

**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 \$1,260,000, prepared by the law firm of Hawkins Delafield and Wood, LLP, to finance a component of capital project WCC85 – Academic Arts Building Infrastructure Upgrade (“WCC85”).

The Bond Act, in the amount of \$1,260,000, would finance the County’s 50% share of Phase II of the Academic Arts Building Infrastructure Upgrade project. Westchester Community College (the “College”) has advised that the total cost of this phase is \$2,520,000, of which 50% will be funded by New York State and 50% by the County. This phase will address plumbing systems, sprinkler coverage and electrical systems. The plumbing and sprinkler system upgrades will ensure compliance with National Fire Prevention Association requirements. The electrical systems upgrade will include switches and circuit breakers. In addition, lights will be upgraded to allow for better visibility, as some lighting levels in the building are below industry standards and will be replaced accordingly. This project is critical to maintaining safety and compliance standards.

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 is advised that your Honorable Board has previously authorized bonding in connection with Phase I of this project as indicated on 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: **April 4th**, 2022
White Plains, New York

CO-CLERK
Walter J. Shinsky
[Signature]
[Signature]

Walter J. Shinsky
[Signature]

Budget & Appropriations
COMMITTEE ON

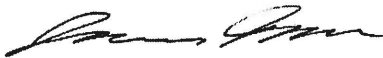
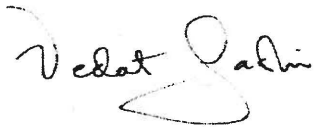
Public Works & Transportation

Dated: April 4, 2022
White Plains, New York

The following members attended the meeting remotely, pursuant to Chapter 1 of New York State Laws of 2022, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

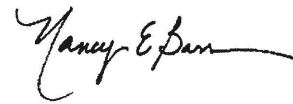
Committee(s) on:

Budget & Appropriations



Catherine F. Parker

Public Works & Transportation



Catherine F. Parker



FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WCC85

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 \$ 1,260,000 PPU 15 Anticipated Interest Rate 1.41%

Anticipated Annual Cost (Principal and Interest): \$ 69,502

Total Debt Service (Annual Cost x Term): \$ 1,042,530

Finance Department: Interest rates from January 26, 2022 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 Gillins

Title: Controller

Department: Westchester Community College


Date: 2/4/22

Reviewed By: 

Budget Director

Date: 2/7/22

TO: Michelle Greenbaum, Senior Assistant County Attorney
Jeffrey Goldman, Senior Assistant County Attorney

FROM: David S. Kvinge, AICP, RLA, CFM 
Assistant Commissioner

DATE: January 28, 2022

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

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
01-11-2022 (Unique ID: 1875)

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: Modifications to fire safety systems should be reviewed by the Westchester County Fire Marshal prior to project completion.

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
Robert Cirillo, Director of Physical Plant
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO.24- 2022

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,260,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE PHASE II OF THE WESTCHESTER COMMUNITY COLLEGE ACADEMIC ARTS BUILDING INFRASTRUCTURE UPGRADE PROJECT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$2,520,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,260,000 BONDS HEREIN AUTHORIZED; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND THE APPLICATION OF \$1,260,000 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 04/11 , 2022)

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, \$1,260,000 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 Academic Arts Building Infrastructure Upgrade Project, including

improvements to addresses the plumbing systems and sprinkler coverage in the building to be in accordance with NFAP requirements, electrical systems upgrades including switches and circuit breakers, lighting upgrades to allow for better visibility and some lighting levels are below those as per industry standards, and will be replaced accordingly; 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 \$2,520,000. The plan of financing includes the issuance of \$1,260,000 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 \$1,260,000 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 \$1,260,000 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

\$1,260,000. 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 \$2,520,000 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.

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CAPITAL PROJECT FACT SHEET

Project ID:* CBA **Fact Sheet Date:***
WCC85 01-07-2022

Fact Sheet Year:* **Project Title:*** **Legislative District ID:**
2022 ACADEMIC ARTS BUILDING 3,
INFRASTRUCTURE UPGRADE

Category* **Department:*** **CP Unique ID:**
WCC - BUILDINGS COMMUNITY COLLEGE 1875

Overall Project Description

This is phase II of the Academic Arts Building Infrastructure project in the amount of \$2,520,000. The Academic Arts Building was constructed in 1980 at 86,321 sq. ft. and renovated in 2010, which focused primarily on upgrades to the mechanical systems, adding an additional 50,000 sq. ft. The major project included in this phase is the infrastructure on the plumbing and electrical systems in the Academic Arts Building.

- | | | |
|---|---|--|
| <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	2022-23	2023-24	2024-25	2025-26	2026-27	Under Review
Gross	12,498	4,092	0	0	0	0	8,406	0
Less Non-County Shares	6,249	2,046	0	0	0	0	4,203	0
Net	6,249	2,046	0	0	0	0	4,203	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 second phase of the Academic Arts Building Infrastructure Upgrade project. This phase addresses the plumbing systems and sprinkler coverage in the building to be in accordance with NFAP requirements. The electrical systems upgrade will include switches and circuit breakers. Lights will be upgraded to allow for better visibility and some lighting levels are below those as per industry standards, and will be replaced accordingly. This project is critical to be in accordance with safety and compliance requirements.

Financing Plan for Current Request:

Non-County Shares:	\$ 1,260,000
Bonds/Notes:	1,260,000
Cash:	0
Total:	\$ 2,520,000

SEQR Classification:

TYPE II

Amount Requested:

1,260,000

Comments:

The amount appropriated for the phase II of this project is \$2,520,000. This bonding request in the amount of \$1,260,000 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:

Year	Amount	Description
2020	1,572,000	ACADEMIC ARTS BLDG INFRASTRUCTURE PH I
2021	2,520,000	ACADEMIC ARTS BLDG INFRASTRUCTURE PH II

Total Appropriation History:

4,092,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	97	786,000		0 ACADEMIC ARTS BUILDING INFRASTRUCTURE UPGRADE

Total Financing History:

786,000

Recommended By:

Department of Planning

WBB4

Date

01-11-2022

Department of Public Works

RJB4

Date

01-11-2022

Budget Department

LMY1

Date

01-12-2022

Requesting Department

DAGX

Date

01-14-2022

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 11, 2022 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

I FURTHER CERTIFY that, 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, 2022

WVOX
FIOS1
News Channel 12
The Journal News

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:

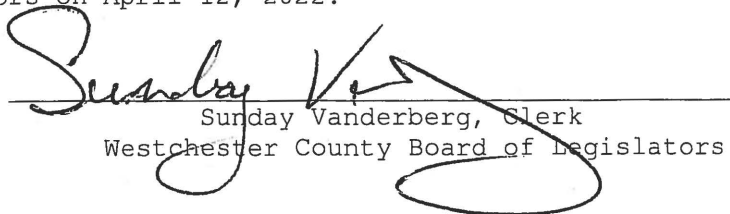
Designated Location(s)
of posted notice

Date of Posting
April 7, 2022

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on April 12, 2022.




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 Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

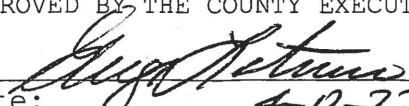
NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Date: _____


4-12-22

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 24 - 2022, 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 April 11, 2022, and approved by the County Executive on April 12, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 13th day of April, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

