

**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 ("Design and Construction Bond Act") in the amount of \$10,050,000 to finance capital project RCC17 County Center Facility Improvements ("RCC17"). The Design and Construction Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the costs of the planning, construction and construction management associated with the replacement of the roof and other associated building renovations of the County Center Building.

The Department of Parks, Recreation and Conservation ("Department") has advised your Committee that the County Center roof is in poor condition and in need of replacement. The existing roof is leaking in several places and has exceeded its life expectancy. RCC17 will fund the complete roof replacement and underlayment including roof deck repairs, waterproofing, stucco wall repairs, eaves, gutters and downspouts, and all other associated building renovations. The Department has advised that this infrastructure repair is critical to the safe operation of the park facility.

Design is currently being undertaken by in-house staff and is expected to be completed by the first quarter of 2024. It is estimated that construction will take twelve months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds in connection with RCC17 as indicated in the annexed fact sheet. A related amending bond act, which has been submitted currently, must be approved by your Honorable Board before this Design and Construction Bond Act may be approved.

Your Committee is advised that as was initiated last year, the County Budget Department is submitting this Design and Construction to your Honorable Board simultaneously with the proposed 2024 Capital Budget. It is the County's goal to submit this Design and Construction Bond Act now so that the referenced projects will be ready to proceed without delay in early 2024.

The Planning Department has advised your Committee that based on its review, RCC17 may be 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 environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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 Design and Construction Bond Act. Your Committee recommends the adoption of the proposed Design and Construction Bond Act.

Dated: November 27<sup>th</sup>, 2023  
White Plains, New York

*Handwritten signature: David Bell Jones*

*Handwritten signature: [unclear]*

*Handwritten signature: [unclear]*

*Handwritten signature: Lynna Brando*

*Handwritten signature: [unclear]*

*Handwritten signature: Catharine Parker*

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*Handwritten signature: Catharine Parker*

*Budget & Appropriations*

**COMMITTEE ON**

*Public Works &  
Transportation*

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RCC17

☐ 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 \$ 10,050,000 PPU 15 Anticipated Interest Rate 3.79%

Anticipated Annual Cost (Principal and Interest): \$ 886,258

Total Debt Service (Annual Cost x Term): \$ 13,293,870

Finance Department: Interest rates from October 10, 2023 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: 109

Prepared by: Dianne Vanadia

Title: Associate Budget Director

Department: Budget

Date: 10/7/23


Reviewed By: 

Budget Director

Date: 10/11/23

10/11/23

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

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

DATE: October 4, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
RCC17 COUNTY CENTER FACILITY IMPROVEMENTS**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on  
08-30-2023 (Unique ID: 2365)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no environmental review is required for the proposed action, because the project or component of the project for which funding is requested may be classified as a **TYPE II action** pursuant to section(s):

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.

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**COMMENTS:** None

DSK/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  
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation  
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation  
Dianne Vanadia, Associate Budget Director  
Robert Lopane, Program Coordinator, Department of Public Works & Transportation  
Blanca P. Lopez, Commissioner of Planning  
Michael Lipkin, Associate Planner  
Claudia Maxwell, Associate Environmental Planner

ACT NO. 249 - 2023

BOND ACT AUTHORIZING THE ISSUANCE OF \$10,050,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF THE COUNTY CENTER ROOF AND ASSOCIATED BUILDING RENOVATIONS; STATING THE ESTIMATED TOTAL COST THEREOF IS \$10,050,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$10,050,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS (Adopted 12/11 , 2023 ).

WHEREAS, this Board has heretofore duly authorized the issuance of \$50,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the County Center roof and associated building renovations, pursuant to Act No. 219-2021 duly adopted on December 7, 2021; and

WHEREAS, it is now appropriate to authorize such purposes, and it is necessary to increase the amount of bonds to be issued and the appropriation for such project for estimated cost of such improvement;

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; \$10,050,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance all or a portion of the costs of the planning, construction and construction management associated with the replacement of the roof and other associated building renovations of the County Center Building, 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 total cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$10,050,000. The plan of financing includes the issuance of \$10,050,000 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 and notes.

Section 2. The period of probable usefulness of the object or purpose for which said \$10,050,000 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 \$10,050,000. 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 \$10,050,000 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 not earlier than January 1, 2024 and in accordance with Section 107.71 of the Westchester County Charter.

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## CAPITAL PROJECT FACT SHEET

Project ID:* RCC17	<input type="checkbox"/> CBA	Fact Sheet Date:* 01-02-2024
Fact Sheet Year:* 2024	Project Title:* COUNTY CENTER FACILITY IMPROVEMENTS	Legislative District ID: 5,
Category* RECREATION FACILITIES	Department:* PARKS, RECREATION & CONSERVATION	CP Unique ID: 2365

### Overall Project Description

This project will reimagine the entire County Center facility and its adjacent property. The current condition of County Center will be analyzed to determine the requirements to restore the facility and the necessary modifications to move it into the future. Facility improvements will include all facets of the building interior and exterior; infrastructure and utilities, vehicular and pedestrian circulation, parking, landscaping and associated site work.

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

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

	Estimated Ultimate Total Cost	Appropriated	2024	2025	2026	2027	2028	Under Review
<b>Gross</b>	54,350	4,350	25,000	25,000	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	54,350	4,350	25,000	25,000	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 698

**Current Bond Description:** Funding is requested for construction and construction management associated with the replacement of the roof and other associated building renovations of the County Center Building.

#### 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

#### Expected Design Work Provider:

<input checked="" type="checkbox"/> County Staff	<input type="checkbox"/> Consultant	<input type="checkbox"/> Not Applicable
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#### Comments:

#### Energy Efficiencies:

#### Appropriation History:

Year	Amount	Description
2022	4,000,000	STUDY AND DESIGN
2023	350,000	CONSTRUCTION AND CONSTRUCTION MANAGEMENT.

#### **Total Appropriation History:**

4,350,000

**Financing History:**

<b>Year</b>	<b>Bond Act #</b>	<b>Amount</b>	<b>Issued</b>	<b>Description</b>
21	219	4,000,000		0 COUNTY CENTER FACILITY IMPROVEMENTS
23	128	350,000		0 COUNTY CENTER FACILITY IMPROVEMENTS

**Total Financing History:**

4,350,000

**Recommended By:****Department of Planning**  
MLLL**Date**  
08-30-2023**Department of Public Works**  
RJB4**Date**  
08-30-2023**Budget Department**  
DEV9**Date**  
09-06-2023**Requesting Department**  
RCL3**Date**  
09-06-2023

## COUNTY CENTER FACILITY IMPROVEMENTS ( RCC17 )

**User Department :** Parks, Recreation & Conservation

**Managing Department(s) :** Parks, Recreation & Conservation ; Public Works ;

**Estimated Completion Date:** TBD

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

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

	Est Ult Cost	Appropriated	Exp / Obl	2024	2025	2026	2027	2028	Under Review
Gross	54,350	4,350	698	25,000	25,000				
Non County Share									
Total	54,350	4,350	698	25,000	25,000				

### **Project Description**

This project will reimagine the entire County Center facility and its adjacent property. The current condition of County Center will be analyzed to determine the requirements to restore the facility and the necessary modifications to move it into the future. Facility improvements will include all facets of the building interior and exterior; infrastructure and utilities, vehicular and pedestrian circulation, parking, landscaping and associated site work.

### **Current Year Description**

The current year request funds Phase 1 construction.

### **Current Year Financing Plan**

Year	Bonds	Cash	Non County Shares	Total
2024	25,000,000			25,000,000

### **Impact on Operating Budget**

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

### **Appropriation History**

Year	Amount	Description	Status
2022	4,000,000	Study and design	DESIGN
2023	350,000	Construction and construction management theatrical stage lighting system.	IN PROGRESS
Total	4,350,000		

### **Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	4,350,000		4,350,000
Total	4,350,000		4,350,000

### **Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
219 21	4,000,000			4,000,000
128 23	350,000			350,000
Total	4,350,000			4,350,000

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 December 11, 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  
December 6, 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:

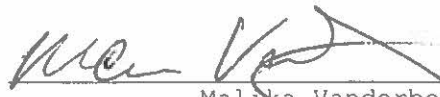
Designated Location(s)  
of posted notice

Date of Posting  
December 6, 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 December 11, 2023.



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

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 Symra Brandon  
Legislator Terry Clements  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator David Imamura  
Legislator James Nolan  
Legislator Erika Pierce  
Legislator Colin Smith  
Legislator Jewel Williams-Johnson  
Legislator Tyrae Woodson-Samuels

NOES:

Legislator Damon Maher  
Legislator Catherine Parker

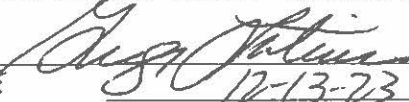
ABSENT:

EXCUSED:

Legislator David Tubiolo

The Bond Act was thereupon declared duly adopted.

\* \* \* \* \*  
APPROVED BY THE COUNTY EXECUTIVE

  
Date: 12-13-23

STATE OF NEW YORK                    )  
  )    ss.  
WESTCHESTER COUNTY                )

**I HEREBY CERTIFY** that I have compared the foregoing (Bond) Act, (Bond) Act No. 249 - 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 Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on December 11, 2023, and approved by the County Executive on December 13, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 14<sup>th</sup> day of December, 2023.

*Malika Vanderberg*

Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

