

**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 \$3,650,000, which includes \$350,000 in previously authorized bonds of the County of Westchester (“County”), to finance Capital Project RMUS6 – Muscoot Building Restoration (“RMUS6”). The Amended Bond Act, which was prepared by the law firm of Hawkins, Delafield & Wood, LLP, is required to fund construction and construction management associated with the restoration of the Main House at Muscoot Farm in the Town of Somers.

The Department of Parks, Recreation and Conservation (“Department”) has advised that work on this portion of the project will include interior, exterior and structural repairs to the Main House, as well as associated electrical and plumbing infrastructure upgrades.

Your Committee is advised that design is currently underway by in-house staff and is anticipated to be completed by the fourth quarter of 2021. Following bonding authorization, it is estimated that construction will take twelve (12) months to complete and will begin after award and execution of the construction contracts.

Your Committee notes that your Honorable Board has previously authorized the County to issue bonds to finance a prior component of RMUS6 as follows: Bond Act No. 198-2011 in the amount of \$350,000, which financed the design portion of this project. \$79,510 of these bonds have been sold. Accordingly, it is now requested that Bond Act No. 198-2011 be amended to increase the initial aggregate amount authorized by \$3,300,000, to a new total authorized amount of \$3,650,000, to expand the scope of the project to include construction and construction management services, 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: October 4, 2021.
White Plains, New York

Captain *[Signature]*
[Signature]
[Signature]
Margaret A. Cyo
Ruth Walker

[Signature]
Benjamin Boylan
Ruth Walker

Benjamin Boylan
Ruth Walker
K. J. Swell

COMMITTEE ON

C:\jg\7-30-21

Budget &
Appropriations

Parks &
Recreation

Public Works
&
Transportation

Dated: October 4, 2021
White Plains, New York

The following members attended the meeting remotely, as per Governor Cuomo's Executive Order 202.1 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee(s) on:

Parks & Recreation

David Q. Iabico
Catherine F. Parker
Mary Jane Skimchy

Budget & Appropriations

Catherine F. Parker
David Q. Iabico
Alfreda Wilkin
Manny E. Pan
Tye H. C.
Christy J.

Public Works & Transportation

Catherine F. Parker
Mary Jane Skimchy
Christy J.
David Q. Iabico
Tye H. C.

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RMUS6

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 \$ 3,650,000 PPU 10 Anticipated Interest Rate 0.64%

Anticipated Annual Cost (Principal and Interest): \$ 377,823

Total Debt Service (Annual Cost x Term): \$ 3,778,235

Finance Department: maab

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: 40

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

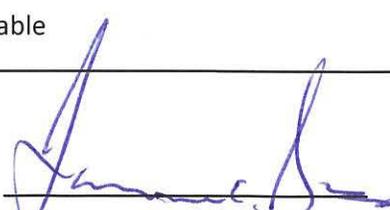
Not Applicable

Prepared by: Ken Uhle

Title: Program Coord. Capital Planning PRC

Department: DPW&T

Date: 9/2/21

Reviewed By: 

Budget Director

Date: 9/3/21

9/3/21

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: August 25, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RMUS6 MUSCOOT BUILDING RESTORATION**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 07/26/2021 (Unique ID: 1720)

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/dvw

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks Recreation and Conservation
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

ACT NO. -20_____

BOND ACT OF THE COUNTY OF WESTCHESTER, NEW YORK, AMENDING THE BOND ACT ADOPTED DECEMBER 12, 2011 IN RELATION TO THE CONSTRUCTION OF RENOVATIONS TO THE MAIN HOUSE AT MUSCOOT FARM LOCATED IN THE TOWN OF SOMERS, AT THE MAXIMUM ESTIMATED COST OF \$3,650,000. (Adopted , 20_____).

WHEREAS, this Board has heretofore duly authorized the issuance of \$350,000 bonds to finance the cost of preparation of surveys, preliminary and detailed plans, specifications and estimates necessary for planning recreational area improvements to Muscoot Farm located in the Town of Somers, including improvements to the Main House, pursuant to Act No. 198-2011 duly adopted on December 12, 2011; 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 December 12, 2011, entitled:

“ACT NO. 198-2011

BOND ACT AUTHORIZING THE ISSUANCE OF \$350,000 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 RECREATIONAL AREA IMPROVEMENTS TO MUSCOOT FARM LOCATED IN THE TOWN OF SOMERS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$350,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$350,000 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 \$3,650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RESTORATION OF THE MAIN HOUSE AT MUSCOOT FARM IN THE TOWN OF SOMERS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,650,000 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; \$3,650,000 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 renovations to the Main House at Muscoot Farm in the Town of Somers, 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 \$3,650,000. The plan of financing includes the issuance of \$3,650,000 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 \$3,650,000 bonds authorized by this Act are to be issued, within the limitations of Section 11.00 a. 12(a)(3) 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 \$3,650,000. 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 \$3,650,000 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 December 12, 2011 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 \$3,650,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE RESTORATION OF THE MAIN HOUSE AT MUSCOOT FARM IN THE TOWN OF SOMERS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,650,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$3,650,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (adopted on December 12, 2011 and amended on _____, 20_____)

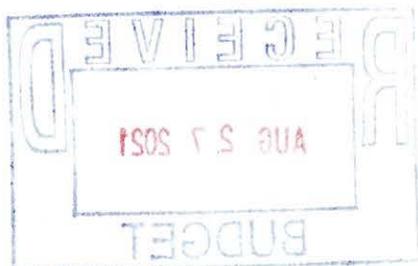
object or purpose: to finance the design, construction and construction management of renovations to the Main House at Muscoot Farm in the Town of Somers, all as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued:

and period of probable usefulness: \$3,650,000; ten (10) 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:*

RMUS6

CBA

Fact Sheet Date:*

07-20-2021

Fact Sheet Year:*

2021

Project Title:*

MUSCOOT BUILDING
RESTORATION

Legislative District ID:

2,

Category*

RECREATION FACILITIES

Department:*

PARKS, RECREATION &
CONSERVATION

CP Unique ID:

1720

Overall Project Description

This project seeks to rehabilitate various buildings and structures throughout the Muscoot Farm facility. Work will include interior, exterior and structural repairs, as well as electrical and plumbing infrastructure upgrades.

Best Management Practices

Energy Efficiencies

Infrastructure

Life Safety

Project Labor Agreement

Revenue

Security

Other

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
Gross	3,850	3,650	0	0	0	0	0	200
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	3,850	3,650	0	0	0	0	0	200

Expended/Obligated Amount (in thousands) as of : 158

Current Bond Description: This request will fund the construction and construction management for the restoration of the Main House.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	3,300,000
Cash:	0
Total:	\$ 3,300,000

SEQR Classification:

TYPE II

Amount Requested:

3,300,000

Comments:

This request is to amend bond act #2011-198 upward and add construction.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2010	350,000	DESIGN
2012	3,300,000	CONSTRUCTION FOR MAIN HOUSE

Total Appropriation History:

3,650,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
11	198	350,000	79,510	MUSCOOT FARM, SOMERS AREA IMPROVEMENTS FOR PLANNING RECREATIONAL AREA

Total Financing History:

350,000

Recommended By:

Department of Planning

WBB4

Date

07-26-2021

Department of Public Works

RJB4

Date

07-26-2021

Budget Department

LMY1

Date

07-30-2021

Requesting Department

KUU1

Date

07-30-2021

MUSCOOT BUILDING RESTORATION (RMUS6)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ; Public Works ;

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	2021	2022	2023	2024	2025	Under Review
Gross	3,850	3,650	155						200
Non County Share									
Total	3,850	3,650	155						200

Project Description

This project seeks to rehabilitate various buildings and structures throughout the Muscoot Farm facility. Work will include interior, exterior and structural repairs, as well as electrical and plumbing infrastructure upgrades.

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
2010	350,000	Design	DESIGN
2012	3,300,000	Construction for Main House	AWAITING BOND AUTHORIZATION
Total	3,650,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,650,000	79,510	3,570,490
Total	3,650,000	79,510	3,570,490

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
198 11	350,000	12/10/13	45,457	270,490
		12/10/13	5,543	
		12/10/13	156	
		04/30/20	28,354	
Total	350,000		79,510	270,490