers; and
5. On March 2, 2021, the County Planning Board adopted a resolution to recommend County financing towards the purchase the Property to support the Development.

NVD/lg

cc: Kenneth Jenkins, Deputy County Executive  
Joan McDonald, Director of Operations  
John M. Nonna, County Attorney  
Westchester County Planning Board

TO: Leonard Gruenfeld, Program Administrator  
Division of Housing & Community Development

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

DATE: April 14, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR  
BPL30 NEW HOMES LAND ACQUISITION II  
76 LOCUST HILL AVENUE, YONKERS**

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Pursuant to your request, Environmental Planning staff has reviewed the above referenced project with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the provision of County funding under capital project BPL30 - New Homes Land Acquisition II (ID: 1666) - to facilitate the acquisition and transfer of an approximately 0.96-acre property, located at 76 Locust Hill Avenue in the City of Yonkers, to a developer to support the creation of affordable rental housing that affirmatively furthers fair housing. The project includes demolition of an existing vacant church and the construction of a new 6-story building with 113 dwelling units and approximately 84 parking spaces.

Pursuant to SEQR, the City of Yonkers Zoning Board of Appeals (Yonkers ZBA) classified this project as an Unlisted action. On July 23, 2020, the Yonkers ZBA issued a notice of intent to serve as lead agency and circulated Part 1 of a Full Environmental Assessment Form. On October 20, 2020, the Yonkers ZBA issued a Negative Declaration for the project. Since the City undertook coordinated review and the County of Westchester was included in the coordinated review process, then, in accordance with section 617.6(b)(3), no further environmental review is required by the County.

Please do not hesitate to contact me if you have any questions regarding this matter.

DSK/cnm

cc: Norma Drummond, Commissioner  
Anthony Zaino, Assistant Commissioner  
William Brady, Chief Planner  
Claudia Maxwell, Associate Environmental Planner

**RESOLUTION 21-05**

**WESTCHESTER COUNTY PLANNING BOARD**

**New Homes Land Acquisition II  
Capital Project Funding Request  
76 Locust Hill Avenue, City of Yonkers**

**WHEREAS**, the County of Westchester (the "County") has established Capital Project BPL30 New Homes Land Acquisition II ("NHLA") to assist in the acquisition of property associated with the development and preservation of fair and affordable housing; and

**WHEREAS**, 76 Locust Hill, L.P. c/o Westhab, Inc. (the "Developer"), its successors or assigns, desires to develop the real property located at 76 Locust Hill Avenue in the City of Yonkers (the "City"), identified on the City tax maps as Section 2; Block 2027; Lots 101 (the "Property") to create 113 affordable residential units that will affirmatively further fair housing ("AFFH"; collectively the "Affordable AFFH Units") and 84 parking spaces for the exclusive use of the residents (the "Development"); and

**WHEREAS**, the County proposes to purchase the Property from the owner of record, for a not to exceed amount of \$1,400,000 with funds from NHLA and subsequently convey the Property to the Developer for One (\$1.00) Dollar to underwrite the cost of the land; and

**WHEREAS**, upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the Affordable AFFH Units constructed on the Property be leased to households who earn at or below 40% and up to 60% of the Westchester County Area Median Income ("AMI"); and

**WHEREAS**, the County will transfer ownership of the Property to the Developer to construct a mix of studio, one, two, and three-bedroom apartments to be leased to eligible households, pursuant to an approved Affirmative Fair Housing Marketing Plan, for a minimum of 50 years; and

**WHEREAS**, in furtherance of the above, the County Executive will be submitting legislation to the Board of Legislators to amend Capital Project BPL30 NHLA II to add the Property, 76 Locust Hill Avenue, City of Yonkers, and authorize bonding in a not to exceed amount of \$1,400,000 to develop the Property; and

**WHEREAS**, the Development is subject to approvals by the City of Yonkers; and

**WHEREAS**, the funding to support the development of the Affordable AFFH Units is consistent with and reinforces *Westchester 2025 – Policies to Guide County Planning*, the County Planning Board's adopted long-range land use and development policies, by contributing to the development of "a range of housing types" "affordable to all income levels"; and

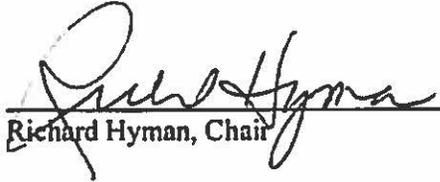
**WHEREAS**, the staff of the County Department of Planning have reviewed the proposal

and recommend the requested funding associated with acquisition of the Property; and

**RESOLVED**, that the Westchester County Planning Board after completing a review of the physical planning aspects of the Affordable AFFH Units, subject to an appraisal, recommends that the County provide financial assistance in a not-to-exceed amount of \$1,400,000 from BPL30 NHLA II for property acquisition; and be it further

**RESOLVED**, that the Westchester County Planning Board amends its report on the 2021 Capital Project requests to include 76 Locust Hill Avenue in the City of Yonkers, as a new component project in Capital Project BPL30 under the heading of Buildings, Land and Miscellaneous.

Adopted this 2<sup>nd</sup> day of March 2021.

  
Richard Hyman, Chair

ACT NO. -20\_\_

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 OF REAL PROPERTY LOCATED AT 76 LOCUST HILL AVENUE, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); 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 , 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 other laws applicable thereto, bonds of the County in the aggregate amount of \$1,400,000, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the purchase of approximately 0.96 acres of real property located at 76 Locust Hill Avenue, in the City of Yonkers (the “AFFH Property”) from the current owner of record at a cost of \$1,400,000, including acquisition and settlement costs, in order to support affordable housing units that will affirmatively

further fair housing (“AFFH”); the County will file a Declaration of Restrictive Covenants in the Westchester County Clerk’s office requiring that the AFFH Property remain affordable for a period of no less than 50 years, and will be marketed and leased in accordance with an approved affordable fair housing marketing plan. The funding requested herein is in support of 113 affordable AFFH rental units (including one employee unit). Such property shall be acquired by the County, subjected to a Declaration of Restrictive Covenants and subsequently conveyed to 76 Locust Hill, L.P. (the “Developer”), its successors or assigns. The County’s acquisition of the AFFH Property is 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 and the Statement of Need, such Budget and Statement of Need shall be deemed and are hereby amended. The estimated maximum cost of said object or purpose, 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 and collection of a tax on taxable real property in the County to pay the principal of and interest on said bonds and notes.

Section 2. The period of probable usefulness for which said \$1,400,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 21 of the Law, is thirty (30) years.

Section 3. The County intends to finance, on an interim basis, the costs or a portion of the costs of said object or purpose 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 Bond 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 maximum cost of the aforesaid object or purpose is hereby approved, and this Act is not subject to referendum.

Section 5. Subject to the provisions of this Act and of the Law, and pursuant to the provisions of section 30.00 relative to the authorization of the issuance of bond anticipation notes and the renewals thereof, and of sections 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, and 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 bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds and 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 section 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 and 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.

\* \* \*

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\_\_.

\_\_\_\_\_  
Clerk and Chief Administrative Officer of the County Board of Legislators of the 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 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 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 \$1,400,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PURCHASE OF REAL PROPERTY LOCATED AT 76 LOCUST HILL AVENUE, IN THE CITY OF YONKERS, IN ORDER TO AFFIRMATIVELY FURTHER FAIR HOUSING (“AFFH”) PURSUANT TO THE COUNTY’S NEW HOMES LAND ACQUISITION II CAPITAL PROJECT (BPL30); 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 \_\_\_\_\_, 20\_\_)

Object or purpose: to finance the cost of the purchase of approximately 0.96 acres of real property located at 76 Locust Hill Avenue, in the City of Yonkers (the “AFFH Property”) from the current owner of record at a cost of \$1,400,000, including acquisition and settlement costs, in order to support affordable housing units that will affirmatively further fair housing (“AFFH”); the County will file a Declaration of Restrictive Covenants in the Westchester County Clerk’s office requiring that the AFFH Property remain affordable for a period of no less than 50 years, and will be marketed and leased in accordance with an approved affordable fair housing marketing plan. The funding requested herein is in support of 113 affordable AFFH rental units (including one employee unit). Such property shall be acquired by the County, subjected to a Declaration of Restrictive Covenants and subsequently conveyed to 76 Locust Hill, L.P. (the “Developer”), its successors or assigns. The County’s acquisition of the AFFH Property is set forth in the County’s Current Year Capital Budget, as amended.

Amount of obligations to be issued and period of probable usefulness: \$1,400,000 - thirty (30) years

Dated: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

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

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> BPL30	<input checked="" type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 04-05-2021
<b>Fact Sheet Year:*</b> 2021	<b>Project Title:*</b> NEW HOMES LAND ACQUISITION II	<b>Legislative District ID:</b> 16
<b>Category*</b> BUILDINGS, LAND & MISCELLANEOUS	<b>Department:*</b> PLANNING	<b>CP Unique ID:</b> 1666

**Overall Project Description**

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Best Management Practices | <input checked="" type="checkbox"/> Energy Efficiencies | <input type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Life Safety               | <input type="checkbox"/> Project Labor Agreement        | <input type="checkbox"/> Revenue        |
| <input type="checkbox"/> Security                  | <input checked="" type="checkbox"/> Other               |   |

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	72.700	37.700	10.000	5.000	5.000	5.000	5.000	5.000
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	72.700	37.700	10.000	5.000	5.000	5.000	5.000	5.000

**Expended/Obligated Amount (in thousands) as of:** 30,964

**Current Bond Description:** Bonding is requested to finance the acquisition of approximately 0.96 acres of real property located at 76 Locust Hill Avenue in the City of Yonkers and identified on the tax maps as Section 2; Block 2027; Lot 101 (the "Property") in order to construct 113 units of rental housing (includes one employee unit) that will Affirmatively Further Fair Housing (the "Affordable AFFH Units"). The Development will also include 84 parking spaces for residents

**Financing Plan for Current Request:**

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

**SEQR Classification:**

UNLISTED

**Amount Requested:**

1,400,000

**Comments:**

A Capital Budget Amendment ("CBA") is requested to add the property to Capital Projects BPL30 and to authorize the County to purchase the vacant land from the current owner for an amount not to exceed \$1,400,000 to support the construction of a six story residential building with 113 Affordable AFFH rental units (including one employee unit) and 84 parking spaces. Upon acquisition, the County will file a Declaration of Restrictive Covenants to require that the units will be marketed to households who earn less than 40% and up to 60% of the County Area Median Income for a period of no less than 50 years, and further that the units will be leased and marketed to eligible households under an approved Affordable Housing Marketing plan. The County will then convey ownership to 76 Locust Hill, L.P. (the "Developer") its successors or assigns for one dollar (\$1.00).

**Energy Efficiencies:**

THE BUILDING WILL BE CONSTRUCTED WITH AIRTIGHT ENVELOPE, ENERGY EFFICIENT APPLIANCES, WATER CONSERVING FIXTURES AND A SOLAR ARRAY. THE DEVELOPMENT IS DESIGNED TO MEET THE STANDARDS OF ENERGY STAR MULTIFAMILY NEW CONSTRUCTION AND NYSERDA TIER III.

**Appropriation History:**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2014	5,000,000	CONTINUATION OF THIS PROJECT
2016	2,500,000	CONTINUATION OF THIS PROJECT
2017	7,200,000	LAND ACQUISITION FOR MT HOPE PLAZA FOR MT HOPE COMMUNITY REDEVELOPMENT CORP. LOCATED AT 65 LAKE ST. WHITE PLAINS AND CONTINUATION OF THIS PROJECT.
2018	8,000,000	CONTINUATION OF THIS PROJECT.
2019	5,000,000	CONTINUATION OF THIS PROJECT
2020	10,000,000	CONTINUATION OF THIS PROJECT
2021	10,000,000	CONTINUATION OF THIS PROJECT

**Total Appropriation History:**

47,700,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
15	240	0	0	
15	235	1,840,000	1,830,000	ACQUISITION OF 80 BOWMAN AVENUE, VILLAGE OF RYE BROOK
15	204	460,000	460,609	147, 165 AND 175 RAILROAD AVENUE, BEDFORD HILLS ACQUISITION
15	267	284,000	284,376	ACQUISITION OF 322 KEAR STREET, YORKTOWN HEIGHTS
16	59	210,800	211,079	5 STANLEY AVE - OSSINING
16	50	228,800	207,287	112 VILLAGE RD YORKTOWN
16	53	219,050	0	18 MINKEL RD OSSINING
16	56	400,220	388,541	9 WATSON ST-CORTLANDT
16	24	353,000	290,732	104 PINE STREET, CORTLANDT-COST OF ACQUISITION
16	231	2,009,980	1,999,980	200 READER'S DIGEST ROAD CHAPPAQUA AFFIRMATIVELY FURTHERING AFFORDABLE HOUSING AMEND
16	18	385,000	0	164 PHYLLIS COURT, YORKTOWN - COST OF ACQUISITION
16	21	197,000	191,659	27 WALDEN COURT, UNIT #M YORKTOWN - COST OF ACQUISITION
17	142	2,600,000	0	ACQUISITION OF LAND LOCATED ON ROUTE 22 IN LEWISBORO
17	209	0	0	PURCHASE OF LAND AT 501 BROADWAY IN VILLAGE OF BUCHANAN
17	172	1,250,000	1,250,000	ACQUISITION OF LAND AT 1847 CROMPOND ROAD PEEKSKILL
18	77	2,100,000	1,443,000	PURCHASE OF LAND LOCATED AT 65 LAKE STREET IN WHITE PLAINS FOR FAIR HOUSING
18	123	787,500	814,196	PURCHASE PROPERTY AT 5 HUDSON STREET IN YONKERS TO PRESERVE AFFORDABLE AFFH RENTAL UNITS
18	155	0	0	PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
18	159	1,000,000	1,000,000	PURCHASE OF PROPERTY LOCATED AT HALSTEAD AVENUE TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING
18	186	3,000,000	3,000,000	PURCHASE OF REAL PROPERTY AT 25 SOUTH REGENT STREET IN PORT CHESTER TO FURTHER FAIR HOUSING
19	68	1,765,000	1,765,000	PURCHASE AND SUBSEQUENT CONVEYANCE OF PROPERTY LOCATED AT 227 ELM STREET IN YONKERS
19	70	5,225,000	5,225,000	PURCHASE PROPERTY TO SUPPORT DEVELOPMENT OF AFFORDABLE HOUSING UNITS IN NEW ROCHELLE
19	150	2,340,000	2,419,325	PURCHASE OF REAL PROPERTY LOCATED AT 645 MAIN STREET IN PEEKSKILL, FOR FAIR HOUSING
19	182	1,375,000	0	
19	171	306,000	0	FINANCE THE PURCHASE OF REAL PROPERTY, INCLUDING THREE UNIT RENTAL BUILDING AT 162 LINCOLN

20	206	5,000,000	0 AFFORDABLE HOUSING DEVELOPMENT 62 MAIN STREET, TARRYTOWN
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**Total Financing History:**  
33,336,350

**Recommended By:**

<b>Department of Planning</b>	<b>Date</b>
WBB4	04-09-2021

<b>Department of Public Works</b>	<b>Date</b>
RJB4	04-13-2021

<b>Budget Department</b>	<b>Date</b>
LMY1	04-15-2021

<b>Requesting Department</b>	<b>Date</b>
WBB4	04-15-2021

## NEW HOMES LAND ACQUISITION II ( BPL30 )

**User Department :** Planning

**Managing Department(s) :** Planning ;

**Estimated Completion Date:** TBD

**Planning Board Recommendation:** Project approved in concept but subject to subsequent staff review.

### FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	72,700	37,700	23,654	10,000	5,000	5,000	5,000	5,000	5,000
Non County Share			(289)						
<b>Total</b>	<b>72,700</b>	<b>37,700</b>	<b>23,365</b>	<b>10,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>	<b>5,000</b>

### Project Description

This is a continuation of project BPL10 New Homes Land Acquisition Fund (NHLA). NHLA provides funds to acquire property for the construction of fair and affordable housing. The purpose of the Fund is to increase the inventory of available properties for fair and affordable housing development. In addition to the acquisition cost of properties, other costs associated with, and often required for, site acquisition may be considered eligible costs to be funded through the NHLA program. Such associated costs may include, but are not limited to, closing costs, appraisals, property surveys, environmental assessments, hazardous materials reports and demolition of existing structures. Demolition may be particularly critical in the County's urban areas where existing structures need to be removed to allow construction of fair and affordable units. Funds can be used in all municipalities. This is a general fund, specific projects are subject to a Capital Budget Amendment.

### Current Year Description

The current year request funds the continuation of this project.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	10,000,000			10,000,000

### 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
2014	5,000,000	Continuation of this project	IN PROGRESS
2016	2,500,000	Continuation of this project	IN PROGRESS
2017	7,200,000	Land acquisition for Mt Hope Plaza for Mt Hope Community Redevelopment Corp, located at 65 Lake St. White Plains and continuation of this project.	IN PROGRESS
2018	8,000,000	Continuation of this project.	IN PROGRESS
2019	5,000,000	Continuation of this project	IN PROGRESS
2020	10,000,000	Continuation of this project	PARTIALLY IN PROGRESS
<b>Total</b>	<b>37,700,000</b>		

**NEW HOMES LAND ACQUISITION II  
( BPL30 )**

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	37,700,000	22,780,784	14,919,216
Others		289,010	(289,010)
<b>Total</b>	<b>37,700,000</b>	<b>23,069,794</b>	<b>14,630,206</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
204 15	460,000	12/15/17	388,647	(609)
		12/15/17	71,360	
		12/15/17	603	
235 15	1,840,000	12/15/16	1,830,000	10,000
240 15				
267 15	284,000	12/15/17	239,947	(376)
		12/15/17	44,057	
		12/15/17	372	
18 16	385,000			385,000
21 16	197,000	12/15/16	191,659	5,341
24 16	353,000	12/15/16	290,732	62,268
56 16	400,220	12/15/17	327,838	11,679
		12/15/17	60,194	
		12/15/17	509	
59 16	210,800	12/15/17	178,102	(279)
		12/15/17	32,701	
		12/15/17	276	
50 16	228,800	12/15/17	174,902	21,513
		12/15/17	32,114	
		12/15/17	271	
53 16	219,050			219,050
231 16	2,009,980	12/15/16	1,999,980	10,000
142 17	2,600,000			2,600,000
172 17	1,250,000	12/10/18	1,250,000	
209 17				
77 18	2,100,000	12/10/19	1,205,036	657,000
		12/10/19	237,964	
123 18	787,500	10/28/20	690,728	(26,696)
		10/28/20	96,780	
		10/28/20	26,688	
155 18				
159 18	1,000,000	12/10/19	835,090	
		12/10/19	164,910	

**NEW HOMES LAND ACQUISITION II  
( BPL30 )**

186	18	3,000,000	12/10/19	2,505,271	
			12/10/19	494,729	
68	19	1,765,000	12/10/19	1,473,935	
			12/10/19	291,065	
70	19	5,225,000	12/10/19	4,363,348	
			12/10/19	861,652	
150	19	2,340,000	10/28/20	2,052,449	(79,325)
			10/28/20	287,575	
			10/28/20	79,302	
171	19	306,000			306,000
182	19	1,375,000			1,375,000
206	20	5,000,000			5,000,000
<b>Total</b>		<b>33,336,350</b>		<b>22,780,785</b>	<b>10,555,565</b>

ACT NO. \_\_\_\_ - 2021

AN ACT authorizing the County of Westchester to purchase approximately +/- 0.96 acres of real property located at 76 Locust Hill Avenue in the City of Yonkers and to subsequently convey said property, as well as authorizing the County to grant and accept any property rights necessary in furtherance thereof, for the purpose of creating one hundred thirteen (113) affordable rental units that will affirmatively further fair housing and remain affordable for a period of not less than fifty (50) years.

NOW, THEREFORE, BE IT ENACTED by the members of the Board of Legislators of the County of Westchester as follows:

SECTION 1. The County of Westchester (the "County") is hereby authorized to purchase from the current owner(s) of record approximately +/- 0.96 acres of real property located at 76 Locust Hill Avenue in the City of Yonkers, (the "Property") to construct one hundred thirteen (113) affordable rental housing units including one superintendent's unit that will affirmatively further fair housing (the "Affordable AFFH Units") as set forth in 42 U.S.C. Section 5304(b)(2).

§2. The County is hereby authorized to purchase the Property for an amount not to exceed One Million Four Hundred Thousand (\$1,400,000) Dollars.

§3. The County is hereby authorized to convey the Property to 76 Locust Hill, L.P., its successors or assigns, for One (\$1.00) Dollar to construct the one hundred thirteen (113) Affordable AFFH Units including one superintendent's unit that will be marketed and leased to households earning at or below 40% and up to 60% of the Westchester County area median income, that will remain affordable for a period of not less than fifty (50) years, and will be marketed and leased in accordance with an approved affirmative fair housing marketing plan, noting that the income limits are subject to change based on the median income levels at the time

of initial occupancy and subsequent occupancies, as established by the U.S. Department of Housing and Urban Development.

§4. The County is hereby authorized to grant and accept any and all property rights necessary in furtherance hereof.

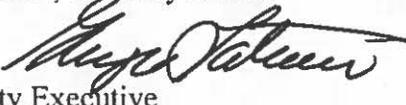
§5. The transfers of the Property shall be by such deeds as approved by the County Attorney.

§6. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§7. This Act shall take effect immediately.

May 10, 2021

TO: Hon. Benjamin Boykin, Chair  
Hon. Alfreda Williams, Vice Chair  
Hon. MaryJane Shimsky, Majority Leader  
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer   
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Act – Permanent Easement – Mamaroneck WWTP.**

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This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators May 10, 2021 Agenda.

Transmitted herewith for your review is an act (“Act”) which, if adopted by your Honorable Board, would authorize the County of Westchester (“County” or “Grantee”) to accept a permanent easement (“Easement”) required in connection with the County’s rehabilitation of its outfall jetty located at the County’s Mamaroneck Wastewater Treatment Plant (“Project”).

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for May 10, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer  
County Executive

May 10, 2021

Westchester County Board of Legislators  
800 Michaelian Office Building  
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review is an act ("Act") which, if adopted by your Honorable Board, would authorize the County of Westchester ("County" or "Grantee") to accept a permanent easement ("Easement") required in connection with the County's rehabilitation of its outfall jetty located at the County's Mamaroneck Wastewater Treatment Plant ("Project").

The proposed Easement is granted to the County by the People of the State of New York, acting by the Commissioner of General Services ("State" or "Grantor"). The Easement would encompass approximately 0.978 acres of underwater land located in the Village and Town of Mamaroneck, identified on a map entitled "Submerged Land Application Map in the Application of County of Westchester," dated August 3, 2020 and filed in the New York State Office of General Services ("OGS") as OGS Map No. 2711 ("Map"). The proposed Easement is attached hereto and contains the pertinent metes and bounds property descriptions for reference.

The County already has several easements in connection with the existing Mamaroneck Waste Water Treatment Plant ("MWWTP"), dated 1929, 1988 and 1989. The Department of Environmental Facilities ("Department") has advised that the additional Easement is required in connection with the Project, which includes rehabilitation of the outfall jetty bulkhead under which two outfalls run from the MWWTP.

It should be noted that among other terms, the Easement contains the following conditions:

(1) The Easement... is granted only with respect to the jetty described in the application and shown on the Map. If the jetty shall not have been maintained and used for a period of one year, the easement shall cease and determine without action to such effect be taken by the Grantor and all rights of the Grantee shall then terminate and, furthermore, in such event, the Grantee agrees at the expense of the Grantee and at no expense to the Grantor to remove at once the jetty from the land of the Grantor hereby affected and to leave said land in as nearly the same condition as possible as it was prior to the construction of the jetty.

(2) Grantees assume all risk in the construction, reconstruction, installation, repair, maintenance, operation and/or removal of the jetty... and shall be solely responsible and answerable in damages for any and all accidents and injuries to person or property (including death), and hereby covenants and agrees to indemnify and hold harmless the Grantor from any violation by

Grantees, its agents, employees, or contractors, of any law, ordinance, rule or regulation affecting or relating to the construction, reconstruction, installation, repair, maintenance, operation and/or removal of said jetty, and from any and all claims, suits, losses, damages or injuries to person or property (including death) of every kind and nature whether direct or indirect, arising out of the construction, reconstruction, installation, repair, maintenance, operation and/or removal thereof, or the carelessness, negligence or improper conduct of the Grantees or any contractor, servant, agent or employee thereof and to pay for and on behalf of the Grantor any and all charges, fees, expenses, costs or judgements arising therefrom. The Grantee agrees, upon being requested so to do, to assume the defense and to defend, at its own cost and expense, any action brought at any time against the Grantor in connection with any such claim, suits, losses or liens as aforesaid.

(3) The Easement... shall not be assigned or transferred without the written consent of the Commissioner of General Services.

(4) The Easement shall not affect the title of the Grantor to any lands underwater contiguous to the jetty and any additions to or accumulation thereon caused by such jetty outside the area of the Easement shall be the property of the Grantor and shall be considered for all purposes as lands underwater.

As your Honorable Board is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act ("SEQR") have been met. The Planning Department ("Planning") has advised that pursuant to SEQR and its implementing regulations, 6 NYCRR Part 617, the Easement was reviewed as part of the SEQR review for capital project SM002. As such, attached is a memo stating that the Board of Legislators adopted a Negative Declaration for this action on July 13, 2020 by Resolution 82-2020 and no further environmental review is required.

Based on the foregoing, approval of the attached Act is respectfully recommended.

Very truly yours,



George Latimer  
County Executive

GL/mg  
Attachments

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of an act, which would authorize the County of Westchester (“County” or “Grantee”) to accept a permanent easement (“Easement”) required in connection with the County’s rehabilitation of its outfall jetty located at the County’s Mamaroneck Wastewater Treatment Plant (“Project”).

The proposed Easement is granted to the County by the People of the State of New York, acting by the Commissioner of General Services (“State” or “Grantor”). The Easement would encompass approximately 0.978 acres of underwater land located in the Village and Town of Mamaroneck, identified on a map entitled “Submerged Land Application Map in the Application of County of Westchester,” dated August 3, 2020 and filed in the New York State Office of General Services (“OGS”) as OGS Map No. 2711 (“Map”). The proposed Easement is attached hereto and contains the pertinent metes and bounds property descriptions for reference.

The County already has several easements in connection with the existing Mamaroneck Waste Water Treatment Plant (“MWWTP”), dated 1929, 1988 and 1989. The Department of Environmental Facilities (“Department”) has advised that the additional Easement is required in connection with the Project, which includes rehabilitation of the outfall jetty bulkhead under which two outfalls run from the MWWTP.

It should be noted that among other terms, the Easement contains the following conditions:

(1) The Easement... is granted only with respect to the jetty described in the application and shown on the Map. If the jetty shall not have been maintained and used for a period of one year, the easement shall cease and determine without action to such effect be taken by the Grantor and all rights of the Grantee shall then terminate and, furthermore, in such event, the Grantee agrees at the expense of the Grantee and at no expense to the Grantor to remove at once the jetty from the land of the Grantor hereby affected and to leave said land in as nearly the same condition as possible as it was prior to the construction of the jetty.

(2) Grantees assume all risk in the construction, reconstruction, installation, repair, maintenance, operation and/or removal of the jetty... and shall be solely responsible and answerable in damages for any and all accidents and injuries to person or property (including death), and hereby covenants and agrees to indemnify and hold harmless the Grantor from any violation by Grantees, its agents, employees, or contractors, of any law, ordinance, rule or regulation affecting or relating to the construction, reconstruction, installation, repair, maintenance, operation and/or removal of said jetty, and from any and all claims, suits, losses, damages or injuries to person or property (including death) of every kind and nature whether direct or indirect, arising out of the construction, reconstruction, installation, repair, maintenance, operation and/or removal thereof, or the carelessness, negligence or improper conduct of the Grantees or any contractor, servant, agent or employee thereof and to pay for and on behalf of the Grantor any and all charges, fees, expenses, costs or judgements arising therefrom. The Grantee agrees, upon being requested so to do, to assume the defense and to defend, at its own cost and expense, any action brought at any time against the Grantor in connection with any such claim, suits, losses or liens as aforesaid.

(3) The Easement... shall not be assigned or transferred without the written consent of the Commissioner of General Services.

(4) The Easement shall not affect the title of the Grantor to any lands underwater contiguous to the jetty and any additions to or accumulation thereon caused by such jetty outside the area of the Easement shall be the property of the Grantor and shall be considered for all purposes as lands underwater.

The Planning Department ("Planning") has advised your Committee that pursuant to the New York State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617, the Easement was reviewed as part of the SEQR review for capital project SM002. As such, attached is a memo stating that the Board of Legislators adopted a Negative Declaration for this action on July 13, 2020 by Resolution 82-2020 and no further environmental review is required.

As your Committee is aware, no action may be taken with regard to the proposed legislation until the requirements of the State Environmental Quality Review Act ("SEQR") have been met. The Planning Department ("Planning") has advised that pursuant to SEQR and its implementing regulations, 6 NYCRR Part 617, the Easement was reviewed as part of the SEQR review for capital project SM002. As such, attached is a memo stating that the Board of Legislators adopted a Negative Declaration for this action on July 13, 2020 by Resolution 82-2020 and no further environmental review is required.

Your Committee has been advised that passage of the attached Act requires an affirmative vote of a majority of the members of your Honorable Board. Your Committee has carefully considered the proposed legislation and concurs with the recommendation of the County Executive and urges your Honorable Board to adopt the annexed Act.

Dated: \_\_\_\_\_, 20\_\_.  
White Plains, New York

**COMMITTEE ON**

C.MG/4-15-21

# FISCAL IMPACT STATEMENT

Subject: Easement Acquisition, Mamaroneck WRRF Outfall Jetty

NO FISCAL IMPACT PROJECTED

## OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

### SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

### SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ 500

Total Current Year Revenue \$ -

Source of Funds (check one):  Current Appropriations  Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: 227-60-0710-5100

Potential Related Operating Budget Expenses: Annual Amount \$ 500

Describe: Cost to acquire a permanent easement from the State of New York for the rehabilitation of the outfall jetty located at the Mamaroneck Treatment Plant

Potential Related Operating Budget Revenues: Annual Amount \_\_\_\_\_

Describe: N/A

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: N/A

Next Four Years: N/A

Prepared by: Marian Pompa, Jr. P.E.

Title: Associate Engineer

Department: Environmental Facilities

Date: May 5, 2021

Reviewed By: 

Budget Director

Date: 5/5/21

TO: Michelle Greenbaum, Assistant County Attorney  
Department of Law

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

DATE: April 28, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR NEW YORK STATE  
EASEMENT FOR MAMARONECK OUTFALL JETTY**

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Pursuant to your request, made on behalf of the Department of Environmental Facilities, the Planning Department has reviewed the above referenced action with respect to the State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617 (SEQR).

The action involves the acceptance of an easement from the State of New York for the installation and maintenance of a jetty on top of underwater land owned by the state, located off the coast of Harbor Island Park in the Village of Mamaroneck. The jetty is being reconstructed under capital project SM002—Mamaroneck Waste Water Treatment Plant Outfall Jetty Rehabilitation—in order to protect an existing sewer outfall pipe that serves the County's Mamaroneck Water Resource Recovery Facility.

Capital project SM002 was previously reviewed by the Westchester County Board of Legislators, which identified the project as an Unlisted action under SEQR. In accordance with SEQR, a Short Environmental Assessment Form was prepared and on July 13, 2020, a Negative Declaration was issued for the project by the Board of Legislators via Resolution 82-2020. Since the easement is a component of this project, no further environmental review is required.

Please do not hesitate to contact me if you have any questions regarding this matter.

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Norma Drummond, Commissioner  
Claudia Maxwell, Associate Environmental Planner

THIS INDENTURE made this 26<sup>th</sup> day of January, 2021, between THE PEOPLE OF THE STATE OF NEW YORK acting by the Commissioner of General Services having an office and place of business at the Coming Tower, 36<sup>th</sup> Floor, Empire State Plaza, Albany, New York 12242, hereinafter referred to as the "Grantor," and County of Westchester, having a place of business at 270 North Ave., New Rochelle, New York 10801 hereinafter referred to as the "Grantee,"

WITNESSETH, that the Grantor, pursuant to Section 75, subdivision 7(b) of the Public Lands Law and the Findings of the Commissioner dated January 26, 2021 and in consideration of the sum of Five Hundred Dollars (\$500.00), lawful money of the United States of America, paid by the Grantee and upon the terms and conditions hereinafter expressed, does hereby give and grant unto the Grantee and the successors and assignees of the Grantee, the right, privilege and easement for the installation, use and maintenance of a jetty for the protection of a pre-existing sewer outfall pipeline, herein after referred to as "jetty," on a parcel of land underwater. Such easement shall be exercised in those lands described as follows:

All that piece or parcel of land under the waters of the Mamaroneck Harbor situate in the Village of Mamaroneck, Town of Mamaroneck, County of Westchester, State of New York, being bounded and described as follows:

Beginning at the southernmost corner of a grant of lands under water to the Village of Mamaroneck on July 18, 1949 recorded in Book 71 of Patents at page 385; said point also being on the U.S. Pierhead and Bulkhead line approved August 3, 1914; thence from said point of beginning northeasterly along said grant the following two (2) courses and distances:

1) N 62° 46' 50" E a distance of 110.91 feet to a point; and  
2) N 22° 44' 43" E a distance of 26.12 feet to a point; thence through the lands of the People of the State of New York and under the waters of Mamaroneck Harbor the following eight (8) courses and distances:

- 1) S 55° 40' 47" E a distance of 308.32 feet to a point;
- 2) S 01° 05' 58" E a distance of 40.37 feet to a point;
- 3) S 54° 10' 48" E a distance of 89.63 feet to a point;
- 4) S 35° 49' 12" W a distance of 39.79 feet to a point;

- 5) N 54° 06' 01" W a distance of 240.44 feet to a point;
- 6) S 45° 04' 48" W a distance of 67.42 feet to a point;
- 7) N 60° 27' 53" W a distance of 228.81 feet to a point; and
- 8) N 12° 42' 51" E a distance of 23.65 feet to a point on the southerly boundary of the first mentioned grant to the Village of Mamaroneck; thence easterly along said boundary S 77° 17' 09" E a distance of 23.43 feet to the point or place of beginning. Containing 0.978 acre of land more or less.

Shown on a map entitled "Submerged Land Application Map in the Application of County of Westchester," dated August 3, 2020 and filed in the New York State Office of General Services in Albany, New York as OGS Map No. 2711.

The grant of easement shall be in perpetuity from the date hereof subject to the following covenants, terms and conditions:

1. The easement hereby granted is granted only with respect to the jetty described in the application and shown on the map previously mentioned. If the jetty shall not have been maintained and used for a period of one year, the easement shall cease and determine without action to such effect be taken by the Grantor and all rights of the Grantee shall then terminate and, furthermore, in such event, the Grantee agrees at the expense of the Grantee and at no expense to the Grantor to remove at once the jetty from the land of the Grantor hereby affected and to leave said land in as nearly the same condition as possible as it was prior to the construction of the jetty.
2. Grantees assume all risk in the construction, reconstruction, installation, repair, maintenance, operation and/or removal of the jetty referred to in this Indenture, and shall be solely responsible and answerable in damages for any and all accidents and injuries to person or property (including death), and hereby covenants and agrees to indemnify and hold harmless the Grantor from any violation by Grantees, its agents, employees, or contractors, of any law, ordinance, rule or regulation affecting or relating to the construction, reconstruction, installation, repair, maintenance, operation and/or removal of said jetty, and from any and all claims, suits, losses, damages or injuries to person or property (including death) of every kind and nature whether direct or indirect, arising out of the construction, reconstruction, installation, repair, maintenance, operation and/or removal thereof, or the carelessness, negligence or improper conduct of the Grantees or any contractor, servant, agent or employee thereof and to pay for and on behalf of the Grantor any and all charges, fees, expenses, costs or judgments arising therefrom. The Grantee agrees, upon being requested so to do, to assume the defense and to defend, at its own cost and expense, any action brought at any time against the Grantor in connection with any such claim, suits, losses or liens as aforesaid.
3. The easement hereby granted shall not be assigned or transferred without the written consent of the Commissioner of General Services.
4. This grant of easement shall not affect the title of the Grantor to any lands underwater contiguous to the aforesaid jetty and any additions to or accumulation thereon caused by

8

such jetty outside the area of the easement granted shall be the property of the Grantor and shall be considered for all purposes as lands underwater.

The word "Grantee" shall be construed as if read "Grantees" whenever the sense of this Indenture so requires. The use of the neuter pronoun in any reference to "Grantee" shall be construed to include any individual "Grantee," and the word "successors" shall be construed as if read "heirs" whenever the sense of this Indenture so requires.

All the covenants, terms and conditions of this Indenture shall inure to the benefit of and be binding upon the successors and assigns of the respective parties hereto, the same as if they were in every case named and expressed.



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**EASEMENT**

**THE PEOPLE OF THE STATE OF  
NEW YORK**

**TO**

**WESTCHESTER COUNTY**

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*Recorded in the Department of State  
in Volume 63 of Miscellaneous Deeds  
and Title Papers at page 7  
on March 11 2021*

*Rossana Rosado  
Secretary of State*

By *Richard [Signature]*

11

AN ACT authorizing the County of Westchester ("County" or "Grantee") to accept a permanent easement from the People of the State of New York, acting by the Commissioner of General Services ("State" or "Grantor") required in connection with the County's rehabilitation of its outfall jetty located at the County's Mamaroneck Wastewater Treatment Plant ("Project").

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

**Section 1.** The County is hereby authorized to accept the Easement from the State required in connection with the rehabilitation of its outfall jetty located at the County's Mamaroneck Wastewater Treatment Plant, noting that the Easement area encompasses approximately 0.978 acres of underwater land located in the Village and Town of Mamaroneck, identified on a map entitled "Submerged Land Application Map in the Application of County of Westchester," dated August 3, 2020 and filed in the New York State Office of General Services ("OGS") as OGS Map No. 2711 ("Map").

**§2.** The County Executive or his authorized designee is empowered to execute any and all documents necessary and appropriate to effectuate the purposes hereof.

**§4.** This Act shall take effect immediately.

George Latimer  
County Executive

April 7, 2021

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 is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,270,000 to finance the following capital project:

WCC79 – Roof Replacement Various Buildings ("WCC79").

The Bond Act, in the amount of \$1,270,000 would finance the County's approximately 50% share of the cost of the design and construction of a phase of the Westchester Community College ("College") roof replacement program, including design and construction, to replace roofs on the Academic Arts Building, Library and Science Building on the College's campus.

The College has advised that the total amount appropriated for WCC79 is \$2,540,000, of which 50% (\$1,270,000) will be funded by New York State and 50% by the County.

The College has further advised that this phase is necessary to preserve the College's critical infrastructure and reduce the risk of roof leaks that have the potential to cause severe damage to the buildings strength, foundation and overall structure due to rotting. Roofs that remain in place after their useful life will have an increased risk of damage.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts. It is anticipated that the design work will be completed by consultants.

It should be noted that your Honorable Board has previously authorized bonding in connection with WCC79 as indicated in the annexed fact sheet.

The Planning Department has advised 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. 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 Bond Act is respectfully requested.

Sincerely,

A handwritten signature in blue ink, appearing to read "George Latimer", written in a cursive style.

George Latimer  
County Executive

**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 \$1,270,000 to finance capital project WCC79 – Roof Replacement Various Buildings (“WCC79”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the County’s approximately 50% share of the cost of the design and construction of a phase of the Westchester Community College (“College”) roof replacement program, including design and construction, to replace roofs on the Academic Arts Building, Library and Science Building on the College campus.

The College has advised that the total amount appropriated for WCC79 is \$2,540,000, of which 50% (\$1,270,000) will be funded by New York State and 50% by the County.

The College has further advised that this phase is necessary to preserve the College’s critical infrastructure and reduce the risk of roof leaks that have the potential to cause severe damage to the buildings strength, foundation and overall structure due to rotting. Roofs that remain in place after their useful life will have an increased risk of damage.

Following receipt by the College of New York State funds and County bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts. It is anticipated that the design work will be completed by consultants.

It should be noted that your Honorable Board has previously authorized bonding in connection with WCC79 as indicated in the annexed fact sheet.

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.

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: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC79

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 \$ 1,270,000 PPU 15 Anticipated Interest Rate 1.15%

Anticipated Annual Cost (Principal and Interest): \$ 92,531

Total Debt Service (Annual Cost x Term): \$ 1,387,965

Finance Department: Interest rates from March 25, 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):

No Operating Impact

## SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 13

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Dawn Gilins

Title: Controller

Department: Westchester Community College

Date: 4/12/21

Reviewed By: 

Deputy Budget Director

Date: 4/28/21

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 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC79 ROOF REPLACEMENTS VARIOUS BUILDINGS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 11/18/2020 (Unique ID: 1544)

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)(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.

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**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

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,270,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PHASE OF THE WESTCHESTER COMMUNITY COLLEGE ROOF REPLACEMENT PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,540,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,270,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$1,270,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$1,270,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the design and construction of a phase of the Westchester Community College roof replacement program, including design and

construction, to replace roofs on the Academic Arts Building, Library and Science Building on the College's campus, 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 \$2,540,000. The plan of financing includes the issuance of \$1,270,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$1,270,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$1,270,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(2) 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 \$1,270,000. 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 \$2,540,000 as the estimated total cost of the aforesaid class of 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.

\* \* \*

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\_\_.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved 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 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 \$1,270,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE A PHASE OF THE WESTCHESTER COMMUNITY COLLEGE ROOF REPLACEMENT PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,540,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,270,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$1,270,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20\_\_)

object or purpose: to finance the cost of the design and construction of a phase of the Westchester Community College roof replacement program, including design and construction, to replace roofs on the Academic Arts Building, Library and Science Building on the College's campus, 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: \$1,270,000; 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

<b>Project ID:*</b> WCC79	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-11-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> ROOF REPLACEMENTS VARIOUS BUILDINGS	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 1544

**Overall Project Description**

This project will replace various roofs which are approaching the end of their useful life in order to preserve the College's critical infrastructure. Roofs that remain in place after their useful life will have an increased risk of damage and susceptibility to leaking. Roof leaks and the inability to adequately curtail roof leaks have the potential to cause severe damage to a buildings strength, foundation and overall structure due to rotting.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2020-21	2021-22	2022-23	2023-24	2024-25	Under Review
<b>Gross</b>	9,330	7,306	1,460	188	0	0	0	376
<b>Less Non-County Shares</b>	4,665	3,653	730	94	0	0	0	188
<b>Net</b>	4,665	3,653	730	94	0	0	0	188

**Expended/Obligated Amount (in thousands) as of:** 2,366

<b>Current Bond Description:</b> Current bonding approval is necessary to fund the County's 50% share of the next phase of the College's Roof Replacement - Various Buildings Project. The amount appropriated for this Phase is \$2,540,000 of which 50% (\$1,270,000) will be funded by the State and 50% by the County. This project is for both design and construction and will replace roofs on the Academic Arts Building, Library and Science Building on the College's campus. It is anticipated that the roofs in this bonding request are approaching the end of their useful lives and will be in need of replacement.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 1,270,000
Bonds/Notes:	1,270,000
Cash:	<u>0</u>
<b>Total:</b>	<b>\$ 2,540,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

1,270,000

**Comments:**

These funds will protect and preserve the College's critical infrastructure and avoid substantial and significant health implications to building inhabitants.

**Energy Efficiencies:**

WCC WILL INSTALL "COOL ROOFS" TO REDUCE BUILDING COOLING COSTS. THEY WILL MEET THE COOL ROOFING REQUIREMENTS OF USGBC'S LEED® PROGRAM.

**Appropriation History:**

Year	Amount	Description
2013	1,210,000	ROOF REPLACEMENT AT CHILDREN'S CENTER, CLASSROOM BUILDING, BOOKSTORE
2014	1,068,000	ROOF REPLACEMENT AT HARTFORD HALL
2017	1,886,000	VARIOUS ROOF REPLACEMENT
2019	602,000	ROOF REPLACEMENT MAINT BLDG
2020	2,540,000	ROOF REPLACEMENT VARIOUS BLDGS

**Total Appropriation History:**

7,306,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
15	64	1,139,000	1,107,544	ROOF REPLACEMENT VARIOUS BUILDINGS FOR WCC (PHASE I & II)
18	43	943,000	121,046	ROOF REPLACEMENT VARIOUS BUILDINGS - WCC
19	188	301,000	0	WCC ROOF REPLACEMENTS - VARIOUS LOCATIONS

**Total Financing History:**

2,383,000

**Recommended By:**

Department of Planning  
WBB4

Date  
11-18-2020

Department of Public Works  
RJB4

Date  
11-19-2020

Budget Department  
GKGA

Date  
01-14-2021

Requesting Department  
DAGX

Date  
01-19-2021

# WESTCHESTER COMMUNITY COLLEGE

## Roof Replacements Various Building WCC79

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated							
	Ultimate							Under
	Total Cost	Approp.	2020/21	2021/22	2022/23	2023/24	2024/25	Review
Gross	9,330	7,306	1,460	188				376
Less Non-County Shares	4,665	3,653	730	94				188
Net	4,665	3,653	730	94				188

**Project Description:**

This project will replace various roofs which are approaching the end of their useful life in order to preserve the College's critical infrastructure. Roofs that remain in place after their useful life will have an increased risk of damage and susceptibility to leaking. Roof leaks and the inability to adequately curtail roof leaks have the potential to cause severe damage to a buildings strength, foundation and overall structure due to rotting.

**Financing Plan:**

	2020/21
	Appropriation
Non-County	\$ 730
Bonds and/ or Notes	\$ 730
Cash	
Gross Appropriation	\$ 1,460

George Latimer  
County Executive

April 7, 2021

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 is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$392,000 to finance the following capital project:

WCC83 – Infrastructure Upgrade - Various Buildings ("WCC83").

The Bond Act, in the amount of \$392,000, would finance the County's 50% share of design and construction for Phase II of this project. Westchester Community College (the "College") has advised that the total cost of Phase II is \$784,000, of which 50% will be funded by New York State and 50% by the County. The Bond Act will finance infrastructure upgrades at the College's Library Building, including the replacement of windows in the original portion of the building to meet current Building Energy Code requirements, minor electrical work, interior work and additional minor work items.

Following bonding authorization, design will be scheduled and is anticipated to take 12 months to complete and will be performed by outside consultants. It is estimated that construction will take 18 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 bonding in connection with Phase I of this project which financed infrastructure upgrades at the College's Physical Education Building.

The Planning Department has advised 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. 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 Bond Act is respectfully requested.

Sincerely,



George Latimer  
County Executive

**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 \$392,000, prepared by the law firm of Hawkins Delafield and Wood, LLP, to finance capital project WCC83 – Infrastructure Upgrade – Various Buildings (“WCC83”).

The Bond Act, in the amount of \$392,000, would finance the County’s 50% share of design and construction for Phase II of this project. Westchester Community College (the “College”) has advised that the total cost of Phase II is \$784,000, of which 50% will be funded by New York State and 50% by the County. The Bond Act will finance infrastructure upgrades at the College’s Library Building, including the replacement of windows in the original portion of the building to meet current Building Energy Code requirements, minor electrical work, interior work and additional minor work items.

Following bonding authorization, design will be scheduled and is anticipated to take 12 months to complete and will be performed by outside consultants. It is estimated that construction will take 18 months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that your Honorable Board has previously authorized bonding in connection with Phase I of this project which financed infrastructure upgrades at the College’s Physical Education Building.

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.

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: \_\_\_\_\_, 2021  
White Plains, New York

c/jpg/3-08-21

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC83

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    \$                    392,000            PPU    15            Anticipated Interest Rate    1.15%

Anticipated Annual Cost (Principal and Interest):                    \$    28,562

Total Debt Service (Annual Cost x Term):                                \$    428,430

Finance Department:            Interest rates from April 5, 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):

No Operating Impact

## SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded:                                4

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by:                    Dawn Gillins

Title:                                Controller

Department:                    Westchester Community College

Date:                                4/12/21

Reviewed By: 

Deputy Budget Director

Date:                                4/28/21

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 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC83 INFRASTRUCTURE UPGRADE – VARIOUS BUILDINGS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 11/18/2020 (Unique ID: 1546)

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)(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  
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

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$392,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE II OF THE WESTCHESTER COMMUNITY COLLEGE INFRASTRUCTURE UPGRADE-VARIOUS BUILDINGS PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$784,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$392,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$392,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$392,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase II of the Westchester Community College infrastructure upgrade-various buildings project, for the Library Building and

includes the replacement of windows in the original portion of the building to meet current Building Energy Code, also including minor electrical work, interior work and additional minor work items, 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$784,000. The plan of financing includes the issuance of \$392,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$392,000 expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$392,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(2) 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

\$392,000. 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 \$784,000 as the estimated total cost of the aforesaid 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.

\* \* \*

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\_\_.

(SEAL)

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



## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> WCC83	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-11-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> INFRASTRUCTURE UPGRADE - VARIOUS BUILDINGS	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 1546

**Overall Project Description**

This campus wide project will address infrastructure upgrades throughout the campus. This phase will address issues with the Library Building. The Library was constructed in 1967 at 46,605 sq. ft. and renovated in 2002, adding an additional 50,000 sq. ft. This phase will replace windows with insulated units meeting current Building Energy Code. The windows in the older portion of the building appear to be original to the building. The single glazing and seal of the operable to fixed window does not meet current Energy Codes.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2020-21	2021-22	2022-23	2023-24	2024-25	Under Review
<b>Gross</b>	3,172	1,570	634	0	968	0	0	0
<b>Less Non-County Shares</b>	1,586	785	317	0	484	0	0	0
<b>Net</b>	1,586	785	317	0	484	0	0	0

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

**Current Bond Description:** Current bonding approval is necessary to fund the County's 50% share of the second phase of the Infrastructure Upgrade – Various Buildings project. This Phase is for the Library Building and includes the replacement of windows in the original portion of the building to meet current Building Energy Code. This phases also includes minor electrical work, interior work and additional minor work items.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 392,000
Bonds/Notes:	392,000
Cash:	0
<b>Total:</b>	<b>\$ 784,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

392,000

**Comments:**

The amount appropriated for this Phase is \$784,000. This bonding request in the amount of \$392,000 represents the County's 50% share of approved Capital Project WCC83 – Infrastructure Upgrade-Variou Buildings. New York State has approved funding on the remaining 50%.

**Energy Efficiencies:**

WINDOWS WILL MEET ENERGY CODES.

**Appropriation History:**

Year	Amount	Description
2017	786,000	VARIOUS BUILDING UPGRADES INCLUDING MECHANICAL, ELECTRICAL, PLUMBING SYSTEMS, AND INTERIOR COMPONENTS
2020	784,000	VARIOUS BUILDINGS INFRASTRUCTURE UPGRADES LIBRARY BLDG

**Total Appropriation History:**

1,570,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
18	44	393,000		0 INFRASTRUCTURE UPGRADE VARIOUS BUILDINGS - WCC

**Total Financing History:**

393,000

**Recommended By:**

<b>Department of Planning</b>	<b>Date</b>
WBB4	11-18-2020
<b>Department of Public Works</b>	<b>Date</b>
RJB4	11-19-2020
<b>Budget Department</b>	<b>Date</b>
GKGA	01-14-2021
<b>Requesting Department</b>	<b>Date</b>
DAGX	01-19-2021

**WESTCHESTER COMMUNITY COLLEGE**  
**Infrastructure Improvements - Various Buildings (WCC83)**

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate							Under
	Total Cost	Approp.	2020/21	2021/22	2022/23	2023/24	2024/25	Review
Gross	3,172	1,570	634		968			
Less Non-County Shares	1,586	785	317		484			
Net	1,586	785	317		484			

**Project Description:**

This project will provide upgrades to various buildings on the campus including, but not limited to, mechanical, electrical, plumbing systems and interior components.

Financing Plan:

	2020/21
	Appropriation
Non-County	\$ 317
Bonds and/ or Notes	\$ 317
Cash	
Gross Appropriation	\$ 634

George Latimer  
County Executive

April 7, 2021

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 is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$786,000 to finance the following capital project:

WCC85 – Academic Arts Building Infrastructure Upgrade ("WCC85").

The Bond Act, in the amount of \$786,000, would finance the County's 50% share of the initial phase of the Academic Arts Building Infrastructure Upgrade project. Westchester Community College (the "College") has advised that the total cost of this phase is \$1,572,000, of which 50% will be funded by New York State and 50% by the County. Work will include renovation of the theater rigging system and installation of approximately 120 feet of handrail to meet current code requirements, providing guardrails and reconstructing 50 linear feet of cheek wall. It will also include landscaping improvements and regrading to improve drainage. Additional items will include miscellaneous repointing and clear water repellent to brick façade; removal and examination of brick veneer from the canopy to investigate structural issues; and repairs to the canopy and replacement of the curtain-wall system.

Following bonding authorization, design will be scheduled and is anticipated to take 12 months to complete and will be performed by outside consultants. It is estimated that construction will take 18 months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised 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. 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 Bond Act is respectfully requested.

Sincerely,



George Latimer  
County Executive

**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 \$786,000, prepared by the law firm of Hawkins Delafield and Wood, LLP, to finance capital project WCC85 – Academic Arts Building Infrastructure Upgrade (“WCC85”).

The Bond Act, in the amount of \$786,000, would finance the County’s 50% share of the initial phase of the Academic Arts Building Infrastructure Upgrade project. Westchester Community College (the “College”) has advised that the total cost of this phase is \$1,572,000, of which 50% will be funded by New York State and 50% by the County. Work will include renovation of the theater rigging system and installation of approximately 120 feet of handrail to meet current code requirements, providing guardrails and reconstructing 50 linear feet of cheek wall. It will also include landscaping improvements and regrading to improve drainage. Additional items will include miscellaneous repointing and clear water repellant to brick façade; removal and examination of brick veneer from the canopy to investigate structural issues; and repairs to the canopy and replacement of the curtain-wall system.

Following bonding authorization, design will be scheduled and is anticipated to take 12 months to complete and will be performed by outside consultants. It is estimated that construction will take 18 months to complete and will begin after award and execution of the construction contracts.

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.

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: \_\_\_\_\_, 2021  
White Plains, New York

c/jpg/3-08-21

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>WCC85</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
<b>SECTION A - CAPITAL BUDGET IMPACT</b> To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations	<input type="checkbox"/> Capital Budget Amendment
<b>SECTION B - BONDING AUTHORIZATIONS</b> To Be Completed by Finance			
Total Principal	\$ 786,000	PPU 15	Anticipated Interest Rate 1.15%
Anticipated Annual Cost (Principal and Interest):	\$ 57,271		
Total Debt Service (Annual Cost x Term):	\$ 859,065		
Finance Department:	Interest rates from April 5, 2021 Bond Buyer - ASBA		
<b>SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)</b> 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):			
<u>No Operating Impact</u>			
<b>SECTION D - EMPLOYMENT</b> As per federal guidelines, each \$92,000 of appropriation funds one FTE Job			
Number of Full Time Equivalent (FTE) Jobs Funded:	8		
<b>SECTION E - EXPECTED DESIGN WORK PROVIDER</b>			
<input type="checkbox"/> County Staff	<input checked="" type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable	
Prepared by:	<u>Dawn Gillins</u>	Reviewed By:	
Title:	<u>Controller</u>		<u>Deputy Budget Director</u>
Department:	<u>Westchester Community College</u>	Date:	<u>4/28/21</u>
Date:	<u>4/12/21</u>		

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 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC85 ACADEMIC ARTS BUILDING INFRASTRUCTURE UPGRADE**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 11/18/2020 (Unique ID: 1547)

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)(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:** This project includes the installation of a vegetated swale at the western corner of the Academic Arts Building to address the issue of stormwater entering an exit areaway. The swale will be between 30 and 40 feet long, approximately 10 feet wide, and will be designed in accordance with the New York State Stormwater Management Design Manual.

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

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$786,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE I OF THE WESTCHESTER COMMUNITY COLLEGE ACADEMIC ARTS BUILDING INFRASTRUCTURE UPGRADE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,572,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$786,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$786,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$786,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase I of the Westchester Community College Academic Arts Building Infrastructure Upgrade Project, including work

required in the building include providing approximately 120 feet of handrail to meet current code and providing guardrails and reconstructing 50 linear feet of cheek wall, improving the landscaping and regrading to improve drainage, the performance of miscellaneous repointing and clear water repellent to brick façade; removal and examination of brick veneer at canopy to investigate structural issues; reconstruction of the canopy and replacement of the curtain-wall 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 object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,572,000. The plan of financing includes the issuance of \$786,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$786,000 expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the object or purpose for which said \$786,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(2) 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 \$786,000. 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 \$1,572,000 as the estimated total cost of the aforesaid 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.

\* \* \*

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\_\_\_.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved 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 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 \$786,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE I OF THE WESTCHESTER COMMUNITY COLLEGE ACADEMIC ARTS BUILDING INFRASTRUCTURE UPGRADE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,572,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$786,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$786,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance Phase I of the Westchester Community College Academic Arts Building Infrastructure Upgrade Project, including work required in the building include providing approximately 120 feet of handrail to meet current code and providing guardrails and reconstructing 50 linear feet of cheek wall, improving the landscaping and regrading to improve drainage, the performance of miscellaneous repointing and clear water repellant to brick façade; removal and examination of brick veneer at canopy to investigate structural issues; reconstruction of the canopy and replacement of the curtain-wall 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: \$786,000; 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

<b>Project ID:*</b> WCC85	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-11-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> ACADEMIC ARTS BUILDING INFRASTRUCTURE UPGRADE	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 1547

**Overall Project Description**

This project is for the Academic Arts Building that was constructed in 1980 and has a total of 86,321 square feet. This project includes infrastructure to the Building Site and Envelope, the Theater Rigging System, plumbing and electrical, and fire protective system code upgrades. This phase is for the Building Site and Envelope and full replacement of the theater rigging system.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2020-21	2021-22	2022-23	2023-24	2024-25	Under Review
<b>Gross</b>	4,092	1,572	2,520	0	0	0	0	0
<b>Less Non-County Shares</b>	2,046	786	1,260	0	0	0	0	0
<b>Net</b>	2,046	786	1,260	0	0	0	0	0

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

**Current Bond Description:** Current bonding approval is necessary to fund the County's 50% share of this initial phase of the Academic Arts Building Infrastructure Upgrade project. This phase includes or the most significant work required in the building include providing approximately 120 feet of handrail to meet current code and providing guardrails and reconstructing 50 linear feet of cheek wall. It also includes improving the landscaping and regrading to improve drainage. Additional items include perform misc. repointing and clear water repellent to brick façade; removal and examination of brick veneer at canopy to investigate structural issues; repairs to the canopy and replacement of the curtain-wall system. The current rigging infrastructure puts student safety at risk.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 786,000
Bonds/Notes:	786,000
Cash:	0
<b>Total:</b>	<b>\$ 1,572,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

786,000

**Comments:**

The amount appropriated for the Area One Phase of this project is \$1,572,000. This bonding request in the amount of \$786,000 represents the County's 50% share of approved Capital Project WCC85 – Academic Arts Building Infrastructure Upgrade). New York State has approved funding on the remaining 50%.

**Energy Efficiencies:**

**Appropriation History:**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2020	1,572,000	ACADEMIC ARTS BLDG INFRASTRUCTURE PH I

**Total Appropriation History:**

1,572,000

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
11-18-2020

**Department of Public Works**  
RJB4

**Date**  
11-19-2020

**Budget Department**  
GKGA

**Date**  
01-14-2021

**Requesting Department**  
DAGX

**Date**  
01-19-2021

<b>WESTCHESTER COMMUNITY COLLEGE</b> <b>Academic Arts Building Infrastructure Upgrades (WCC85)</b>
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FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate							Under
	Total Cost	Approp.	2020/21	2021/22	2022/23	2023/24	2024/25	Review
Gross	4,092	1,572	2,520					
Less Non-County Shares	2,046	786	1,260					
Net	2,046	786	1,260					

Project Description:

This project includes repairs to the building envelope, window replacement, plumbing and electrical upgrades and fire protective system code upgrades.

Financing Plan:

	2020/21
	Appropriation
Non-County	\$ 1,260
Bonds and/ or Notes	\$ 1,260
Cash	
Gross Appropriation	\$ 2,520

George Latimer  
County Executive

April 7, 2021

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 is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$50,000 to finance the following capital project:

WCC90 – Technology Upgrade Off Campus 2017/18 – 2021/22 ("WCC90").

The Bond Act, in the amount of \$50,000, would finance the County's 50% share of Phase I of this project. Westchester Community College (the "College") has advised that the total cost of Phase I is \$100,000, of which 50% will be funded by New York State and 50% by the County. This project will provide replacement and installation of servers, switches, tape drive replacements, and wireless points. The servers will be used to implement server clustering on critical college applications. The additional switches would keep up with the growing needs of applications and would also be used to support web casting and video conferencing. Also, the wireless access points are on a 5 year replacement cycle as newer equipment requires faster access. In addition, this phase will address the need to replace PC's, laptops, printers and scanners on a 5 year replacement cycle with faster computers and the ongoing need to continue to update classrooms at our extension sites, as well as phone replacements.

Following bonding authorization, the project is anticipated to be completed within approximately 24 months and will be performed in-house and not require outside consultants.

The Planning Department has advised 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. 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 Bond Act is respectfully requested.

Sincerely,



George Latimer  
County Executive

**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 \$50,000, prepared by the law firm of Hawkins Delafield and Wood, LLP, to finance capital project WCC90 – Technology Upgrade Off Campus 2017/18 – 2021/22 (“WCC90”).

The Bond Act, in the amount of \$50,000, would finance the County’s 50% share of Phase I of this project. Westchester Community College (the “College”) has advised that the total cost of Phase I is \$100,000, of which 50% will be funded by New York State and 50% by the County. This project will provide replacement and installation of servers, switches, tape drive replacements, and wireless points. The servers will be used to implement server clustering on critical college applications. The additional switches would keep up with the growing needs of applications and would also be used to support web casting and video conferencing. Also, the wireless access points are on a 5 year replacement cycle as newer equipment requires faster access. In addition, this phase will address the need to replace PC’s, laptops, printers and scanners on a 5 year replacement cycle with faster computers and the ongoing need to continue to update classrooms at our extension sites, as well as phone replacements.

Following bonding authorization, the project is anticipated to be completed within approximately 24 months and will be performed in-house and not require outside consultants.

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.

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: \_\_\_\_\_, 2021  
White Plains, New York

c/jpg/3-08-21

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC90  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	\$	50,000	PPU	5	Anticipated Interest Rate	0.42%
Anticipated Annual Cost (Principal and Interest):		\$	10,125			
Total Debt Service (Annual Cost x Term):		\$	50,625			

Finance Department:      Interest rates from April 5, 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):

No Operating Impact

**SECTION D - EMPLOYMENT**  
As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded:

**SECTION E - EXPECTED DESIGN WORK PROVIDER**

County Staff       Consultant       Not Applicable

Prepared by:	<u>Dawn Gillins</u>	Reviewed By:	
Title:	<u>Controller</u>		<u>Deputy Budget Director</u>
Department:	<u>Westchester Community College</u>	Date:	<u>4/28/21</u>
Date:	<u>4/12/21</u>		

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 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC90 TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 11/18/2020 (Unique ID: 1549)

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

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE I OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-OFF CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$50,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$50,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$50,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase I of the Westchester Community College technology upgrade-off campus program, including the replacement and

installation of servers, switches, tape drive replacements, and wireless points, replacement of PC's, Laptops, printers and scanners with faster computers and the ongoing need to continue to update classrooms at our extension sites, as well as phone replacements, 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 \$100,000. The plan of financing includes the issuance of \$50,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$50,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$50,000 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

\$50,000. 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 \$100,000 as the estimated total cost of the aforesaid class of 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.

\* \* \*

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\_\_.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved 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 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 \$50,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE I OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-OFF CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$50,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$50,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose: to finance Phase I of the Westchester Community College technology upgrade-off campus program, including the replacement and installation of servers, switches, tape drive replacements, and wireless points, replacement of PC's, Laptops, printers and scanners with faster computers and the ongoing need to continue to update classrooms at our extension sites, as well as phone replacements, 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: \$50,000; five (5) 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

<b>Project ID:*</b> WCC90	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-11-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> TECHNOLOGY UPGRADE OFF CAMPUS 2017/18-2021/22	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 1549

**Overall Project Description**

The purpose of this project is to provide a comprehensive long range project for technologies at the off campus locations and supports the concrete step-by-step plan to ensure that Westchester Community College can maintain its commitment to excellence into the future. With this commitment, WCC will also be confident it can uphold its reputation of academic distinction by remaining technologically competitive.

- |   |  |   |
|---|--|---|
| <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 type="checkbox"/> Security                             | <input checked="" type="checkbox"/> Other(THE ABILITY TO PROVIDE THE HIGH LEVEL OF INSTRUCTION EXPECTED) |   |

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2020-21	2021-22	2022-23	2023-24	2024-25	Under Review
<b>Gross</b>	500	300	100	100	0	0	0	0
<b>Less Non-County Shares</b>	100	50	50	0	0	0	0	0
<b>Net</b>	400	250	50	100	0	0	0	0

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

<b>Current Bond Description:</b> Current bonding approval is necessary to fund the County's 50% share of Phase I of the Technology Upgrade – Off Campus. This project will provide the replacement and installation of servers, switches, tape drive replacements, and wireless points. The servers would be used to implement server clustering on the critical college applications. The additional switches would keep up with the growing needs of applications and would also be needed to support web casting, and video conferencing. Also, the wireless access points are on a 5 year replacement cycle as newer equipment requires faster access. In addition, this phase will address the need to replace PC's, Laptops, printers and scanners on a 5 year replacement cycle with faster computers and the ongoing need to continue to update classrooms at our extension sites, as well as phone replacements.	
<b>Financing Plan for Current Request:</b>	
Non-County Shares:	\$ 50,000
Bonds/Notes:	50,000
Cash:	0
<b>Total:</b>	<b>\$ 100,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

50,000

**Comments:**

The amount appropriated for Phase I is \$100,000. This bonding request is in the amount of \$50,000 and represents the County's 50% share of approved Capital Project WCC 90 – Technology Upgrade – Off Campus (Phase I). The State has approved funding on the remaining 50%.

**Energy Efficiencies:**

**Appropriation History:**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2018	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH 1
2019	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH 2
2020	100,000	TECHNOLOGY UPGRADE OFF CAMPUS PH 3

**Total Appropriation History:**

300,000

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**

WBB4

**Date**

11-18-2020

**Department of Public Works**

RJB4

**Date**

11-19-2020

**Budget Department**

GKGA

**Date**

01-14-2021

**Requesting Department**

DAGX

**Date**

01-19-2021

**WESTCHESTER COMMUNITY COLLEGE**  
**Technology Upgrade Off Campus 2017/18 - 2021/22 (WCC90)**

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate							Under
	Total Cost	Approp.	2020/21	2021/22	2022/23	2023/24	2024/25	Review
Gross	500	300	100	100				
Less Non-County Shares	50	50	50					
Net	450	250	50	100				

Project Description:

The purpose of this project is to provide a comprehensive long range project for technologies at the off campus locations and supports the concrete step-by-step plan to ensure that Westchester Community College can maintain its commitment to excellence into the future. With this commitment, WCC will also be confident it can uphold its reputation of academic distinction by remaining technologically competitive.

The receipt of NCS represents funds for the 2018/2019 fiscal year.

Financing Plan:

	2020/21
	Appropriation
Non-County	\$ 50
Bonds and/ or Notes	\$ 50
Cash	
Gross Appropriation	\$ 100

George Latimer  
County Executive

April 16, 2021

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 is a bond act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$618,000 to finance the following capital project:

WCC91 – Technology Upgrade On-Campus 2017/18-2021/22 ("WCC91").

The Bond Act, in the amount of \$618,000 would finance the County's approximately 50% share of the cost of Phase I of the Westchester Community College ("College") technology upgrade-on campus program, including Firewall Replacement to keep the College protected from growth security threats, PC, laptop, printer, router, and scanner replacements, phone replacement conversion to Voice over IP, Server, Switch, UPS, and Tape Drive Replacements, as well as server enhancement/replacements, and academic classroom initiatives to upgrade technology.

The College has advised that the amount appropriated for Phase I of WCC91 is \$1,236,000. This bonding request in the amount \$618,000, represents the County's 50% share; New York State has approved funding for the remaining 50%.

The College has advised that it provides educational instruction to over 22,000 students each year. Such services must be supported by technology. Long-term consideration is required to adequately plan for the introduction and replacement of new and existing technologies. WCC91 provides funding for the purchase of computer equipment and peripherals, IT infrastructure and the installation of state of the art technology at the Valhalla campus.

Following receipt by the College of State funds and bonding authorization from the County, the College anticipates that the work will be completed within approximately 24 months. It is anticipated that installation will be accomplished by in-house staff.

The Planning Department has advised 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. 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 Bond Act is respectfully requested.

Sincerely,



George Latimer  
County Executive

**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 \$618,000 to finance capital project WCC91 – Technology Upgrade On-Campus 2017/18-2021/22 (“WCC91”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the County’s approximately 50% share of the cost of Phase I of the Westchester Community College (“College”) technology upgrade-on campus program, including Firewall Replacement to keep the College protected from growth security threats, PC, laptop, printer, router, and scanner replacements, phone replacement conversion to Voice over IP, Server, Switch, UPS, and Tape Drive Replacements, as well as server enhancement/replacements, and academic classroom initiatives to upgrade technology.

The College has advised that the amount appropriated for Phase I of WCC91 is \$1,236,000. This bonding request in the amount \$618,000, represents the County’s 50% share; New York State has approved funding for the remaining 50%.

The College has advised that it provides educational instruction to over 22,000 students each year. Such services must be supported by technology. Long-term consideration is required to adequately plan for the introduction and replacement of new and existing technologies. WCC91 provides funding for the purchase of computer equipment and peripherals, IT infrastructure and the installation of state of the art technology at the Valhalla campus.

Following receipt by the College of State funds and bonding authorization from the County, the College anticipates that the work will be completed within approximately 24 months. It is anticipated that installation will be accomplished by in-house staff.

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.

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: \_\_\_\_\_, 20\_\_\_\_  
White Plains, New York

**COMMITTEE ON**

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u>WCC91</u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED		
<b>SECTION A - CAPITAL BUDGET IMPACT</b> To Be Completed by Budget				
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND		
Source of County Funds (check one):		<input checked="" type="checkbox"/> Current Appropriations		
		<input type="checkbox"/> Capital Budget Amendment		
<b>SECTION B - BONDING AUTHORIZATIONS</b> To Be Completed by Finance				
Total Principal	\$ 618,000	PPU 5	Anticipated Interest Rate	0.40%
Anticipated Annual Cost (Principal and Interest):		\$ 125,091		
Total Debt Service (Annual Cost x Term):		\$ 625,455		
Finance Department:	Interest rates from March 25, 2021 Bond Buyer - ASBA			
<b>SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)</b> 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):				
<u>No Operating Impact</u>				
<b>SECTION D - EMPLOYMENT</b> As per federal guidelines, each \$92,000 of appropriation funds one FTE Job				
Number of Full Time Equivalent (FTE) Jobs Funded:				
<b>SECTION E - EXPECTED DESIGN WORK PROVIDER</b>				
<input type="checkbox"/> County Staff	<input type="checkbox"/> Consultant	<input checked="" type="checkbox"/> Not Applicable		
Prepared by:	<u>Dawn Gillins</u>	Reviewed By:		
Title:	<u>Controller</u>		Deputy Budget Director	
Department:	<u>Westchester Community College</u>	Date:	<u>4/28/21</u>	
Date:	<u>4/12/21</u>			

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 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WCC91 TECHNOLOGY UPGRADE ON-CAMPUS 2017/18-2021/22**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 11/18/2020 (Unique ID: 1550)

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

ACT NO. - 20\_\_

BOND ACT AUTHORIZING THE ISSUANCE OF \$618,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE I OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-ON CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,236,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$618,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$618,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF 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, \$618,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance Phase I of the Westchester Community College technology upgrade-on campus program, including Firewall Replacement to keep the college

protected from growth security threats, PC, laptop, printer, router, and scanner replacements, phone replacement conversion to Voice over IP, Server, Switch, UPS, and Tape Drive Replacements, as well as server enhancement/replacements, and academic classroom initiatives to upgrade 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 \$1,236,000. The plan of financing includes the issuance of \$618,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, the levy of a tax to pay the principal of and interest on said bonds and notes, and the application of \$618,000 expected to be received from the State of New York to be expended towards the cost of said objects or purposes or redemption of the County's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which said \$618,000 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 \$618,000. 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 \$1,236,000 as the estimated total cost of the aforesaid class of 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.

\* \* \*

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\_\_\_.

(SEAL)

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

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on \_\_\_\_\_, 20\_\_ and approved 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 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 \$618,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE I OF THE WESTCHESTER COMMUNITY COLLEGE TECHNOLOGY UPGRADE-ON CAMPUS PROGRAM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,236,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$618,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$618,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID CLASS OF OBJECTS OR PURPOSES OR REDEMPTION OF THE COUNTY'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted \_\_\_\_\_, 20\_\_)

object or purpose:

to finance Phase I of the Westchester Community College technology upgrade-on campus program, including Firewall Replacement to keep the college protected from growth security threats, PC, laptop, printer, router, and scanner replacements, phone replacement conversion to Voice over IP, Server, Switch, UPS, and Tape Drive Replacements, as well as server enhancement/replacements, and academic classroom initiatives to upgrade technology, 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:

\$618,000; five (5) 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

<b>Project ID:*</b> WCC91	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 09-11-2020
<b>Fact Sheet Year:*</b> 2020	<b>Project Title:*</b> TECHNOLOGY UPGRADE ON-CAMPUS 2017/18-2021/22	<b>Legislative District ID:</b> 3,
<b>Category*</b> WCC - BUILDINGS	<b>Department:*</b> COMMUNITY COLLEGE	<b>CP Unique ID:</b> 1550

**Overall Project Description**

The purpose of this project is to give long term consideration to assuring the College can keep up with the rapid and on-going changes which occur with information and educational technologies. It will enable the college to maintain its commitment to providing the high level of instruction expected by the residents of Westchester County. The emphasis of this project is to assure that funds will be available to provide the latest technology well into the future. It also requires additional support to ensure the program maintains this high level of excellence, both in remote and in person environments.

- |   |   |   |
|---|---|---|
| <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 type="checkbox"/> Security                             | <input checked="" type="checkbox"/> Other(THE ABILITY TO PROVIDE THE HIGH LEVEL OF INSTRUCTION EXPECTED |   |

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2020-21	2021-22	2022-23	2023-24	2024-25	Under Review
<b>Gross</b>	6,236	3,636	1,200	1,400	0	0	0	0
<b>Less Non-County Shares</b>	1,218	618	600	0	0	0	0	0
<b>Net</b>	5,018	3,018	600	1,400	0	0	0	0

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

**Current Bond Description:** Current bonding approval is necessary to fund the County's 50% share of Phase I of the Technology Upgrade – On Campus. This phase will include Firewall Replacement to keep the college protected from growth security threats. The Colleges network test equipment is also on a 5 year replacement cycle. This equipment becomes obsolete as newer wiring, network and computing technology is introduced requiring the equipment to be replaced periodically. The project cost for this phase totals \$1,236,000 which supports the comprehensive long range plan for the preservation and enhancement of technology at the College's main campus in Valhalla. The project cost provides for the College's PC, laptop, printer, router, and scanner replacements which are on a 5 year cycle. This project also provides phone replacement conversion to Voice over IP will also be included within this Phase, as well as Server, Switch, UPS, and Tape Drive Replacements. This Phase will continue our server enhancement/replacements in order to support the need for faster computers and expansion of services and instructional needs required by the students. This project also includes academic classroom initiatives which will upgrade technology to provide students with the ability to learn in an environment which is supported by the latest technologies.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 618,000
Bonds/Notes:	618,000
Cash:	0
<b>Total:</b>	<b>\$ 1,236,000</b>

**SEQR Classification:**  
TYPE II

**Amount Requested:**  
618,000

**Comments:**

The amount appropriated for Phase I is \$1,236,000. This bonding request in the amount \$618,000, represents the County's 50% share of approved Capital Project WCC 91 – Technology Upgrade – On Campus (Phase I). The State has approved funding on the remaining 50%.

**Energy Efficiencies:**

**Appropriation History:**

<b>Year</b>	<b>Amount</b>	<b>Description</b>
2018	1,236,000	TECHNOLOGY UPGRADE ON CAMPUS PH 1
2019	1,200,000	TECHNOLOGY UPGRADE ON CAMPUS PH 2
2020	1,200,000	TECHNOLOGY UPGRADE ON CAMPUS PH 3

**Total Appropriation History:**

3,636,000

**Total Financing History:**

0

**Recommended By:**

**Department of Planning**

WBB4

**Date**

11-18-2020

**Department of Public Works**

RJB4

**Date**

11-19-2020

**Budget Department**

GKGA

**Date**

01-14-2021

**Requesting Department**

DAGX

**Date**

01-19-2021

**WESTCHESTER COMMUNITY COLLEGE**  
**Technology Upgrades On-Campus 2017/18 - 2021/22 (WCC91)**

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated							
	Ultimate							Under
	Total Cost	Approp.	2020/21	2021/22	2022/23	2023/24	2024/25	Review
Gross	6,236	3,636	1,200	1,400				
Less Non-County Shares	1,218	618	600					
Net	5,018	3,018	600	1,400				

**Project Description:**

The purpose of this project is to give long term consideration to assuring the College can keep up with the rapid and on-going changes which occur with information and educational technologies. It will enable the college to maintain its commitment to providing the high level of instruction expected by the residents of Westchester County. The emphasis of this project is to assure that funds will be available to provide the latest technology well into the future.

The receipt of NCS represents funds for the 2018/2019 fiscal year.

**Financing Plan:**

	<b>2020/21</b>
	<b>Appropriation</b>
Non-County	\$ 600
Bonds and/ or Notes	\$ 600
Cash	
Gross Appropriation	<u>\$ 1,200</u>