

Public Safety Meeting Agenda



Committee Chair: Colin Smith

800 Michaelan Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
www.westchesterlegislators.com

Monday, November 8, 2021

10:00 AM

Committee Room

CALL TO ORDER

Meeting joint with the Committees on Budget & Appropriations and Public Works & Transportation

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2021-553](#) **BOND ACT-BCR5D-Infrastructure Improvements 3-'16-'20**

A BOND ACT authorizing the issuance of ONE MILLION, SEVEN HUNDRED THOUSAND (\$1,700,000) DOLLARS in bonds of Westchester County to finance Capital Project BCR5D - Infrastructure Improvements 3 - 2016-2020.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PUBLIC SAFETY

Joint with B&A and PW&T.

Guests: Deputy Commissioner Michael Gerard and William Fallon, Director of Administrative Services

2. [2021-554](#) **BOND ACT(Amended)-BCR55-G-Block Window Replacement**

A BOND ACT (Amended) authorizing the issuance of additional bonds of Westchester County in the amount of ONE MILLION, FOUR HUNDRED THOUSAND (\$1,400,000) DOLLARS to finance Capital Project BCR55 - G-Block Window Replacement.

COMMITTEE REFERRAL: COMMITTEES ON BUDGET & APPROPRIATIONS, PUBLIC WORKS & TRANSPORTATION AND PUBLIC SAFETY

Joint with B&A and PW&T.

Guests: Deputy Commissioner Michael Gerard and William Fallon, Director of Administrative Services

[2021-587](#) **ACT-Amend Lease Agrmnt-Police Vehicles-Mount Vernon**

AN ACT authorizing the County of Westchester to amend an agreement with the City of Mount Vernon in order to increase the number of police vehicles leased to the City of Mt. Vernon, and also to correct certain clerical errors contained in Schedule "A" of the Agreement.

Joint with B&A

Guest - Ann Marie Berg, Commissioner of Finance


II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

October 15, 2021

TO: Hon. Benjamin Boykin, Chair
Hon. Alfreda Williams, Vice Chair
Hon. MaryJane Shimsky, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Bond Act – BCR5D –
Infrastructure Improvements 3 – 2016-2020.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 18, 2021 Agenda.

Transmitted herewith for your review and approval is a Bond Act (“Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue bonds in the amount of \$1,700,000 to finance a component of the following capital project: BCR5D.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 18, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.

George Latimer
County Executive

October 15, 2021

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is a Bond Act ("Bond Act") which, if adopted, would authorize the County of Westchester ("County") to issue bonds in the amount of \$1,700,000 to finance a component of the following capital project:

BCR5D – Infrastructure Improvements 3 (2016 - 2020).

The Bond Act, in the amount of \$1,700,000, would finance the cost of design, construction, and construction management in connection with the replacement of the security windows and associated masonry and facade in the K-Block first floor of the County Jail.

The Department of Correction ("Department") has advised that the windows in K-Block are beyond their useful life and in order to maintain security and building integrity, it is necessary to replace them.

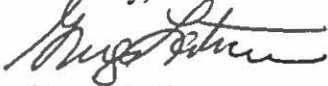
Upon receipt by the Department of bonding authorization, design will be scheduled, is anticipated to take five (5) months to complete and will be performed by in-house staff. Construction is estimated to take eight (8) months to complete and will begin after award and execution of the construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance a prior component of BCR5D as described in the attached fact sheet.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a "Type II" action pursuant to the State Environmental Quality Review Act ("SEQR") and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Based on the importance of this project to the County, favorable action on the proposed Bond Act is respectfully requested.

Sincerely,



George Latimer
County Executive

Office of the County Executive

Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

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

Your Committee is in receipt of a bond act (“Bond Act”) in the amount of \$1,700,000, which, if approved, would authorize the County of Westchester (“County”) to finance a component of Capital Project BCR5D – Infrastructure Improvements 3 (2016 - 2020). The Bond Act, which was prepared by the law firm Harris Beach, is required to finance the cost of design, construction, and construction management in connection with the replacement of the security windows and associated masonry and facade in the K-Block first floor of the County Jail.

The Department of Correction (“Department”) has advised that the windows in K-Block are beyond their useful life and in order to maintain security and building integrity, it is necessary to replace them.

Upon receipt by the Department of bonding authorization, design will be scheduled, is anticipated to take five (5) months to complete and will be performed by in-house staff. Construction is estimated to take eight (8) 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 to finance a prior component of BCR5D as described in the attached fact sheet.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “I” 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: _____, 20____.
White Plains, New York

CJPG 9.29.21

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR5D

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,700,000 PPU 15 Anticipated Interest Rate 1.12%

Anticipated Annual Cost (Principal and Interest): \$ 123,577

Total Debt Service (Annual Cost x Term): \$ 1,853,655

Finance Department: Interest rates from September 30, 2021 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: 18

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William Fallon

Title: Director of Administrative Services

Department: Correction


Date: 10/12/21

Reviewed By: 

Budget Director

Date: 10/14/21

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: September 30, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR5D INFRASTRUCTURE IMPROVEMENTS (2016-2020)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-08-2021 (Unique ID: 1734)

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

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

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Analyst
Robert Abbamont, Director of Operations (Capital Planning Program)
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY AT THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,700,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted , 20__)

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, to the provisions of other laws applicable thereto, \$1,700,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of improvements to the County Correctional at the Valhalla campus including design, construction, and construction management of this project in order to replace the security windows and associated masonry and facade in the K block first floor of the Jail and related work; 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 \$1,700,000. The plan of financing includes the issuance of \$1,700,000 bonds herein authorized, and any bond anticipation notes issued in anticipation of the sale of such bonds, and the levy of a tax to pay the principal of and interest on said bonds.

Section 2. The existing building is of at least Class “B” construction as defined by Section 11.00 a. 11. (b) of the Law, and the period of probable usefulness applicable to the specific object or purpose for which 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 \$1,700,000. This Act is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 4. 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 5. 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 6. 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 7. This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

STATE OF NEW YORK)

: ss.:

COUNTY OF WESTCHESTER)

I HEREBY CERTIFY that I have compared the foregoing Act No. -20__ 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 , 20__ and approved by the County Executive on , 20__.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of , 20__.

(SEAL)

The Clerk and Chief Administrative Officer of the
County Board of Legislators
County of Westchester, New York

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on _____, 20__ and approved, as amended, by the County Executive on _____, 20__ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY AT THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,700,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20__)

object or purpose: to finance the cost of improvements to the County Correctional facility at the Valhalla campus, including design, construction, and construction management of this project in order to replace the security windows and associated masonry and facade in the K block first floor of the Jail and related work; all as set forth in the County's current year Capital Budget, as amended

amount of obligations to be issued:
and period of probable usefulness: \$1,700,000; fifteen (15) years

Dated: _____, 20__
White Plains, New York

Clerk and Chief Administrative Officer of the
County Board of Legislators of the County of
Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:* BCR5D	<input type="checkbox"/> CBA	Fact Sheet Date:* 09-07-2021
Fact Sheet Year:* 2021	Project Title:* INFRASTRUCTURE IMPROVEMENTS 3, (2016-2020)	Legislative District ID:
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* CORRECTION	CP Unique ID: 1734

Overall Project Description

Infrastructure improvements at the correctional complex, to include asbestos abatement and exterior improvements (e.g., roof replacement, exterior waterproofing, etc.) in addition to upgrades of sanitary, fire safety, plumbing, HVAC, fencing and electrical systems.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	4,000	4,000	0	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,000	4,000	0	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 539

Current Bond Description: Bonding is requested for the design, construction, and construction management of this project in order to replace the security windows and associated masonry and facade in the K block first floor of the Jail.	
Financing Plan for Current Request:	
Non-County Shares:	\$ 0
Bonds/Notes:	1,700,000
Cash:	0
Total:	\$ 1,700,000

SEQR Classification:
TYPE II

Amount Requested:
1,700,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	1,000,000	ASBESTOS ABATEMENT AND EXTERIOR IMPROVEMENTS IN ADDITION TO UPGRADES OF SANITARY, FIRE SAFETY, PLUMBING, HVAC, FENCING AND ELECTRICAL SYSTEMS
2018	1,000,000	INFRASTRUCTURE IMPROVEMENTS
2020	2,000,000	REPLACEMENT OF K-BLOCK WINDOW

Total Appropriation History:
4,000,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
19	212	2,000,000	236,391	IMPROVEMENTS TO THE COUNTY CORRECTIONAL FACILITY VALHALLA CAMPUS

Total Financing History:

2,000,000

Recommended By:

Department of Planning

WBB4

Date

09-08-2021

Department of Public Works

RJB4

Date

09-29-2021

Budget Department

GKGA

Date

09-29-2021

Requesting Department

WPF4

Date

09-29-2021

INFRASTRUCTURE IMPROVEMENTS (2016-2020) (BCR5D)

User Department : Correction
Managing Department(s) : Correction ; Public Works ;
Estimated Completion Date: TBD
Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	4,000	4,000	539						
Non County Share			8						
Total	4,000	4,000	547						

Project Description

Infrastructure improvements at the correctional complex, to include asbestos abatement and exterior improvements (e.g., roof replacement, exterior waterproofing, etc.) in addition to upgrades of sanitary, fire safety, plumbing, HVAC, fencing and electrical systems.

Current Year Description

There is no current year request.

Impact on Operating Budget

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

Appropriation History

Year	Amount	Description	Status
2017	1,000,000	Asbestos abatement and exterior improvements in addition to upgrades of sanitary, fire safety, plumbing, HVAC, fencing and electrical systems	CONSTRUCTION
2018	1,000,000	Infrastructure improvements	CONSTRUCTION
2020	2,000,000	Replacement of K-block window	AWAITING BOND AUTHORIZATION
Total	4,000,000		

Prior Appropriations


	Appropriated	Collected	Uncollected
Bond Proceeds	4,000,000	236,391	3,763,609
Others		(7,749)	7,749
Total	4,000,000	228,643	3,771,357

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
212 19	2,000,000	10/28/20	200,544	1,763,609
		10/28/20	28,099	
		10/28/20	7,749	
Total	2,000,000		236,391	1,763,609

October 15, 2021

TO: Hon. Benjamin Boykin, Chair
Hon. Alfreda Williams, Vice Chair
Hon. MaryJane Shimsky, Majority Leader
Hon. Margaret Cunzio, Minority Leader

FROM: George Latimer 
Westchester County Executive

RE: Message Requesting Immediate Consideration: **Amended Bond Act – BCR55 – G-Block Window Replacement.**

This will confirm my request that the Board of Legislators allow submission of the referenced communication to be submitted to the Board of Legislators October 18, 2021 Agenda.

Transmitted herewith for your review and approval is an amended Bond Act (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$1,400,000 to finance the following capital project: BCR55.

Therefore, since this communication is of the utmost importance, it is respectfully submitted that the County Board of Legislators accepts this submission for October 18, 2021 “blue sheet” calendar.

Thank you for your prompt attention to this matter.



George Latimer
County Executive

October 15, 2021

Westchester County Board of Legislators
800 Michaelian Office Building
White Plains, New York 10601

Dear Honorable Members of the Board of Legislators:

Transmitted herewith for your review and approval is an amended Bond Act (“Amended Bond Act”) which, if adopted, would authorize the County of Westchester (“County”) to issue additional bonds in the amount of \$1,400,000 to finance the following capital project:

BCR55 – G-Block Window Replacement (“BCR55”).

The Amended Bond Act, in the total amount of \$1,710,000, which includes \$310,000 in previously authorized bonds of the County, would finance the cost of design, construction, and construction management in connection with the replacement of the security windows and associated masonry and facade in the G-Block first floor of the County Jail.

The Department of Correction (“Department”) has advised that the windows in G-Block are beyond their useful life and in order to maintain security and building integrity, it is necessary to replace them.

Upon receipt by the Department of bonding authorization, design will be scheduled, is anticipated to take five (5) months to complete and will be performed by in-house staff. Construction is estimated to take eight (8) 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 to finance a prior component of BCR55 as follows: Bond Act No. 122-2017 in the amount of \$310,000 which financed the design of this project. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 122-2017 be amended to increase the initial amount authorized by \$1,400,000, for a total authorized amount, as amended, of \$1,710,000, to expand the scope of work to include construction and construction management and to increase the period of probable usefulness of said bonds.

The Planning Department has advised that based on its review, the above-referenced capital project has been classified as a “Type II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. As you know, your Honorable Board may use such expert advice to reach its own conclusion.

Office of the County Executive

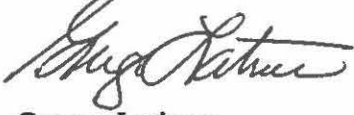
Michaelian Office Building
148 Martine Avenue
White Plains, New York 10601

Email: CE@westchestergov.com
Telephone: (914)995-2900

westchestergov.com

Based on the importance of this project to the County, favorable action on the proposed Amended Bond Act is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer". The signature is fluid and cursive, with a large initial "G" and "L".

George Latimer
County Executive

GL/JFS/WF/jpg
Attachments

**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 \$1,710,000, which includes \$310,000 in previously authorized bonds of the County of Westchester (“County”), to finance Capital Project BCR55 – G-Block Window Replacement (“BCR55”). The Amended Bond Act, which was prepared by the law firm Hawkins, Delafield, & Wood, is required to finance the cost of design, construction, and construction management in connection with the replacement of the security windows and associated masonry and facade in the G-Block first floor of the County Jail.

The Department of Correction (“Department”) has advised that the windows in G-Block are beyond their useful life and in order to maintain security and building integrity, it is necessary to replace them.

Upon receipt by the Department of bonding authorization, design will be scheduled, is anticipated to take five (5) months to complete and will be performed by in-house staff. Construction is estimated to take eight (8) 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 to finance a prior component of BCR55 as follows: Bond Act No. 122-2017 in the amount of \$310,000 which financed the design of this project. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 122-2017 be amended to increase the initial amount authorized by \$1,400,000, for a total authorized amount, as amended, of \$1,710,000, to expand the scope of work to include construction and construction management and to increase the period of probable usefulness of said bonds.

The Planning Department has advised your Committee that based on its review, the above-referenced capital project has been classified as a Type “II” action pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 617. Therefore, no further environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this conclusion.

It should be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to adopt the Amended Bond Act. Your Committee recommends the adoption of the proposed Amended Bond Act.

Dated: _____, 20____.
White Plains, New York

C.JPG 9 29 21

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BCR55

NO FISCAL IMPACT PROJECTED

SECTION A - CAPITAL BUDGET IMPACT

To Be Completed by Budget

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

Source of County Funds (check one):

Current Appropriations

Capital Budget Amendment

SECTION B - BONDING AUTHORIZATIONS

To Be Completed by Finance

Total Principal \$ 1,710,000 PPU 5 Anticipated Interest Rate 0.39%

Anticipated Annual Cost (Principal and Interest): \$ 346,056

Total Debt Service (Annual Cost x Term): \$ 1,730,280

Finance Department: Interest rates from September 30, 2021 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: 19

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: William Fallon

Title: Director of Administrative Services

Department: Correction


Date: 10/12/21

Reviewed By: 

Budget Director

Date: 10/14/21

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

FROM: David S. Kvinge, AICP, RLA, CFM 
Director of Environmental Planning

DATE: September 30, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BCR55 G-BLOCK WINDOW REPLACEMENT**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 09-08-2021 (Unique ID: 1735)

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

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

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Gideon Grande, Deputy Budget Director
Lorraine Yazzetta, Associate Budget Analyst
Robert Abbamont, Director of Operations (Capital Planning Program)
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED JULY 17, 2017 IN RELATION TO THE REPLACEMENT OF THE SECURITY WINDOWS AND ASSOCIATED MASONRY AND FAÇADE IN THE G-BLOCK OF THE JAIL, AT THE MAXIMUM ESTIMATED COST OF \$1,710,000. (Adopted , 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$310,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for the replacement of the security windows and associated masonry and façade in the G-Block of the Jail, pursuant to Act No. 122-2017 duly adopted on July 17, 2017; and

WHEREAS, it is now appropriate to authorize such improvements, 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 (A). The bond act duly adopted by this Board on July 17, 2017, entitled:

“ACT NO. 122-2017

BOND ACT AUTHORIZING THE ISSUANCE OF \$310,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PREPARATION OF SURVEYS, PRELIMINARY AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REPLACEMENT OF THE SECURITY WINDOWS AND ASSOCIATED MASONRY AND FAÇADE IN THE G-BLOCK OF THE JAIL; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$310,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$310,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS.”

is hereby amended to read as follows:

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF THE WINDOWS AND ASSOCIATED MASONRY AND FACADE IN THE G-BLOCK FIRST FLOOR OF THE JAIL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,710,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

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; \$1,710,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the design, construction and construction management of the replacement of the security windows and associated masonry and facade in the G-block first floor of the Jail, 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 \$1,710,000. The plan of financing includes the issuance of \$1,710,000 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 \$1,710,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a.35 of the Law, is five (5) 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

\$1,710,000. 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 \$1,710,000 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.

Section (B). The amendment 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 action taken pursuant to said bond act, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond act, as so amended.

Section (C). This Act shall take effect in accordance with Section 107.71 of the Westchester County Charter.

* * *

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

I HEREBY CERTIFY that I have compared the foregoing Act No. -20_____ 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 _____, 20_____ and approved by the County Executive on _____, 20_____.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said County Board of Legislators this day of _____, 20_____.

(SEAL)

The Clerk and Chief Administrative Office of the County Board of Legislators County of Westchester, New York

LEGAL NOTICE

A Bond Act, a summary of which is published herewith, has been adopted by the Board of Legislators on July 17, 2017 and amended on _____, 20____ and approved, as amended, by the County Executive on _____, 20____ and the validity of the obligations authorized by such Bond Act may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Westchester, in the State of New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Complete copies of the amended Bond Act summarized herewith shall be available for public inspection during normal business hours at the Office of the Clerk of the Board of Legislators of the County of Westchester, New York, for a period of twenty days from the date of publication of this Notice.

ACT NO. _____-20_____

BOND ACT AUTHORIZING THE ISSUANCE OF \$1,710,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE REPLACEMENT OF THE WINDOWS AND ASSOCIATED MASONRY AND FACADE IN THE G-BLOCK FIRST FLOOR OF THE JAIL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,710,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$1,710,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on July 17, 2017 and amended on _____, 20____)

object or purpose: to finance the design, construction and construction management of the replacement of the security windows and associated masonry and facade in the G-block first floor of the Jail, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$1,710,000; five (5) years

Dated: _____, 20____
White Plains, New York

Clerk and Chief Administrative Officer of the County Board of Legislators of the County of Westchester, New York

CAPITAL PROJECT FACT SHEET

Project ID:*
BCR55

CBA

Fact Sheet Date:*
09-07-2021

Fact Sheet Year:*
2021

Project Title:*
G-BLOCK WINDOW REPLACEMENT 3,

Legislative District ID:

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
CORRECTION

CP Unique ID:
1735

Overall Project Description

This project funds the replacement of the all security windows and associated interior and exterior repairs, including masonry facade restoration.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	4,400	4,200	200	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,400	4,200	200	0	0	0	0	0

Expended/Obligated Amount (in thousands) as of : 3

Current Bond Description: Bonding is requested for the design, construction, and construction management of this project in order to replace the security windows and associated masonry and facade in the G block first floor of the Jail.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	1,400,000
Cash:	0
Total:	\$ 1,400,000

SEQR Classification:
TYPE II

Amount Requested:
1,400,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2017	310,000	DESIGN
2018	3,390,000	FUNDS CONSTRUCTION AND CONSTRUCTION MANAGEMENT
2019	300,000	COST ESCALATION
2021	200,000	COST ESCALATION

Total Appropriation History:
4,200,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
17	122	310,000		0 REPLACEMENT OF THE SECURITY WINDOW AND ASSOCIATED MASONRY AND FAÇADE IN THE G BLOCK OF JAIL

Total Financing History:

310,000

Recommended By:

Department of Planning
WBB4

Date
09-08-2021

Department of Public Works
RJB4

Date
09-29-2021

Budget Department
GKGA

Date
09-29-2021

Requesting Department
WPF4

Date
09-29-2021

G-BLOCK WINDOW REPLACEMENT (BCR55)

User Department : Correction
Managing Department(s) : Correction ; Public Works ;

Estimated Completion Date: TBD

Planning Board Recommendation: Project without physical planning aspects of concern to the Westchester County Planning Board.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2021	2022	2023	2024	2025	Under Review
Gross	4,200	4,000	3	200					
Non County Share									
Total	4,200	4,000	3	200					

Project Description

This project funds the replacement of the all security windows and associated interior and exterior repairs, including masonry facade restoration.

Current Year Description

The current year request is for cost escalation.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2021	200,000			200,000

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
2017	310,000	Design	DESIGN
2018	3,390,000	Funds construction and construction management	AWAITING BOND AUTHORIZATION
2019	300,000	Cost escalation	AWAITING BOND AUTHORIZATION
Total	4,000,000		

Prior Appropriations

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

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
122 17	310,000			310,000
Total	310,000			310,000

Benjamin Boykin II

Chairman of the Board

Legislator, 5th District



TO: Hon. Catherine Borgia
Chair, Budget & Appropriations

Hon. Colin Smith
Chair, Public Safety

FROM: Hon. Benjamin Boykin
Chairman of the Board

DATE: November 5, 2021

RE: ACT – Amended Agreement Mt. Vernon Police Vehicles

As Chairman of the Board of Legislators, I am placing the below item directly into the Committees on Budget & Appropriations and Public Safety.

Thank you.

(ID: 2021-587) AN ACT authorizing the County of Westchester to amend an agreement with the City of Mount Vernon in order to increase the number of police vehicles leased to the City of Mt. Vernon, and also to correct certain clerical errors contained in Schedule "A" of the Agreement.

cc: Melanie Montalto
Alie Restiano
James Silverberg
Yolanda Valencia
Sunday Vanderberg

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

Your Committee is in receipt of a communication from the County Executive recommending approval of an Act which will authorize the County of Westchester ("County") to amend its lease agreement ("Agreement") with the City of Mount Vernon ("Mt. Vernon"), wherein the County leases certain police vehicles to Mt. Vernon for use by the Mt. Vernon Police Department in its daily patrol operations, in order to increase the number of police vehicles leased by the County to Mt. Vernon from four to seven vehicles and also to correct certain clerical errors contained in Schedule "A" of the Agreement ("First Amendment").

Your Committee has been advised that your Honorable Board on April 26, 2021, by Act No. 69-2021, authorized the County to enter into the Agreement for the purpose of leasing four (4) vehicles for use by the Mt. Vernon Police Department in its daily patrol operations, for a term of five (5) years, commencing retroactively on April 15, 2021 and expiring on April 14, 2026. The Agreement was subsequently executed.

Your Committee has been advised further that the Department of Public Safety Services ("Department") has determined that there are three (3) additional vehicles ("Additional Vehicles") that are no longer necessary to meet the operational demands of the Department but are still in good working order. Mt. Vernon continues to be unable to purchase new vehicles at the present time due to budgetary constraints and has requested the Additional Vehicles for its daily patrol operations. As such, it is recommended that the Additional Vehicles be leased to Mt. Vernon. The Agreement, as amended by this First Amendment will allow for the strategic placement and operation of a total of seven (7) police vehicles for the benefit of the residents of both the Westchester County and the City of Mount Vernon.

Pursuant to the terms of the Agreement, the County will lease the Additional Vehicles in its "AS IS" condition. In consideration for the use of the Additional Vehicles, Mt. Vernon will pay the County the sum of One and 00/100 (\$1.00) Dollar. As additional consideration, Mt. Vernon will operate, repair and maintain the Additional Vehicles as required to perform its daily patrol operations within Mt. Vernon, and as otherwise determined by the Commissioner/Sheriff of the Department.

Mt. Vernon will be responsible to register the Additional Vehicles and maintain insurance naming the County as additional insured. Mt. Vernon will also indemnify, hold harmless and defend the County against any claims resulting from Mt. Vernon's use and/or maintenance of the Additional Vehicles. Title to the Additional Vehicles will remain with the County. At the expiration of the Agreement, on April 14, 2026, all leased vehicles, including the Additional Vehicles, will be returned to the County.

In addition, in order to correct certain clerical errors contained in Schedule "A" to the Agreement, your Committee is advised that Schedule "A" will be deleted in its entirety and replaced with a revised schedule which is annexed to the Act submitted herewith. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

The Planning Department has advised that based on its review, the proposed First Amendment constitutes a "Type II" action under the State Environmental Quality Review Act ("SEQRA"), and its implementing regulations, 6 NYCRR Part 617.5(c)(31), regarding the transfer of surplus government property, and that no further environmental review is required, as indicated in the annexed SEQRA documentation. Your Committee concurs with this conclusion.

It should be noted that an affirmative vote of a majority of the voting strength of your Honorable Board is required in order to adopt the proposed Act. Your Committee has carefully considered the annexed proposed Act and recommends its adoption.

Dated: _____, 2021
White Plains, New York

COMMITTEE ON

C: CMC 11.03.2021

FISCAL IMPACT STATEMENT

SUBJECT: VEHICLE LEASE TO MT. VERNON NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND AIRPORT FUND SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense \$ _____ -

Total Current Year Revenue \$ _____ 1

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations
 Additional Appropriations Other (explain)

Identify Accounts: An Act authorizing the County to increase the number of police vehicles leased by the County to Mt. Vernon from four to seven vehicles and correct certain clerical errors in Sch. A.

Potential Related Operating Budget Expenses: Annual Amount \$0.00

Describe: _____

Potential Related Operating Budget Revenues: Annual Amount \$0.00

Describe: _____

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: \$0.00

Next Four Years: \$0.00

Prepared by: Michael O'Connor

Title: Commanding Officer

Department: Department of Public Safety

Date: _____

Reviewed By: 
Budget Director

Date: 11/5/01

TO: Carla Chaves, Assistant County Attorney
Department of Law

FROM: David S. Kvinge, AICP, RLA, CFM
Director of Environmental Planning



DATE: November 4, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR LEASE OF
POLICE VEHICLES TO THE CITY OF MOUNT VERNON**

PROJECT/ACTION: Amendment of an intermunicipal agreement with the City of Mount Vernon, involving the lease of decommissioned, but still operable county-owned vehicles to the City for use by the Mount Vernon Police Department in its daily patrol operations, to add several more vehicles to the lease.

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 because the project/action:

- DOES NOT MEET THE DEFINITION OF AN "ACTION" AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 617.5(c)(31):**
purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials.

COMMENTS: As noted in the review for the original agreement—although not a permanent conveyance, the action involves a transfer of surplus government property which would be classified as a Type II action pursuant to the section listed above.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Norma Drummond, Commissioner
Tami Altschiller, Assistant Chief Deputy County Attorney
Claudia Maxwell, Associate Environmental Planner

REVISED SCHEDULE "A"

DESCRIPTION OF LEASED VEHICLES

No. Vehicles	Fleet #	Year/Make	Model	Color	Mileage	VIN#
1	1605	2010 Ford	Crown Victoria	Black	122,694	2FABP7BV5AX135179
2	1630	2016 Ford	Interceptor Utility	Blue	118,850	1FM5K8AR2GGB89114
3	1614	2008 Ford	Crown Victoria	White	103,413	2FAHP71VX8X114558
4	1612	2011 Ford	Crown Victoria	Red	115,565	2FABP7BV1BX155950
5	1448	2008 Ford	Crown Victoria	White	83,784	2FAHP71V28X179002
6	1440	2005 Ford	Crown Victoria	White	92,375	2FAHP71W15X168111
7	1609	2009 Dodge	Dodge Charger	Gray	90,125	2B3LA43V99H557721

ACT NO. 2021 -

AN ACT authorizing the County of Westchester to amend an agreement with the City of Mount Vernon in order to increase the number of police vehicles leased to the City of Mt. Vernon, and also to correct certain clerical errors contained in Schedule "A" of the Agreement.

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

Section 1. The County of Westchester ("County") is authorized to amend its lease agreement ("Agreement") with the City of Mount Vernon ("Mt. Vernon"), for the leasing of four (4) County-owned police vehicles for use by the Mt. Vernon Police Department in its daily patrol operations, in order to increase the number of police vehicles leased by the County to Mt. Vernon to a total of seven (7) police vehicles, and also to correct certain clerical errors contained in Schedule "A" of the Agreement. Schedule "A" of the Agreement shall be deleted in its entirety and replaced with the revised Schedule "A" attached hereto and made a part hereof.

§2. The County shall lease the Additional Vehicles in its "AS IS" condition. In consideration for the use of the Additional Vehicles, Mt. Vernon shall pay the County the sum of One and 00/100 (\$1.00) Dollar. As additional consideration, Mt. Vernon shall operate, repair and maintain the Additional Vehicles as required for its daily patrol operations within Mt. Vernon, or as otherwise determined by the Commissioner/Sheriff of the Westchester County's Department of Public Safety Services. Mt. Vernon shall be responsible to register the Additional Vehicles and maintain insurance naming the County as additional insured. Mt. Vernon shall also indemnify, hold harmless and defend the County against any claims resulting from Mt. Vernon's use and/or maintenance of the Additional Vehicles. Title to the Vehicles shall remain with the County.

§3. At the expiration of the Agreement, as amended by the First Amendment, on April 14, 2026, all leased vehicles, including the Additional Vehicles, shall be transferred back to the County.

§4. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

§5. The County Executive or his authorized designee is hereby authorized and empowered to execute any and all documents and take all actions necessary and appropriate to effectuate the purposes hereof.

§6. This Act shall take effect immediately.