

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

Your Committee is in receipt of a transmission from the County Executive recommending approval by the County of Westchester (“County”) of an act amending the County’s current-year Capital Budget (the “Capital Budget Amendment”), as well as adoption of a related bond act (the “Bond Act”) which, if adopted, will authorize the County to issue up to \$1,700,000 in bonds of the County to finance a component of capital project BSS13 – Infrastructure Improvements to Shelter Facilities – Vernon Plaza Mt. Vernon (“BSS13”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County funds for this project by \$173,000.

The Bond Act, in the amount of \$1,700,000, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, will finance the cost of design, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center in Mt. Vernon.

The Department of Public Works and Transportation (“Department”) has advised that the cast iron boiler sections used to heat the building are cracked at several locations and are beyond repair. As a consequence, the facility is currently operating on temporary boilers and replacement boilers are desperately needed.

The Department has further advised that upon bonding authorization, design shall begin by in-house staff and is expected to be completed in two (2) months. It is anticipated that construction will take approximately six (6) months and shall begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for a prior component of project BSS13 as follows: Bond Act No. 84-2012 in the amount of \$80,000 which funded the cost of design in connection with the replacement of

existing roofing, air conditioning units and miscellaneous repairs at the Vernon Plaza Center in Mt. Vernon. These bonds have not been sold.

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.

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 to the Board of Legislators by a report of the Westchester County Planning Board (the “Planning Board”) with respect to the physical planning aspects of the project. Accordingly, the required Planning Board report is herewith attached.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment. It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County’s Capital Budget and to adopt the Bond Act.

Dated: April 5, 2021

White Plains, New York

COMMITTEE ON

Calvin B
C/H
Benjamin Boyfina
Vedat Jali

C/H
Benjamin Boyfina
Vedat Jali

Calvin B
C/H
Benjamin Boyfina

Budget & Appropriations

Public Works & Transportation

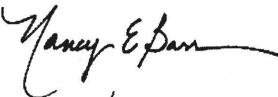

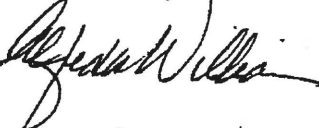
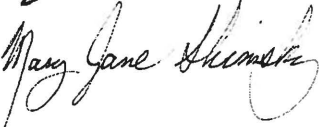

Social Services

Dated: April 5, 2021
White Plains, New York




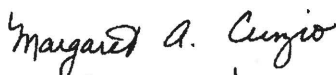



The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:





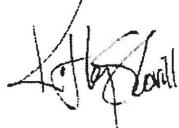

Social Services

Budget & Appropriations

Public Works & Transportation

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BSS13

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 \$ 1,700,000 PPU 15 Anticipated Interest Rate 1.14%

Anticipated Annual Cost (Principal and Interest): \$ 1,236,948

Total Debt Service (Annual Cost x Term): \$ 18,554,220

Finance Department: Interest rates from March 4, 2021 Bond Buyer

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: 18

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Prog Coord (Capital Planning)

Department: Public Works/Transportation


Date: 3/15/21

Reviewed By: 

Dep. Budget Director

Date: 3/16/21

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 3, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BSS13 Infrastructure Improvements To Shelter Facilities–Vernon Plaza, Mt.
Vernon**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 02-18-2021 (Unique ID: 1636)

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

RESOLUTION 21-09

WESTCHESTER COUNTY PLANNING BOARD

Amendment of Planning Board Report on 2021 Capital Project Requests

BSS13 Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon

WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize amending capital project **BSS13 – Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon** for a bonding request of \$1,700,000 for design, construction and construction management associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center, and

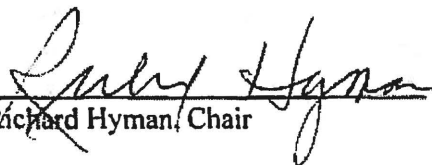
WHEREAS, the cast iron boiler sections are cracked at several locations and the boilers are beyond repair. The facility is currently operating on temporary boilers, and

WHEREAS, the project will provide shelter for up to 20 singles or families; and

WHEREAS, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by contributing to the development of fair and affordable housing; now therefore, be it

RESOLVED, that the County Planning Board approves an amendment to its Report on the 2021 Capital Projects Requests to include the use of funding from *BSS13 Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon* to be used for costs associated with a boiler replacement at this location.

Adopted this 2nd day of March, 2021.


Richard Hyman, Chair

BSS13 Infrastructure Improvements to Shelter Facilities – Vernon Plaza, Mount Vernon

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated							
	Ultimate	Approp-						Under
	Total Cost	riated	2021	2022	2023	2024	2025	Review
Gross	2,423	2,250						173
Less non-County Shares								
Net	2,423	2,250						173

Project Description:

This DSS project funds a phased, multi-year cycle of infrastructure improvements at the County's Vaughn Glanton Employment Residence (Vernon Plaza Center) in Mount Vernon. The Capital Budget Amendment (CBA), totaling \$1,700,000, is for design, construction and construction management associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center. This (CBA) includes a request for an additional \$173,000.

APPROPRIATION/FUNDING REQUESTS:

- 2011: \$650,000 for replacement of roofing and air conditioning units, also miscellaneous repairs
- 2014: \$900,000 for renovations at the facility to include all residence bathrooms and common hallways along with upgrades to lighting throughout the facility to energy-efficient lighting. The project will also include miscellaneous site improvements including rehabilitation of walkways, retaining walls and fencing.
- 2019: \$700,000 for acquisition and renovation for a building for at-risk youths
- 2021: CBA for an additional \$173,000 for replacement of boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center.

JUSTIFICATION: The proposed work is required to keep the facility in good condition.

CONSISTENCY WITH PROGRAMS OR PLANS: The project is generally consistent with the policies of *Westchester 2025*, the County Planning Board's long-range land use policies, in that it is a capital improvement to keep physical facilities in good condition and to deliver services in an economic and humane manner.

Planning Board Analysis:

PL2: The County Planning Board supports this project in that it will keep the County facility in good condition. Plans for exterior site work will be reviewed by Planning Department staff to ensure that it will be consistent with all County policies and recommendations.

An Act amending the 2021 County
 Capital Budget Appropriations for
 Capital Project - BSS13 -
 Infrastructure Improvements to
 Shelter Facilities - Vernon Plaza, Mt.
 Vernon

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$2,250,000	\$173,000	\$2,423,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF
 FINANCING

Bonds and/or Notes	\$2,250,000	\$173,000	\$2,423,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$2,250,000</u>	<u>\$173,000</u>	<u>\$2,423,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO.44- 2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT IN CONNECTION WITH THE REPLACEMENT OF BOILERS, BURNERS, BOILER CONTROLS, RADIATOR CONTROL VALES, STEAM TRAPS AND UPGRADES TO THE BOILER ROOM AT THE VERNON PLAZA CENTER IN THE CITY OF MOUNT VERNON; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,700,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 04/12 , 2021)

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, \$1,700,000 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, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center in the city of Mount Vernon, 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 class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$1,700,000. The plan of financing includes the issuance of \$1,700,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$1,700,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.13 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 \$1,700,000. 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 \$1,700,000 as the estimated total cost of the aforesaid 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.

* * *

Project ID:*
BSS13

CBA

Fact Sheet Date:*
02-11-2021

Fact Sheet Year:*
2021

Project Title:*
INFRASTRUCTURE IMPROVEMENTS 13,
TO SHELTER FACILITIES-VERNON
PLAZA, MT. VERNON

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
SOCIAL SERVICES

CP Unique ID:
1636

Overall Project Description

A continuing multi-year cycle of infrastructure improvements at the Vernon Plaza Center, Mt. Vernon. Work involves exterior infrastructure, including roofing, window replacement, facade repairs, waterproofing and site work. Interior infrastructure includes painting, ceilings, hardware, security system upgrade, building management system upgrade, elevator upgrade, upgrade to the mechanical, plumbing, electrical and fire alarm systems. All related work is to be included.

- Best Management Practices
- Energy Efficiencies
- Infrastructure
- Life Safety
- Project Labor Agreement
- Revenue
- Security
- Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	2,423	2,250	0	0	0	0	0	173
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	2,423	2,250	0	0	0	0	0	173

Expended/Obligated Amount (in thousands) as of : 22

Current Bond Description: Funding is requested for design, construction management and construction associated with the replacement of the existing boilers, burners, boiler controls, radiator control valves, steam traps; upgrades to the boiler room; and associated work at the Vernon Plaza Center.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,700,000
Cash:	0
Total:	<u>\$ 1,700,000</u>

SEQR Classification:

TYPE II

Amount Requested:

1,700,000

Comments:

A Capital Budget Amendment in the amount of \$173,000 (shown under review) is being requested to provide the additional funds estimated to replace the existing boilers. The cast iron boiler sections are cracked at several locations and the boilers are beyond repair. The facility is currently operating on temporary boilers.

Energy Efficiencies:

THE NEW BOILERS WILL BE ENERGY EFFICIENT GAS BOILERS.

Year	Amount	Description
2011	650,000	DESIGN & CONSTRUCTION OF INFRASTRUCTURE REPAIRS
2014	900,000	RENOVATIONS AT THE VAUGHN GLANTON EMPLOYMENT RESIDENCE - VERNON PLAZA
2019	700,000	ACQUISITION AND RENOVATION OF A BUILDING FOR AT-RISK YOUTHS

Total Appropriation History:

2,250,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
12	84	80,000		0 PLANNING FOR PARTIAL RECONSTRUCTION OF VAUGHN GLANTON EMPLOYMENT RESIDENCE AT VERNON PLAZA

Total Financing History:

80,000

Recommended By:

Department of Planning	Date
WBB4	02-18-2021

Department of Public Works	Date
RJB4	02-18-2021

Budget Department	Date
LMY1	02-25-2021

Requesting Department	Date
RJB4	02-25-2021

INFRASTRUCTURE IMPROVEMENTS TO SHELTER FACILITIES-VERNON PLAZA, MT. VERNON (BSS13)

User Department : Social Services
Managing Department(s) : Public Works ; Social Services ;
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	2,250	2,250	22						
Non County Share									
Total	2,250	2,250	22						

Project Description

A continuing multi-year cycle of infrastructure improvements at the Vernon Plaza Center, Mt. Vernon. Work involves exterior infrastructure, including roofing, window replacement, facade repairs, waterproofing and site work. Interior infrastructure includes painting, ceilings, hardware, security system upgrade, building management system upgrade, elevator upgrade, upgrade to the mechanical, plumbing, electrical and fire alarm systems. All related work is to be included.

Current Year Description

There is no current year request.

Impact on Operating Budget

The impact on the Operating Budget is the debt service associated with the issuance of bonds.

Appropriation History

Year	Amount	Description	Status
2011	650,000	Design & construction of infrastructure repairs	\$80,000 - DESIGN; \$570,000 - AWAITING BOND AUTHORIZATION
2014	900,000	Renovations at the Vaughn Glaton Employment Residence - Vernon Plaza	AWAITING BOND AUTHORIZATION
2019	700,000	Acquisition and renovation of a building for at-risk youths	AWAITING BOND AUTHORIZATION
Total	2,250,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	2,250,000		2,250,000
Total	2,250,000		2,250,000

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
84 12	80,000			80,000
Total	80,000			80,000

STATE OF NEW YORK)
)
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Board of Legislators of the County of Westchester, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Board of Legislators of said County, including the Bond Act contained therein, held on April 12, 2021 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given
April 7, 2021

WVOX
FIOS1
News Channel 12
The Journal News
Pluma Libre
Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice

Date of Posting
April 7, 2021

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on April 13, 2021.



Sunday Vanderberg

Sunday Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

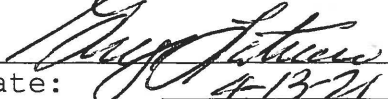
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Kitley Covill
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Ruth Walter
Legislator Alfreda Williams
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 4-13-21

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 43 - 2021, and (Bond) Act No. 44 - 2021, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on April 12, 2021, and approved by the County Executive on April 13, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 15th day of April, 2021.

Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

