



George Latimer
County Executive

October 8, 2021

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

Dear Members of the Board of Legislators:

Transmitted herewith for your review and approval is an Act to amend the current-year capital budget (“Capital Budget Amendment”) as well as a related amended bond act (“Amended Bond Act,”) which, if adopted, would authorize the County of Westchester (“County”) to issue up to \$400,000 in additional bonds of the County to finance the following capital project:

BLR10 – Labs & Research Infrastructure Improvements 2017-2021 (“BLR10”).

The proposed Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for BLR10 by \$400,000. The Department of Labs & Research (“Department”) has advised that the increase is required because of the bids received for BLR10. The Department has also advised that its original intent was to rehabilitate the existing equipment, however, during design and in consultation with the original equipment manufacturer, it was determined that it would be prudent to replace the existing equipment, which is over forty years old and is leaking conditioned air from its joints.

The Department has advised that that BLR10 is necessary to ensure that the Microbiology Laboratory remains in compliance with instrument parameters and New York State Clinical Laboratory Evaluation Program requirements. The instrumentation used in the Microbiology Laboratory may only operate within very strict humidity ranges. Testing performed outside of those ranges are subject to erroneous results. The new equipment will use a variable frequency drive, newer coil technology. The new equipment will eliminate the hot water heating completely and use existing steam at the facility, and thereby will be more energy-efficient.

The Amended Bond Act, in the total amount of \$1,000,000, which includes \$400,000 in previously authorized bonds of the County, would finance the cost of heating and air conditioning improvements of the Department facilities, located at the County’s Valhalla Campus at Grasslands, including construction and construction management to address humidity control in the Microbiology division.

Office of the County Executive

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148 Martine Avenue
White Plains, New York 10601

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Telephone: (914) 995-2900

westchestergov.com

Design has been completed by in-house staff. It is estimated that construction will take four months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has authorized the County to issue bonds for BLR10 as follows: Bond Act No. 137-2020 in the amount of \$600,000, which authorized financing for partial reconstruction of Department facilities. These bonds have not been sold. Accordingly, it is now requested that Bond Act No. 137-2020 be amended to increase the amount authorized by \$400,000, for a total authorized amount, as amended, of \$1,000,000, to revise the scope of Bond Act No. 137-2020 to more accurately reflect the work to be undertaken, 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.

The Planning Department has advised that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Based on the importance of this capital project to the County, favorable action on the annexed proposed Acts is respectfully requested.

Sincerely,

A handwritten signature in black ink, appearing to read "George Latimer", written in a cursive style.

George Latimer
County Executive

Attachments

**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, which, if adopted, will amend the County’s current-year capital budget (“Capital Budget Amendment”), as well as adoption of a related amended bond act (“Amended Bond Act”) in the total amount of \$1,000,000 prepared by the law firm Harris Beach, PLLC, to finance capital project BLR10 – Labs & Research Infrastructure Improvements 2017-2021 (“BLR10”).

Your Committee is advised that the Capital Budget Amendment will will amend the County’s current-year capital budget to increase the County share for BLR10 by \$400,000. The Department of Labs & Research (“Department”) has advised that the increase is required because of the bids received for BLR10. The Department has also advised that its original intent was to rehabilitate the existing equipment, however, during design and in consultation with the original equipment manufacturer, it was determined that it would be prudent to replace the existing equipment, which is over forty years old and is leaking conditioned air from its joints.

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Campus at Grasslands, including construction and construction management to address humidity control in the Microbiology division.

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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 document and concurs with this conclusion.

The Planning Department has advised your Committee that the Planning Board has previously reviewed this project and issued a report, and that since there is no change in the scope of the work and this is simply a change in the financing plan, no further action by the Planning Board is necessary at this time.

Your Committee has carefully considered the proposed Capital Budget Amendment, as well as the related Amended Bond Act, and recommends approval of both of the proposed Acts, noting that the Amended Bond Act may only be enacted following adoption of the Capital Budget Amendment. It should also be noted that an affirmative vote of two-thirds of the members of your Honorable Board is required in order to amend the County's Capital Budget and to adopt the Amended Bond Act.

Dated: _____, 20____
White Plains, New York

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BLR10

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 \$ 1,000,000 PPU 10 Anticipated Interest Rate 0.83%

Anticipated Annual Cost (Principal and Interest): \$ 104,613

Total Debt Service (Annual Cost x Term): \$ 1,046,130

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: 11

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Diane Anton

Title: Chief Administrator

Department: Labs and Research


Date: 10/5/21

Reviewed By: 

Budget Director

Date: 10/7/21

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

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

DATE: July 20, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BLR10 Labs and Research Infrastructure Improvements 2017-2021**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-28-2021 (Unique ID: 1714)

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

- **617.5(c)(2):** replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part.
 - **617.5(c)(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: None.

DSK/dvw

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

Department of Planning

432 Michaelian Office Building
White Plains, NY 10601

To: The Westchester County Planning Board

From: Anthony Zaino, Assistant Commissioner



Date: August 30, 2021

RE: **Capital Budget Amendment –
BLR10 – Labs and Research Infrastructure Improvements (2017-2021)**

The County Executive is requesting an amendment to the 2021 Capital Budget to modify the funding of the above project. This project provides funding for the design, construction management and construction and construction management associated with equipment replacement to address humidity control at the Labs and Research facility at the Grasslands Campus.

A Capital Budget Amendment is requested to add a 2021 appropriation of \$400,000.

The Planning Board adopted a report on this project (rated PL1) at its meeting on July 12, 2016.

There are no changes to the physical planning aspects of this project as reviewed by the Board; therefore, no further action by your Board is necessary.

cc: Norma V. Drummond, Commissioner
David Kvinge, Director, Environmental Planning
William Brady, Chief Planner
Michael Lipkin, Associate Planner

ACT No. _____ 2021

An Act amending the 2021 County
Capital Budget Appropriations for
Capital Project BLR10 - Labs &
Research Infrastructure Improvements
2017-2021

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

Section 1. The Capital section of the 2021 County Budget is hereby amended as follows:

	Previous 2021 Appropriation	Change	Revised 2021 Appropriation
I. Appropriation	\$2,820,000	\$400,000	\$3,220,000

Section 2. The estimated method of financing in the Capital Section of the 2021 Westchester County Capital Budget is amended as follows:

II. METHOD OF FINANCING

Bonds and/or Notes	\$2,820,000	\$400,000	\$3,220,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$2,820,000</u>	<u>\$400,000</u>	<u>\$3,220,000</u>

Section 3. The ACT shall take effect immediately.