

**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 an act amending the County's current-year capital budget ("Capital Budget Amendment"), as well as adoption of a related bond act (the "Bond Act") in the amount of \$1,000,000 to finance capital project B0128 - Mental Health Clinic, 112 East Post Road, White Plains ("B0128").

Your Committee is advised that the proposed Capital Budget Amendment will amend the County's 2024 capital budget to appropriate \$1,000,000 for this new project.

The Bond Act, which was prepared by the law firm of Hawkins Delafield and Wood, LLP, would fund the cost of design, construction management, and construction associated with the alteration of building interiors and infrastructure to accommodate the County's new Pilot Safety Net Mental Health Clinic at 112 East Post Road, White Plains.

As your Honorable Board is aware, Westchester County operated four mental health clinics, in White Plains, Peekskill, Yonkers and Mount Vernon until 2011 when the County decided to close them and transition clients to non-profit Article 31 mental health clinic providers. In 2022 your Honorable Board recognized a growing need for mental health service access in Westchester County and added funding to the 2023 budget so the County could begin providing direct mental health services again.

Your Committee is advised that the current providers of mental health services in the county are working hard to meet the demand, but are at capacity with waiting lists. The population with complex needs, who are often court involved, require more immediate services.

Your Committee is advised that the Department of Community Mental Health has been working to complete the process to apply for an Article 31 Mental Health Clinic license through the New York State Office of Mental Health which includes conducting a needs assessment; identifying a clinic site and population to be served; submitting clinic floor plans; staffing plans; and fiscal structure. This project is needed in order to rehabilitate the existing County space to create a Pilot Safety Net Mental Health Clinic in White Plains which will accommodate four

licensed mental health clinicians, a clinic director, a part time psychiatrist and part time nurse practitioner, two peer specialists, two staff assistants and a waiting area for clients.

Your Committee is advised that following bonding authorization, design will be scheduled and is anticipated to take four months (4) months to complete and will be performed by in-house staff. It is estimated that construction will take six months (6) months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project 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.

In addition, Section 167.131 of the County Charter mandates that a capital budget amendment that introduces a new capital project or changes the location, size or character of an existing capital project be accompanied to the Board of Legislators by a report of the Westchester County Planning Board (the "Planning Board") with respect to the physical planning aspects of the project. Accordingly, the required Planning Board report is herewith attached.

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 proposed Capital Budget Amendment and Bond Act.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Bond Act, and recommends approval of both of the proposed Acts, noting that the Bond Act can only be enacted following adoption of the Capital Budget Amendment.

Dated: April 17th, 2024

White Plains, New York

April 22nd, 2024

April 22nd, 2024

<p>James Bell John Murray Egan J. W.</p>	<p>James Bell John J. W. David Subick</p>	<p>James Bell John J. W. J. W.</p>
	<p>John Colin</p>	

Human Services

Budget & Appropriations

Public Works & Transportation

COMMITTEE ON

Dated: April 17th, 2024
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.

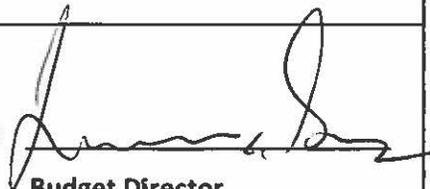
Committee(s) on:

Human Services

A handwritten signature in black ink, appearing to read "Joe Alamo".A handwritten signature in black ink, appearing to read "Jeff Rein".

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: <u> B0128 </u>		<input type="checkbox"/> NO FISCAL IMPACT PROJECTED	
SECTION A - CAPITAL BUDGET IMPACT To Be Completed by Budget			
<input checked="" type="checkbox"/> GENERAL FUND	<input type="checkbox"/> AIRPORT FUND	<input type="checkbox"/> SPECIAL DISTRICTS FUND	
Source of County Funds (check one):		<input type="checkbox"/> Current Appropriations	<input checked="" type="checkbox"/> Capital Budget Amendment
SECTION B - BONDING AUTHORIZATIONS To Be Completed by Finance			
Total Principal	\$	1,000,000	PPU 15 Anticipated Interest Rate 2.80%
Anticipated Annual Cost (Principal and Interest):	\$	82,520	
Total Debt Service (Annual Cost x Term):	\$	1,237,807	
Finance Department:	maab rates 3-27		
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:	11		
Prepared by:	<u>Robert Abbamont</u>	Reviewed By:	
Title:	<u>Director of Operations (Capital)</u>		Budget Director
Department:	<u>Public Works and Transportation</u>	Date:	<u>4/3/24</u>
Date:	<u>4/3/24</u>		

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: April 1, 2024

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0128 Mental Health Clinic, 112 East Post Road, White Plains**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 03-26-2024 (Unique ID: 2513)

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.

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
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Susan Darling, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Principal Environmental Planner

RESOLUTION 24- 14

WESTCHESTER COUNTY PLANNING BOARD

**Amendment of Planning Board Report on 2024 Capital Project Requests
B0128 Mental Health Clinic, 112 East Post Road, White Plains**

WHEREAS, the COVID-19 pandemic has exacerbated the need for community mental healthcare services and existing community mental healthcare facilities are currently at or exceeding their capacity for patients, and

WHEREAS, the County Executive will submit legislation to the County Board of Legislators which would authorize amending the 2024 Capital Budget to include **Mental Health Clinic, 112 East Post Road, White Plains**, to include funding in the amount of \$1,000,000 for design and construction, and

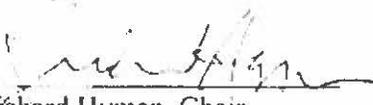
WHEREAS, this project provides for the design and construction of interior and infrastructure alterations to the County-owned building at 112 East Post Road to create the new Pilot Safety Net Mental Health Clinic for the provision of additional outpatient mental healthcare services for residents of Westchester County, and

WHEREAS, this project is classified as a "PL2" - "approved in concept, subject to review when more detailed studies or plans are prepared," and

WHEREAS, the project is generally consistent with *Westchester 2025 – Policies to Guide County Planning*, as adopted by the Planning Board on May 6, 2008 and amended on January 5, 2010 by maintaining county facilities; now therefore, be it

RESOLVED, that the County Planning Board, pursuant to Section 167.131 of the County Charter, amends its Report on the 2024 Capital Project Requests to include the attached report on Capital Project **Mental Health Clinic, 112 East Post Road, White Plains**, located at the 112 East Post Road, White Plains in the amount of \$1,000,000.

Adopted this 2nd day of April, 2024


Richard Hyman, Chair

B0128 Mental Health Clinic, 112 East Post Road, White Plains

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Approp- riated	2024	2025	2026	2027	2028	Under Review
Gross	1,000							1,000
Less non- County Shares								
Net	1,000							1,000

PROJECT DESCRIPTION:

This project provides funding for design, construction management, and construction for alterations of building interiors and infrastructure to accommodate the new Pilot Safety Net Mental Health Clinic at 112 East Post Road, White Plains.

APPROPRIATION/FUNDING REQUESTS:

Under Review: Design and Construction (note: will be moved to 2024 upon approval of CBA)

JUSTIFICATION:

The COVID-19 pandemic has exacerbated the need for community mental healthcare services and existing community mental healthcare facilities are currently at or exceeding their capacity for patients.

CONSISTENCY WITH PROGRAMS OR PLANS: Improving energy savings and enhancing and maintaining the County's building and infrastructure to improve employee and public health and safety are consistent with *Westchester 2025*.

Planning Board Analysis:

PL2: The Planning Board supports the proposed improvements. Existing community mental healthcare facilities are currently at capacity, and the COVID-19 pandemic has only increased the need for more such facilities.

ACT No. 69 - 2024

An Act amending the 2024 County
Capital Budget Appropriations for
Capital Project B0128 MENTAL
HEALTH CLINIC, 112 EAST POST
ROAD, WHITE PLAINS

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

Section 1. The Capital section of the 2024 County Budget is hereby amended as follows:

	Previous 2024 Appropriation	Change	Revised 2024 Appropriation
I. Appropriation		\$1,000,000	\$1,000,000

Section 2. The estimated method of financing in the Capital Section of the 2024 Westchester County Capital Budget is amended as follows:

II. METHOD OF
FINANCING

Bonds and/or Notes		\$1,000,000	\$1,000,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$0</u>	<u>\$1,000,000</u>	<u>\$1,000,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. 70 - 2024

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF ALTERATIONS OF BUILDING INTERIORS AND INFRASTRUCTURE IMPROVEMENTS AT THE COUNTY'S NEW PILOT SAFETY NET MENTAL HEALTH CLINIC AT 112 EAST POST ROAD, IN THE CITY OF WHITE PLAINS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,000,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,000,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted 04/29 , 2024)

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; \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction management and construction associated with the alterations of building interiors and infrastructure improvements at the County's new pilot safety net mental health clinic at 112 East Post Road, in the City of White Plains, 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 specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof is \$1,000,000. The plan of financing includes the issuance of \$1,000,000 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 specific object or purpose for which said \$1,000,000 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 \$1,000,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. The estimate of \$1,000,000 as the estimated maximum cost of the aforesaid specific 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.

* * *

CAPITAL PROJECT FACT SHEET

Project ID:*
B0128

CBA

Fact Sheet Date:*
03-20-2024

Fact Sheet Year:*
2024

Project Title:*
MENTAL HEALTH CLINIC, 112 EAST
POST ROAD, WHITE PLAINS

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PUBLIC WORKS

CP Unique ID:
2513

Overall Project Description

This project provides for the alterations of building interiors and infrastructure to accommodate the new Pilot Safety Net Mental Health Clinic at 112 East Post Road, White Plains.

- | | | |
|---|--|--|
| <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
Gross	1,000	0	0	0	0	0	0	1,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	1,000	0	0	0	0	0	0	1,000

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

Current Bond Description: Funding is requested for design, construction management, and construction for the alterations of building interiors and infrastructure to accommodate the new Pilot Safety Net Mental Health Clinic at 112 East Post Road, White Plains.

Financing Plan for Current Request:

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

SEQR Classification:
TYPE II

Amount Requested:
1,000,000

Expected Design Work Provider:

- County Staff Consultant Not Applicable

Comments:

A capital budget amendment in the amount of \$1,000,000 (shown under review), is being requested to provide funding for the new Pilot Safety Net Mental Health Clinic at 112 East Post Road, White Plains. The County Executive and Legislature are invested in the County providing mental health services due to the growing need for outpatient services. Over the years, as part of our County Plans, there has been growing concern regarding timely access and capacity for outpatient clinic services.

Energy Efficiencies:

Total Financing History:
0

Recommended By:

Department of Planning

MLLL

Date

03-26-2024

Department of Public Works

RJB4

Date

03-26-2024

Budget Department

DEV9

Date

03-27-2024

Requesting Department

RJB4

Date

03-27-2024

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 29, 2024 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 24, 2024

News Channel 12
The Journal News
Hometown Media
CBS2NY
The Examiner News
WABCTV News

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 24, 2024

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on April 30, 2024.





Malika 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 Benjamin Boykin
 Legislator Terry Clements
 Legislator Margaret Cunzio
 Legislator Vedat Gashi
 Legislator David Imamura
 Legislator James Nolan
 Legislator Catherine Parker
 Legislator Erika Pierce
 Legislator Colin Smith
 Legislator David Tubiolo
 Legislator Emiljana Ulaj
 Legislator Shanae Williams
 Legislator Jewel Williams-Johnson
 Legislator Tyrae Woodson-Samuels

NOES:

ABSENT: Legislator Judah Holstein

EXCUSED:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 5-2-24

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 69 - 2024, and (Bond) Act No. 70 - 2024, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Act, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on April 29, 2024, and approved by the County Executive on May 2, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 3rd day of May, 2024.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

