

**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 bond act (“Bond Act”) in the amount of \$11,380,000 prepared by the law firm Harris Beach, PLLC, to finance capital project B0114 – Infrastructure Rehabilitation, Valhalla Campus (2021-2025) (“B0114”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for this project by \$11,380,000.

The Bond Act, in the amount of \$11,380,000 would finance the cost of replacement of the steam line serving the Public Labs Building and Woodfield Cottage on the Valhalla Campus, including a new above ground high pressure steam and condensate system and associated auxiliary equipment.

The Department of Public Works and Transportation (“Department”) has advised that the original intent was to fund a portion of the work with financing to be provided by the New York Power Authority. However, following additional review and consultation with the Budget Department, the Department determined that it is more advantageous to the County to finance the entire project with County bonds.

It should be noted that your Honorable Board has previously authorized the County to issue bonds for prior separate components of this project as provided in the annexed 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 “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 Bond Act, and recommends approval of both of the proposed Acts, noting that the 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 Bond Act.

Dated: *July 19*, 20*21*
White Plains, New York

Cather Parker

Vedat Jorhi

Mary Jane Almon

Chiff

K. J. Scull

David J. Lubio

Benjamin Boykin

COMMITTEE ON

s: MG/5-26-21

J. H. B.
Ruth Walter

Public Works & Transportation

Catherine Borgia

Cather Parker
Vedat Jorhi

Mary Jane Almon

Chiff

David J. Lubio

Benjamin Boykin

J. H. B.
Ruth Walter
Leah Van

Budget & Appropriations

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: B0114

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 \$ 11,380,000 PPU 10 Anticipated Interest Rate 0.77%

Anticipated Annual Cost (Principal and Interest): \$ 1,186,319

Total Debt Service (Annual Cost x Term): \$ 11,863,190

Finance Department: Interest rates from July 1, 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: 124

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Robert Abbamont

Title: Director of Operations (Capital Planning)

Department: Public Works/Transportation


Date: 7/7/21

Reviewed By: 

7/9/21 Budget Director

Date: 7/9/21

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: July 1, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
B0114 Infrastructure Rehabilitation, Valhalla Campus (2021-2025)**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-25-2021 (Unique ID: 1684)

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)(26):** routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.
-

COMMENTS: This project was previously reviewed by the Board of Acquisition and Contract (A&C), which classified the project as an Unlisted Action. An environmental assessment was completed and a Negative Declaration was issued by the Board of A&C on May 3, 2018. Construction is almost complete. The current bond request is to provide funds to reimburse New York Power Authority for the cost of the project.

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 Director
Anthony Zaino, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

An Act amending the 2021 County
 Capital Budget Appropriations for
 Capital Project - B0114 - Infrastructure
 Rehabilitation, Valhalla Campus 2021-
 2025

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 | \$900,000 | \$11,380,000 | \$12,280,000 |

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 | \$900,000 | \$11,380,000 | \$12,280,000 |
| Non County Shares | \$0 | | \$0 |
| Cash | \$0 | | \$0 |
| Total | <u>\$900,000</u> | <u>\$11,380,000</u> | <u>\$12,280,000</u> |

Section 3. The ACT shall take effect immediately.

ACT NO. ¹³⁹-2021

BOND ACT AUTHORIZING THE ISSUANCE OF \$11,380,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST FOR REPLACEMENT OF THE STEAM LINE SERVING THE PUBLIC LABS BUILDING AND WOODFIELD COTTAGE ON THE VALHALLA CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,380,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$11,380,000 BONDS HEREIN AUTHORIZED TO FINANCE SUCH COST; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted, August 02, 2021)

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, \$11,380,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost for replacement of the steam line serving the Public Labs Building and Woodfield Cottage on the Valhalla Campus, including a new above ground high pressure steam and condensate system and associated auxiliary equipment; 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 \$11,380,000. The plan of financing includes the issuance of \$11,380,000 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 period of probable usefulness applicable to the specific object or purpose for which the bonds authorized by this resolution is to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) 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 \$11,380,000. 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.

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CAPITAL PROJECT FACT SHEET

Project ID:*

B0114

CBA

Fact Sheet Date:*

05-06-2021

Fact Sheet Year:*

2021

Project Title:*

INFRASTRUCTURE
REHABILITATION, VALHALLA
CAMPUS (2021-2025)

Legislative District ID:

3,

Category*

BUILDINGS, LAND &
MISCELLANEOUS

Department:*

PUBLIC WORKS

CP Unique ID:

1684

Overall Project Description

This project funds rehabilitation and upgrades of exterior, interior and site infrastructure on the campus.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

| | Estimated Ultimate Total Cost | Appropriated | 2021 | 2022 | 2023 | 2024 | 2025 | Under Review |
|-------------------------------|-------------------------------------|--------------|------|------|------|-------|------|-----------------|
| Gross | 15,830 | 900 | 900 | 0 | 0 | 2,650 | 0 | 11,380 |
| Less Non-County Shares | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Net | 15,830 | 900 | 900 | 0 | 0 | 2,650 | 0 | 11,380 |

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

Current Bond Description: Additional funding is requested for the new above ground high pressure steam and condensate system and associated auxiliary equipment to serve the Public Labs Building and Woodfield Cottage on the Valhalla Campus.

Financing Plan for Current Request:

| | |
|--------------------|----------------------|
| Non-County Shares: | \$ 0 |
| Bonds/Notes: | 11,380,000 |
| Cash: | 0 |
| Total: | \$ 11,380,000 |

SEQR Classification:

TYPE II

Amount Requested:

11,380,000

Comments:

The replacement of the steam line serving the Public Labs Building and Woodfield Cottage with a new above ground high pressure steam and condensate system is being managed by the New York Power Authority (NYPA). The original intent was to fund a portion of this work with financing provided by NYPA. However, at this time it is advantageous to fund this work with County bonds. The Capital Budget Amendment in the amount of \$11,380,000 is shown under review in the Five Year Capital Program above.

Energy Efficiencies:

REPLACEMENT OF THE AGING STEAM LINE AT THE VALHALLA CAMPUS WILL REDUCE ENERGY CONSUMPTION.

Appropriation History:

| Year | Amount | Description |
|-------------|---------------|--|
| 2021 | 900,000 | REPLACEMENT OF 15 KV MANHOLE CABLE RACKS AND INSTALLATION OF A BUILDING MANAGEMENT SYSTEM (BMS) AT THE OPERATIONS BUILDING |

Total Appropriation History:

900,000

Total Financing History:

0

Recommended By:

Department of Planning
WBB4

Date
05-25-2021

Department of Public Works
RJB4

Date
05-25-2021

Budget Department
LMY1

Date
05-26-2021

Requesting Department
RJB4

Date
05-26-2021

**INFRASTRUCTURE REHABILITATION, VALHALLA CAMPUS (2021-2025)
(B0114)**

User Department : Public Works

Managing Department(s) : 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 | 3,550 | | | 900 | | | 2,650 | | |
| Non County Share | | | | | | | | | |
| Total | 3,550 | | | 900 | | | 2,650 | | |

Project Description

This project funds rehabilitation and upgrades of exterior, interior and site infrastructure on the campus.

Current Year Description

The current year request funds the replacement of 15 KV manhole cable racks and installation of a building management system (BMS) at the Operations Building.

Current Year Financing Plan

| Year | Bonds | Cash | Non County Shares | Total |
|------|---------|------|-------------------|---------|
| 2021 | 900,000 | | | 900,000 |

Impact on Operating Budget

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

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 August 2, 2021 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
July 28, 2021

WVOX
FIOS1
News Channel 12
The Journal News

Hometown Media

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

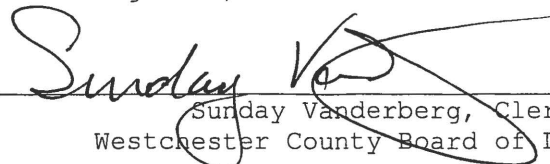
Designated Location(s)
of posted notice

Date of Posting
July 28, 2021

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on August 2, 2021.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Kitley Covill
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator Catherine Parker
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Ruth Walter
Legislator Alfreda Williams
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE

Greg Stetson
Date: 8-3-21

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

I HEREBY CERTIFY that I have compared the foregoing Act No. 138 - 2021, and (Bond) Act No. 139 - 2021, 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 August 2, 2021, and approved by the County Executive on August 3, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 5th day of August, 2021.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

