

(BOND) ACTS 9,10 - 2023

Reference SBB07 – Phase I

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

Your Committee is in receipt of an amended bond act (“Amended Bond Act”) in the total amount of \$32,500,000 which includes \$25,500,000 in previously authorized bonds of the County of Westchester (“County”) to finance Capital Project SBB07 – Blind Brook Waste Water Treatment Plant – Process Equipment Improvements (“SBB07”). The Amended Bond Act, which was prepared by the law firm Norton Rose Fulbright, is required to finance the cost of design, construction management and construction for Phase I of the rehabilitation, upgrading and/or replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant for the benefit of the Blind Brook Sanitary Sewer District, including but not limited to rehabilitation and upgrades to the screenings, grit, primary scum pit, plant effluent, primary sludge, and emergency power systems, and including incidental expenses.

The Department of Environmental Facilities (“Department”) has advised that this request will provide additional construction funding for Phase I of SBB07. The additional construction cost can be attributed to significant escalation and a reprioritization of the sequence of work to include more scope in the first phase of the project. This is necessary due to the criticality and condition of the equipment being replaced.

Design is currently underway and is expected to be completed by the first quarter of 2023. It is estimated that construction is estimated to take twenty-four months to complete and will begin after award and execution of the construction contracts. The design work is being undertaken by consultants.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance SBB07 as indicated in the annexed fact sheet and follows: Bond Act No. 131-2021 in the amount of \$25,500,000 which was authorized to finance design, construction management and construction in connection with Phase I of SBB07. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 131-2021 be amended to increase the total amount authorized by \$7,000,000 for a total authorized amount, as amended, of \$32,500,000.

The Planning Department has advised your Committee that based on its review, SBB07 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 Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: January 17<sup>th</sup>, 2023.  
White Plains, New York

*Robert F. ...*  
*[Signature]*  
*Waverly Barr*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*Catharine Park*  
**COMMITTEE ON**

C:MG/10-20-22

*[Signature]*  
*Waverly Barr*  
*[Signature]*  
*Catharine Park*

Budget & Appropriations

Public Works & Transportation

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SBB07

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 \$ 7,000,000 PPU 30 Anticipated Interest Rate 4.14%

Anticipated Annual Cost (Principal and Interest): \$ 384,438

Total Debt Service (Annual Cost x Term): \$ 11,533,140

Finance Department: Interest rates from November 4, 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):

\_\_\_\_\_  
\_\_\_\_\_

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 76

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 11/7/22

Reviewed By: 

Budget Director

Date: 11/7/22

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

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



DATE: October 4, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SBB07 BLIND BROOK WASTE WATER TREATMENT PLANT –  
PROCESS EQUIPMENT IMPROVEMENTS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-20-2022 (Unique ID: 2083)

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;
- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

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**COMMENTS:** None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Lorraine Marzola, Associate Budget Director  
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities  
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities  
Kelly Sheehan, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. 9 - 2023

BOND ACT DATED January 23, 2023.

A BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING BOND ACT NO. 131-2021, BOND ACT NO. 103-2020 AND BOND ACT NO. 115-2015 WHICH PROVIDED FOR THE ISSUANCE OF \$25,500,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR PHASE I OF THE REHABILITATION, UPGRADING AND/OR REPLACEMENT OF VARIOUS ITEMS OF EQUIPMENT AND SYSTEMS AT THE BLIND BROOK WASTEWATER TREATMENT PLANT FOR THE BENEFIT OF THE BLIND BROOK SANITARY SEWER DISTRICT, IN AND FOR SAID COUNTY, TO INCREASE THE ESTIMATED MAXIMUM COST AND THE AMOUNT OF BONDS AUTHORIZED TO \$32,500,000, AN INCREASE OF \$7,000,000.

WHEREAS, this Board has previously authorized the issuance of \$25,500,000 bonds to finance design, construction management and construction costs for Phase I of the rehabilitation, upgrading and/or replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant for the benefit of the Blind Brook Sanitary Sewer District, a class of objects or purposes, pursuant to Bond Act No. 131-2021, dated August 2, 2021;

WHEREAS, it has now been determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$32,500,000, an increase of \$7,000,000, and it is now desired to increase the amount of bonds authorized to \$32,500,000;

WHEREAS, \$32,500,000 has been appropriated in the Capital Budget of the County for the aforesaid class of objects or purposes;

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County's Blind Brook Sanitary Sewer District, which are specially benefitted by said class of objects or purposes; and

BE IT ENACTED BY THE COUNTY BOARD OF LEGISLATORS OF THE COUNTY OF WESTCHESTER, NEW YORK (the "County") (by the affirmative vote of not less than two-thirds of the voting strength of said Board), as follows:

Section (A): The bond act duly adopted by this Board entitled:

ACT NO. 131-2021.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$25,500,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR THE REHABILITATION, UPGRADING AND/OR REPLACEMENT OF VARIOUS ITEMS OF EQUIPMENT AND SYSTEMS AT THE BLIND BROOK WASTEWATER TREATMENT PLANT, FOR THE BENEFIT OF THE BLIND BROOK SANITARY SEWER DISTRICT.

is hereby amended to read as follows:

A BOND ACT AUTHORIZING THE ISSUANCE OF \$32,500,000 BONDS TO PAY THE DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION COSTS FOR PHASE I OF THE REHABILITATION, UPGRADING AND/OR REPLACEMENT OF VARIOUS ITEMS OF EQUIPMENT AND SYSTEMS AT THE BLIND BROOK WASTEWATER TREATMENT PLANT, FOR THE BENEFIT OF THE BLIND BROOK SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying design, construction management and construction costs for Phase I of the rehabilitation, upgrading and/or replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant for the benefit of the Blind Brook Sanitary Sewer District, including but not limited to rehabilitation and upgrades to the screenings, grit, primary scum pit, plant effluent, primary sludge, and emergency power systems, and including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be

issued \$32,500,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$32,500,000, and that the plan for the financing thereof is by the issuance of the \$32,500,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Blind Brook Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance



Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment,

and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said

County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section (B). The amendments of the bond act set forth in Section (A) of this act shall in no way affect the validity of the liabilities incurred, obligations issued, or actions taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or actions taken shall be deemed to have been incurred, issued or taken pursuant to said Bond Act, as so amended.

Section (C). This Bond Act shall take effect immediately upon approval by the County Executive.

## CAPITAL PROJECT FACT SHEET

<b>Project ID:*</b> SBB07	<input type="checkbox"/> CBA	<b>Fact Sheet Date:*</b> 01-03-2023
<b>Fact Sheet Year:*</b> 2023	<b>Project Title:*</b> BLIND BROOK WASTE WATER TREATMENT PLANT - PROCESS EQUIPMENT IMPROVEMENTS	<b>Legislative District ID:</b> 3, 7, 6, 4,
<b>Category*</b> SEWER AND WATER DISTRICTS	<b>Department:*</b> ENVIRONMENTAL FACILITIES	<b>CP Unique ID:</b> 2083

**Overall Project Description**

This project will provide for the repair, upgrading and replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant. The work will be performed in several phases.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies     | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2023	2024	2025	2026	2027	Under Review
<b>Gross</b>	83,500	25,500	10,000	35,000	0	13,000	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	83,500	25,500	10,000	35,000	0	13,000	0	0

**Expended/Obligated Amount (in thousands) as of:** 6,061

**Current Bond Description:** This request will provide additional construction funding for Phase I of this project and also design and construction management funding for Phase II. Phase I work will include repairs and upgrades to the screenings, grit, primary scum pit, plant effluent, primary sludge, and emergency power systems. Phase II work will include repairs and upgrades to the plant influent, primary clarifiers, aeration, odor control, and disinfection systems.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	10,000,000
Cash:	0
<b>Total:</b>	<b>\$ 10,000,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

10,000,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2009	500,000	DESIGN
2015	500,000	FUNDS ADDITIONAL DESIGN
2019	16,000,000	CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2020	1,000,000	COST ESCALATION
2021	7,500,000	COST ESCALATION
2023	10,000,000	DESIGN AND CONSTRUCTION MANAGEMENT

**Total Appropriation History:**

35,500,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
15	115	0	0	BLIND BROOK WWTP - PROCESS EQUIPMENT IMPROVEMENTS
20	103	18,000,000	1,604,382	COST OF PROCESS EQUIPMENT IMPROVEMENTS AT BLIND BROOK WASTE WATER TREATMENT PLANT
21	131	7,500,000	0	BLIND BROOK WWTP - REPACEMENT/REHABILITATION

**Total Financing History:**

25,500,000

**Recommended By:**

**Department of Planning**  
WBB4

**Date**  
09-20-2022

**Department of Public Works**  
RJB4

**Date**  
09-20-2022

**Budget Department**  
LMY1

**Date**  
11-01-2022

**Requesting Department**  
JWBA

**Date**  
11-01-2022

## BLIND BROOK WASTE WATER TREATMENT PLANT - PROCESS EQUIPMENT IMPROVEMENTS ( SBB07 )

**User Department :** Environmental Facilities  
**Managing Department(s) :** Environmental Facilities ; Public Works ;  
**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	2023	2024	2025	2026	2027	Under Review
<b>Gross</b>	<b>83,500</b>	<b>25,500</b>	<b>6,061</b>	<b>10,000</b>	<b>35,000</b>		<b>13,000</b>		
<b>Non County Share</b>									
<b>Total</b>	<b>83,500</b>	<b>25,500</b>	<b>6,061</b>	<b>10,000</b>	<b>35,000</b>		<b>13,000</b>		

### Project Description

This project will provide for the repair, upgrading and replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant. Equipment or systems to be replaced or refurbished will include, but not be limited to, HVAC equipment not included in performance maintenance project, primary sludge and sludge transfer pumps including associated piping and valves; primary and secondary clarifier mechanisms; primary clarifier scum pit piping and valves; aeration tank influent and effluent sluice gates and mixers; all aeration blowers and blower piping; piping, valves and controls for caustic and hypochlorite tanks associated with odor control scrubbers; plant and service water system upgrade; replacement of RAS discharge isolation valves; final clarifier drain valves and plant effluent water system including pumps and associated valves; demolition and removal of obsolete boilers and fuel oil storage tanks and installation of security system improvements. The project is broken down into design and construction phases; preliminary design will also include a review of the sludge forcemain to the Port Chester Plant. Further refinement and phasing will be performed after design is undertaken. All equipment upgrades will include integration into SCADA system.

### Current Year Description

The current year request funds construction.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	10,000,000			10,000,000

### Impact on Operating Budget

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

### Appropriation History

Year	Amount	Description	Status
2009	500,000	Design	CONSTRUCTION
2015	500,000	Funds additional design	CONSTRUCTION
2019	16,000,000	Construction and construction management	CONSTRUCTION
2020	1,000,000	Cost escalation	CONSTRUCTION
2021	7,500,000	Cost escalation	CONSTRUCTION
<b>Total</b>	<b>25,500,000</b>		

**BLIND BROOK WASTE WATER TREATMENT PLANT - PROCESS EQUIPMENT  
IMPROVEMENTS  
( SBB07 )**

**Prior Appropriations**

	<b>Appropriated</b>	<b>Collected</b>	<b>Uncollected</b>
<b>Bond Proceeds</b>	25,500,000	1,604,383	23,895,617
<b>Total</b>	25,500,000	1,604,383	23,895,617

**Bonds Authorized**

<b>Bond Act</b>	<b>Amount</b>	<b>Date Sold</b>	<b>Amount Sold</b>	<b>Balance</b>
115 15				
103 20	18,000,000	12/01/21	1,604,383	16,395,617
131 21	7,500,000			7,500,000
<b>Total</b>	25,500,000		1,604,383	23,895,617

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 January 23, 2023 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  
January 19, 2023

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:

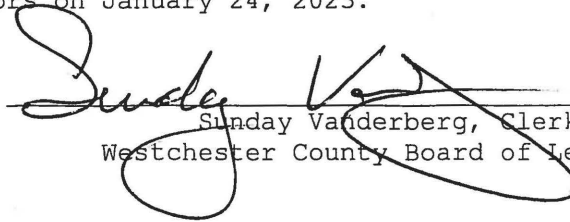
Designated Location(s)  
of posted notice

Date of Posting  
January 19, 2023

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 24, 2023.



  
\_\_\_\_\_  
Sunday Vanderberg, Clerk  
Westchester County Board of Legislators



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

AYES:

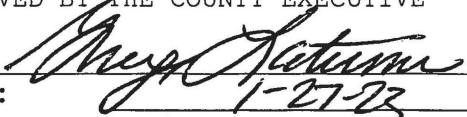
Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator James Nolan  
Legislator Catherine Parker  
Legislator Erika Pierce  
Legislator 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: 1-27-23

(BOND) ACT 10 - 2023

Reference SBB07 – Phase II

**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 \$3,000,000 to finance capital project SBB07 – Blind Brook Waste Water Treatment Plant – Process Equipment Improvements (“SBB07”). The Bond Act, which was prepared by the law firm Norton Rose Fulbright, will finance the cost of design and construction management for Phase II of SBB07, including rehabilitation, upgrading and/or replacement of various items of equipment and systems of the Blind Brook Wastewater Treatment Plant in the County’s Blind Brook Sanitary Sewer District, including but not limited to, rehabilitation and upgrades to the plant influent, primary clarifiers, aeration, odor control, and disinfection systems, including incidental expenses.

The Department of Environmental Facilities (“Department”) has advised that this request will provide the design and construction management funding for Phase II of SBB07

Following bonding authorization, design will be scheduled and is anticipated to take twelve months to complete. It is estimated that construction will take twenty-four months to complete and will begin after award and execution of the construction contracts. The design work is being undertaken by consultants.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with SBB07 as indicated in the annexed fact sheet.

The Planning Department has advised your Committee that based on its review, SBB07 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: January 17<sup>th</sup>, 2023  
White Plains, New York

Vedat Farhi  
S. Farhi  
Nancy Baur  
Henry Zee Jones  
J. W.  
D. W.  
Cathy Pae

H. G.  
Nancy Baur  
J. W.  
Cathy Pae

**COMMITTEE ON**

c/mg/10-20-22

Budget & Appropriations

Public Works & Transportation

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: SBB07

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 \$ 3,000,000 PPU 5 Anticipated Interest Rate 3.38%

Anticipated Annual Cost (Principal and Interest): \$ 659,804

Total Debt Service (Annual Cost x Term): \$ 3,299,020

Finance Department: Interest rates from November 4, 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):

\_\_\_\_\_  
\_\_\_\_\_

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 32

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Joe Brown

Title: Capital Program Coordinator

Department: DEF

Date: 11/7/22


Reviewed By: 

Budget Director

Date: 11/7/22

11/7/22

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

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

DATE: October 4, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
SBB07 BLIND BROOK WASTE WATER TREATMENT PLANT –  
PROCESS EQUIPMENT IMPROVEMENTS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 09-20-2022 (Unique ID: 2083)

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;
- **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action.

---

**COMMENTS:** None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Lawrence Soule, Budget Director  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Lorraine Marzola, Associate Budget Director  
C.J. Gelardo, Associate Engineer, Department of Environmental Facilities  
Joseph Brown, Capital Program Coordinator, Department of Environmental Facilities  
Kelly Sheehan, Assistant Commissioner  
William Brady, Chief Planner  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. 10 - 2023

BOND ACT DATED January 23, 2023.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$3,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO PAY THE COSTS OF DESIGN AND CONSTRUCTION MANAGEMENT FOR PHASE II OF THE REHABILITATION, UPGRADING AND/OR REPLACEMENT OF VARIOUS ITEMS OF EQUIPMENT AND SYSTEMS OF THE BLIND BROOK WASTEWATER TREATMENT PLANT IN THE COUNTY'S BLIND BROOK SANITARY SEWER DISTRICT.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year; and

WHEREAS, the plan for the financing of the estimated maximum cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of the cost of such capital project allocable to the County's Blind Brook Sanitary Sewer District; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York (the "County"), by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. For paying the \$3,000,000 estimated maximum cost of design and construction management for Phase II of the rehabilitation, upgrading and/or replacement of various items of equipment and systems of the Blind Brook Wastewater Treatment Plant in the County's Blind Brook Sanitary Sewer District, including but not limited to, rehabilitation and upgrades to the plant influent, primary clarifiers, aeration, odor control, and disinfection systems, including

incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$3,000,000 bonds of said County pursuant to the provisions of the Local Finance Law. To the extent that the details of the aforesaid class of objects or purposes set forth in this Bond Act are inconsistent with any details set forth in the 2023 Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$3,000,000, and that the plan for the financing thereof is by the issuance of the \$3,000,000 bonds of said County authorized to be issued pursuant to this Bond Act.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is five years, pursuant to subdivision sixty-two of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in the County's Blind Brook Sanitary Sewer District, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance



Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at the sole discretion of the Commissioner of Finance, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Board of Legislators.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the Commissioner of Finance, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment,

and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this Bond Act 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
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said

County for purposes of this Bond Act, together with a notice of the Clerk of the Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

## CAPITAL PROJECT FACT SHEET

**Project ID:\***

SBB07

CBA

**Fact Sheet Date:\***

01-03-2023

**Fact Sheet Year:\***

2023

**Project Title:\***

BLIND BROOK WASTE WATER  
TREATMENT PLANT - PROCESS  
EQUIPMENT IMPROVEMENTS

**Legislative District ID:**

3, 7, 6, 4,

**Category\***

SEWER AND WATER DISTRICTS

**Department:\***

ENVIRONMENTAL FACILITIES

**CP Unique ID:**

2083

**Overall Project Description**

This project will provide for the repair, upgrading and replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant. The work will be performed in several phases.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Best Management Practices | <input type="checkbox"/> Energy Efficiencies     | <input checked="" type="checkbox"/> Infrastructure |
| <input 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	2023	2024	2025	2026	2027	Under Review
<b>Gross</b>	83,500	25,500	10,000	35,000	0	13,000	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	83,500	25,500	10,000	35,000	0	13,000	0	0

**Expended/Obligated Amount (in thousands) as of :** 6,061

**Current Bond Description:** This request will provide additional construction funding for Phase I of this project and also design and construction management funding for Phase II. Phase I work will include repairs and upgrades to the screenings, grit, primary scum pit, plant effluent, primary sludge, and emergency power systems. Phase II work will include repairs and upgrades to the plant influent, primary clarifiers, aeration, odor control, and disinfection systems.

**Financing Plan for Current Request:**

Non-County Shares:	\$ 0
Bonds/Notes:	10,000,000
Cash:	0
<b>Total:</b>	<b>\$ 10,000,000</b>

**SEQR Classification:**

TYPE II

**Amount Requested:**

10,000,000

**Comments:**

**Energy Efficiencies:**

**Appropriation History:**

Year	Amount	Description
2009	500,000	DESIGN
2015	500,000	FUNDS ADDITIONAL DESIGN
2019	16,000,000	CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2020	1,000,000	COST ESCALATION
2021	7,500,000	COST ESCALATION
2023	10,000,000	DESIGN AND CONSTRUCTION MANAGEMENT

**Total Appropriation History:**

35,500,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
15	115	0	0	BLIND BROOK WWTP - PROCESS EQUIPMENT IMPROVEMENTS
20	103	18,000,000	1,604,382	COST OF PROCESS EQUIPMENT IMPROVEMENTS AT BLIND BROOK WASTE WATER TREATMENT PLANT
21	131	7,500,000	0	BLIND BROOK WWTP - REPACEMENT/REHABILITATION

**Total Financing History:**

25,500,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

09-20-2022

**Department of Public Works**

RJB4

**Date**

09-20-2022

**Budget Department**

LMY1

**Date**

11-01-2022

**Requesting Department**

JWBA

**Date**

11-01-2022

## BLIND BROOK WASTE WATER TREATMENT PLANT - PROCESS EQUIPMENT IMPROVEMENTS ( SBB07 )

**User Department :** Environmental Facilities

**Managing Department(s) :** Environmental Facilities ; Public Works ;

**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	2023	2024	2025	2026	2027	Under Review
<b>Gross</b>	83,500	25,500	6,061	10,000	35,000		13,000		
<b>Non County Share</b>									
<b>Total</b>	83,500	25,500	6,061	10,000	35,000		13,000		

### Project Description

This project will provide for the repair, upgrading and replacement of various items of equipment and systems at the Blind Brook Wastewater Treatment Plant. Equipment or systems to be replaced or refurbished will include, but not be limited to, HVAC equipment not included in performance maintenance project, primary sludge and sludge transfer pumps including associated piping and valves; primary and secondary clarifier mechanisms; primary clarifier scum pit piping and valves; aeration tank influent and effluent sluice gates and mixers; all aeration blowers and blower piping; piping, valves and controls for caustic and hypochlorite tanks associated with odor control scrubbers; plant and service water system upgrade; replacement of RAS discharge isolation valves; final clarifier drain valves and plant effluent water system including pumps and associated valves; demolition and removal of obsolete boilers and fuel oil storage tanks and installation of security system improvements. The project is broken down into design and construction phases; preliminary design will also include a review of the sludge forcemain to the Port Chester Plant. Further refinement and phasing will be performed after design is undertaken. All equipment upgrades will include integration into SCADA system.

### Current Year Description

The current year request funds construction.

### Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	10,000,000			10,000,000

### Impact on Operating Budget

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

### Appropriation History

Year	Amount	Description	Status
2009	500,000	Design	CONSTRUCTION
2015	500,000	Funds additional design	CONSTRUCTION
2019	16,000,000	Construction and construction management	CONSTRUCTION
2020	1,000,000	Cost escalation	CONSTRUCTION
2021	7,500,000	Cost escalation	CONSTRUCTION
<b>Total</b>	<b>25,500,000</b>		

**BLIND BROOK WASTE WATER TREATMENT PLANT - PROCESS EQUIPMENT  
IMPROVEMENTS  
( SBB07 )**

<b>Prior Appropriations</b>			
	<b>Appropriated</b>	<b>Collected</b>	<b>Uncollected</b>
<b>Bond Proceeds</b>	25,500,000	1,604,383	23,895,617
<b>Total</b>	25,500,000	1,604,383	23,895,617

<b>Bonds Authorized</b>				
<b>Bond Act</b>	<b>Amount</b>	<b>Date Sold</b>	<b>Amount Sold</b>	<b>Balance</b>
115 15				
103 20	18,000,000	12/01/21	1,604,383	16,395,617
131 21	7,500,000			7,500,000
<b>Total</b>	25,500,000		1,604,383	23,895,617

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 January 23, 2023 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  
January 19, 2023

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:

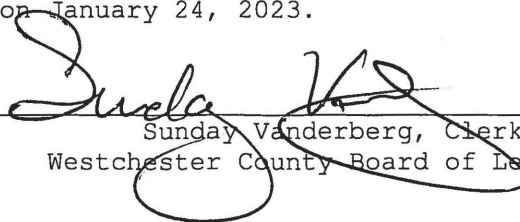
Designated Location(s)  
of posted notice

Date of Posting  
January 19, 2023

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on January 24, 2023.



  
\_\_\_\_\_  
Sunday Vanderberg, Clerk  
Westchester County Board of Legislators



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

AYES:

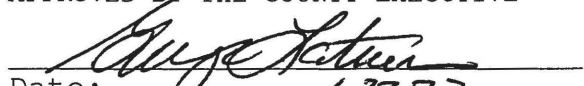
Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator James Nolan  
Legislator Catherine Parker  
Legislator Erika Pierce  
Legislator 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: 1-27-23

STATE OF NEW YORK            )  
  )    ss.  
WESTCHESTER COUNTY        )

I HEREBY CERTIFY that I have compared the foregoing (Bond) Acts, (Bond) Act No's. 9, 10 - 2023, 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 Acts, which was duly adopted by the County Board of Legislators, of the County of Westchester on January 23, 2023, and approved by the County Executive on January 27, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 30<sup>th</sup> day of January, 2023.



Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

