

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

Your Committee is in receipt of a transmittal from the County Executive recommending approval by the County of Westchester (“County”) of a bond act (“Bond Act”) in the amount of \$1,000,000 to finance capital project BPL35 – Hilltop Hanover Farm and Environmental Center (“BPL35”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the cost of construction of improvements to the County’s Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues, rehabilitation and replacement of livestock fencing and deer fencing, building security upgrades, including emergency generators for walk-in coolers, upgrading the existing irrigation system including a potential new well, and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

The Department of Planning (“Department”) has advised that the infrastructure, buildings and accessory structures at Hilltop Hanover Farm continue to require rehabilitation, replacement and upgrades in order to meet the existing and planned facility programming and activity needs, including the existing crop and livestock programs, as well as a growing native plant program. BPL35 will address health, safety and security issues for visitors, staff and livestock at the site.

Some project components, such as addressing security issues and installing emergency generators will not require design. Following bonding authorization, those projects will be moved forward to implementation. Design for more substantive projects will be scheduled and will be completed by a combination of in-house staff and consultants for different project components. It is anticipated that design will take six to twelve months to complete for different project components, and it is estimated that construction will take an additional six to twelve months to complete, which will begin after award and execution of construction contracts.

The Planning Department has advised your Committee that based on its review, BPL35 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 Bond Act. Your Committee recommends the adoption of the proposed Bond Act.

Dated: September 28, 2022
White Plains, New York


<p>Colin O'Malley (wop)</p> <p>Jamie Zille Johnson (wop)</p> <p>Calvin Park (wop)</p> <p>Nancy Barr (wop)</p> <p>John (wop)</p> <p>John (wop)</p> <p>Don (w/o prejudice)</p>	<p>Colin O'Malley (wop)</p> <p>(Calvin Park) wop</p> <p>Nancy Barr (wop)</p> <p>John (wop)</p>	<p>Jamie Zille Johnson (wop)</p> <p>Calvin Park (wop)</p> <p>Nancy Barr (wop)</p> <p>John (wop)</p>
Budget & Appropriations	Public Works & Transportation	Environment, Energy & Climate

COMMITTEE ON

Dated: September 28, 2022
White Plains, New York

The following members attended the meeting remotely and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations

A handwritten signature in black ink, appearing to be "Sam J. ...", written in a cursive style.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BPL35

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 5 Anticipated Interest Rate 1.86%

Anticipated Annual Cost (Principal and Interest): \$ 211,192

Total Debt Service (Annual Cost x Term): \$ 1,055,960

Finance Department: Interest rates from August 9, 2022 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):

No impact to department operations. Project will fund analysis, design and implementation of rehabilitation of physical assets and infrastructure at a County facility.

SECTION D - EMPLOYMENT

As per federal guidelines, each \$92,000 of appropriation funds one FTE Job

Number of Full Time Equivalent (FTE) Jobs Funded: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: David Kvinge

Title: Assistant Commissioner

Department: Planning


Date: 8/23/22

Reviewed By: [Signature]

Budget Director

Date: 8/24/22

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

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

DATE: July 26, 2022

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BPL35 HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on
07-25-2022 (Unique ID: 1894)

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)(4):** agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;
 - **617.5(c)(27):** conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action;
-

COMMENTS: None.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Tami Altschiller, Assistant Chief Deputy County Attorney
Lawrence Soule, Budget Director
Lorraine Marzola, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
William Brady, Chief Planner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. ¹²⁷ 2022

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 CONSTRUCTION OF IMPROVEMENTS TO HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER; 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 10/03 , 2022)

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 cost of the construction of improvements to Hilltop Hanover Farm and Environmental Center, including the rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, including emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master

consultant, 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 class of objects or purposes, 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.

Section 2. The period of probable usefulness of the class of objects or purposes for which the \$1,000,000 bonds authorized by section 1 of this Act are to be issued, within the limitations of Section 11.00 a.89 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 \$1,000,000. 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 total cost of the aforesaid objects or purposes 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.

* * *

Project ID:*
BPL35

CBA

Fact Sheet Date:*
06-28-2022

Fact Sheet Year:*
2022

Project Title:*
HILLTOP HANOVER FARM AND
ENVIRONMENTAL CENTER

Legislative District ID:
4, 2

Category*
BUILDINGS, LAND &
MISCELLANEOUS

Department:*
PLANNING

CP Unique ID:
1894

Overall Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

- | | | |
|---|--|--|
| <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 checked="" type="checkbox"/> Security | <input type="checkbox"/> Other | |

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2022	2023	2024	2025	2026	Under Review
Gross	3,500	0	1,000	0	0	0	0	2,500
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,500	0	1,000	0	0	0	0	2,500

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

Current Bond Description: The current request is for needed rehabilitation and replacement of the rear barnyard to create a functional winter barnyard for the animals, including addressing drainage issues; rehabilitation and replacement of livestock fencing and deer fencing; building security upgrades, including emergency generators for walk-in coolers; upgrading the existing irrigation system including a potential new well; and initial steps to implement the master plan for the property, including collection of additional data, more detailed site plan development and retention of a master consultant.

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

Comments:

These repairs are needed to maintain existing operations and plans for growth, to address safety and security issues at the site, and to initiate implementation of the master plan. Previous appropriations for the property were under other capital projects.

Energy Efficiencies:

Total Financing History:

0

Department of Planning
WBB4

Date
07-25-2022

Department of Public Works
GGKK

Date
07-26-2022

Budget Department
LMY1

Date
07-26-2022

Requesting Department
DSK2

Date
07-26-2022

HILLTOP HANOVER FARM AND ENVIRONMENTAL CENTER (BPL35)

User Department : Planning

Managing Department(s) : Planning ;

Estimated Completion Date: TBD

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

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost Appropriated	Exp / Obl	2022	2023	2024	2025	2026	Under Review
Gross	3,500		1,000					2,500
Non County Share								
Total	3,500		1,000					2,500

Project Description

This project will fund rehabilitation, renovation and other improvements of buildings and infrastructure at Hilltop Hanover Farm and Environmental Center in Yorktown, NY.

Current Year Description

The current year request funds design, construction and construction management for parking improvements and high tunnel for additional crops. Study for building and utility scope development.

Current Year Financing Plan				
Year	Bonds	Cash	Non County Shares	Total
2022	1,000,000			1,000,000

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 October 3, 2022 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
September 28, 2022

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:

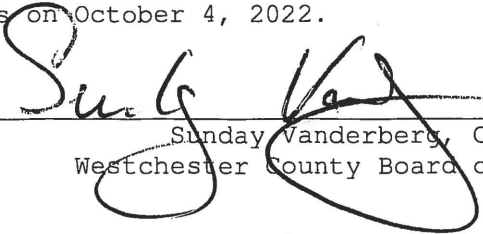
Designated Location(s)
of posted notice

Date of Posting
September 28, 2022

www.westchesterlegislators.com

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on October 4, 2022.





Sunday Vanderberg, Clerk
Westchester County Board of Legislators

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

AYES:

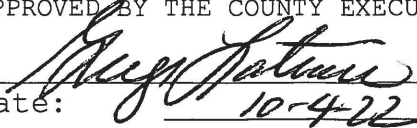
Legislator Jose Alvarado
Legislator Nancy Barr
Legislator Catherine Borgia
Legislator Benjamin Boykin
Legislator Terry Clements
Legislator Margaret Cunzio
Legislator Vedat Gashi
Legislator Christopher Johnson
Legislator Damon Maher
Legislator James Nolan
Legislator Catherine Parker
Legislator Erika Pierce
Legislator MaryJane Shimsky
Legislator Colin Smith
Legislator David Tubiolo
Legislator Jewel Williams-Johnson
Legislator Tyrae Woodson-Samuels

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

* * * * *
APPROVED BY THE COUNTY EXECUTIVE


Date: 10-4-22

STATE OF NEW YORK)
)
WESTCHESTER COUNTY) ss.

I HEREBY CERTIFY that I have compared the foregoing (Bond) Act, (Bond) Act No. 127 - 2022, 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 October 3, 2022, and approved by the County Executive on October 4, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 6th day of October, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

