



Public Works & Transportation Meeting Agenda

Committee Chair: Erika Pierce

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

Wednesday, September 13, 2023

10:00 AM

Committee Room

CALL TO ORDER

Joint with Budget & Appropriations and Parks & Recreation committees.

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, White Plains, New York, 10601, and remotely via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view it online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/> This website also provides links to materials for all matters to be discussed at a given meeting.

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [2023-348](#) CBA-DES Backup Generator

AN ACT amending the 2023 County Capital Budget Appropriations for Capital Project BES20 - DES (Department of Emergency Services) Emergency Generator.

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

Joint with Budget & Appropriations committee.

Guests: Dept. of Emergency Services: Commissioner Richard Wishnie, Deputy Commissioner Susan Spear, and Chief Neil Caputo, Director of Fire Services

2. [2023-349](#) BOND ACT-BES20-DES Backup Generator

A BOND ACT authorizing the issuance of ONE MILLION (\$1,000,000) DOLLARS in bonds of Westchester County to finance Capital Project BES20 - DES (Department of Emergency Services) Backup Emergency Generator.

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

Joint with Budget & Appropriations committee.

Guests: Dept. of Emergency Services: Commissioner Richard Wishnie, Deputy Commissioner Susan Spear, and Chief Neil Caputo, Director of Fire Services

3. [2023-350](#) BOND ACT-BES24-2237-Replacement of Smoke House Building

A BOND ACT authorizing the issuance of EIGHT HUNDRED TEN THOUSAND (\$810,000) DOLLARS in bonds of Westchester County to finance Capital Project BES24 (2237) Replacement of Smoke House Building.

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

Joint with Budget & Appropriations committee.

Guests: Dept. of Emergency Services: Commissioner Richard Wishnie, Deputy Commissioner Susan Spear, and Chief Neil Caputo, Director of Fire Services

4. [2023-346](#) BOND ACT-RGP07-Park-Wide Tree Planting & Site Work

A BOND ACT authorizing the issuance of TWO MILLION, SEVEN HUNDRED THOUSAND (\$2,700,000) DOLLARS in bonds of Westchester County to finance Capital Project RGP07 - Park-Wide Tree Planting and Site Work.

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

Joint with Budget & Appropriations and Parks & Recreation committees

Guests: Dept. of Parks & Recreations: First Deputy Commissioner Peter Tartaglia and Rob Lopane, Program Coordinator (Capital Planning)

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

Westchester County

George Latimer
County Executive

July 28, 2023

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 which, if adopted, would authorize the County of Westchester ("County") to amend its current-year capital budget ("Capital Budget Amendment"), as well as adopt a related bond act in the amount of \$1,000,000 (the "Bond Act"), to finance the following capital project:

BES20 – DES Backup Generator ("BES20").

The proposed Capital Budget Amendment will amend the County's current-year capital budget to increase the County share for BES20 by \$1,000,000 to provide additional funding to account for inflation and cost escalation since the project was first budgeted in 2019.

The related Bond Act, in the amount of \$1,000,000, would provide additional funding for the purchase of the emergency generator that will provide backup power for the Department of Emergency Services ("DES") facility.

DES has advised that the existing generator has reached the end of its useful life and does not provide 100% redundancy to the facility. The new generator will also support the planned improvements to DES's facility.

Design has been completed by in-house staff. Following bonding authorization, it is estimated that construction will take twenty-seven (27) months to complete and will begin after award and execution of construction contracts.

It should be noted that your Honorable Board has previously authorized the County to issue bonds to finance the acquisition of the emergency generator for the Department's facility, as set forth in the attached fact sheet.

The Department of Planning has advised that based on its review, the proposed capital project may be 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 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

Telephone: (914)995-2900

The Department of Planning has further 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 project to the County, favorable action on the proposed Capital Budget Amendment and Bond Act is respectfully requested.

Sincerely,



George Latimer
County Executive

GL/cmc
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 bond act (“Bond Act”) in the amount of \$1,000,000, to finance capital project BES20 – DES Backup Generator (“BES20”).

Your Committee is advised that the Capital Budget Amendment will amend the County’s current-year capital budget to increase the County share for BES20 by \$1,000,000 to provide additional funding to account for inflation and cost escalation since the project was first budgeted in 2019.

Your Committee is further advised that the Bond Act, in the amount of \$1,000,000, which was prepared by the law firm of Hawkins Delafield & Wood, LLP, would provide additional funding for the purchase of an emergency generator that would provide backup power for the Department of Emergency Services (“DES”) facility.

DES has advised that the existing generator has reached the end of its useful life and does not provide 100% redundancy to the facility. The new generator will also support the planned improvements to DES’s facility.

Your Committee is advised that design for this project has been completed by in-house staff. Your Committee is further advised that following bonding authorization, it is estimated that construction will take twenty-seven (27) months to complete and will begin after award and execution of construction contracts.

Your Committee notes that this Honorable Board has previously authorized the County to issue bonds to finance the acquisition of the emergency generator for the Department’s facility, as set forth in the attached fact sheet.

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

The Department of Planning has further 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: _____, 2023
White Plains, New York

COMMITTEE ON

C:cmc/07.06.2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BES20

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 2.72%

Anticipated Annual Cost (Principal and Interest): \$ 116,286

Total Debt Service (Annual Cost x Term): \$ 1,162,860

Finance Department: Interest rates from July 18, 2023 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: 10

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Richard G. Wishnie

Title: Commissioner

Department: Emergency Services


Date: 7/25/23

Reviewed By: *Christina Paragato*

Budget Director

Date: 7/25/23

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

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

DATE: July 17, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BES20 DES BACKUP GENERATOR**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-16-2023 (Unique ID: 2241)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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)(9):** construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;
- **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: The replacement generator will be larger in size and capacity and housed in a new walk-in structure along with new aboveground fuel tanks that will be housed in the same enclosure. The new generator structure will be located approximately 70 feet to the west of the original generator and underground fuel tanks, which will be removed. The proposed new location is adjacent to the entrance drive to the Fire Training Center at Grasslands. Five trees of approximately 6-inch caliper will need to be removed. Tree replacements will be added to the project.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

To: The Westchester County Planning Board

From: Kelly Sheehan, Assistant Commissioner *KS*

Date: July 12, 2023

RE: **Capital Budget Amendment –
BES20 DES Backup Generator**

The County Executive is requesting an amendment to the 2023 Capital Budget to modify the funding of the above project. Capital project **BES20 DES Backup Generator** will fund the purchase of an emergency generator that provides backup power for the DES facility.

A Capital Budget Amendment in the amount of \$1,000,000 is being requested due to a significant increase in costs since the initial estimates were obtained in 2020. This project was classified as a PL1, project without physical planning aspects of concern to the Planning Board in the 2021 Report on the Capital Project Requests adopted July 7, 2020.

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: Blanca P. López, Acting Commissioner
David S. Kvinge, Assistant Commissioner
Michael Lipkin, Associate Planner

An Act amending the 2023 County
 Capital Budget Appropriations for
 Capital Project BES20 DES
 Emergency Generator

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

Section 1. The Capital section of the 2023 County Budget is hereby amended as follows:

	Previous 2023 Appropriation	Change	Revised 2023 Appropriation
I. Appropriation	\$3,900,000	\$1,000,000	\$4,900,000

Section 2. The estimated method of financing in the Capital Section of the 2023 Westchester County Capital Budget is amended as follows:

II. METHOD OF
 FINANCING

Bonds and/or Notes	\$3,900,000	\$1,000,000	\$4,900,000
Non County Shares	\$0		\$0
Cash	\$0		\$0
Total	<u>\$3,900,000</u>	<u>\$1,000,000</u>	<u>\$4,900,000</u>

Section 3. The ACT shall take effect immediately.

ACT NO. -20__

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 COST OF THE ACQUISITION AND INSTALLATION OF AN EMERGENCY GENERATOR FOR THE DES FACILITY; 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 , 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, \$1,000,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of the acquisition and installation of an emergency generator to provide back-up power for the DES facility; 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 object or purpose, 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 object or purpose for which said \$1,000,000 bonds authorized by this Act are 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 \$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 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.

* * *

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 _____, 20__ and approved 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 \$1,000,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE ACQUISITION AND INSTALLATION OF AN EMERGENCY GENERATOR FOR THE DES FACILITY; 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 on _____, 20__)

object or purpose: to finance the cost of the acquisition and installation of an emergency generator to provide back-up power for the DES facility; 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: \$1,000,000; 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:* BES20	<input checked="" type="checkbox"/> CBA	Fact Sheet Date:* 06-07-2023
Fact Sheet Year:* 2023	Project Title:* DES BACKUP GENERATOR	Legislative District ID: 3,
Category* BUILDINGS, LAND & MISCELLANEOUS	Department:* EMERGENCY SERVICES	CP Unique ID: 2241

Overall Project Description

This project replaces and upgrades the Department of Emergency Services emergency generator that provides backup power to the facility.

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

FIVE-YEAR CAPITAL PROGRAM (in thousands)

	Estimated Ultimate Total Cost	Appropriated	2023	2024	2025	2026	2027	Under Review
Gross	4,900	3,900	0	0	0	0	0	1,000
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	4,900	3,900	0	0	0	0	0	1,000

Expended/Obligated Amount (in thousands) as of: 239

Current Bond Description: Funding is requested for the purchase of an emergency generator that provides backup power for the DES facility.

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:

A Capital Budget Amendment in the amount of \$1,000,000 (shown under review) is being requested to provide additional funding to account for inflation and cost escalation since the project was first budgeted in 2019.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2021	3,900,000	DESIGN, CONSTRUCTION AND CONSTRUCTION MANAGEMENT

Total Appropriation History:

3,900,000

Financing History:

Year	Bond Act #	Amount	Issued	Description
21	20	3,900,000	67,568	DES BACKUP GENERATOR

DES BACKUP GENERATOR (BES20)

User Department : Emergency Services

Managing Department(s) : Emergency Services ; 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	2023	2024	2025	2026	2027	Under Review
Gross	3,900	3,900	239						
Non County Share									
Total	3,900	3,900	239						

Project Description

This project replaces and upgrades the Department of Emergency Services emergency generator that provides backup power to the facility.

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
2021	3,900,000	Design, construction and construction management	DESIGN
Total	3,900,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	3,900,000	67,568	3,832,432
Total	3,900,000	67,568	3,832,432

Bonds Authorized

Bond Act	Amount	Date Sold	Amount Sold	Balance
20 21	3,900,000	12/01/22	61,460	3,832,432
		12/01/22	6,108	
Total	3,900,000		67,568	3,832,432

Total Financing History:
3,900,000

Recommended By:

Department of Planning
MLLL

Date
06-16-2023

Department of Public Works
RJB4

Date
06-16-2023

Budget Department
DEV9

Date
06-20-2023

Requesting Department
KANI

Date
06-21-2023

Westchester County

George Latimer
County Executive

July 10, 2023

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 \$810,000 to finance the following capital project:

BES24 (2237) REPLACEMENT OF SMOKE HOUSE BUILDING ("BES24").

The Bond Act, in the amount of \$810,000.00 would finance the design, special studies, and administrative reviews associated with the demolition of the existing smoke house and construction of a new smoke house fire training prop.

The Department of Emergency Services ("DES") has advised that the existing smoke house is over 45 years old and has had several large repairs during its life as a result of normal wear and tear to the structure. The repairs are failing due to the building's age and the repeated exposure to the temperature extremes of live fire, its rapid extinguishment and high pressure impacts resulting from the use of fire hoses during each training evolution. This has resulted in building deterioration and fatigue. Surrounding paved surfaces are exhibiting similar damage from the same wear and tear conditions noted to the building itself.

This realistic fire training prop is one of the most used at the DES training facility. It is used on a nearly daily basis by fire departments from municipalities throughout the County as a valuable hands-on fire suppression training tool for their fire fighters.

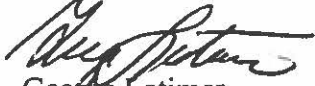
The National Fire Protection Agency (NFPA) has Standards (NFPA 1402 Standards for Fire Training and Associated Props) to ensure structural fitness and safety for LIVE burn buildings. The existing smoke house has been inspected by engineers who recommend the building be replaced and not renovated again.

Following bonding authorization, design will be scheduled and is anticipated to take 9 months to complete. It is anticipated that the design work will be completed by consultants. It is also estimated that construction will take 14 months to complete and will begin after award and execution of the construction contracts.

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,

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

George Latimer
County Executive

**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 \$810,000 to finance capital project BES24 (2237) REPLACEMENT OF SMOKE HOUSE BUILDING (“BES24”). The Bond Act, which was prepared by the law firm Harris Beach PLLC, will finance the design, special studies, and administrative reviews associated with the demolition of the existing smoke house and construction of a new smoke house fire training prop.

The Department of Emergency Services (“DES”) has advised that the existing smoke house is over 45 years old and has had several large repairs during its life as a result of normal wear and tear to the structure. The repairs are failing due to the building’s age and the repeated exposure to the temperature extremes of live fire, its rapid extinguishment and high pressure impacts resulting from the use of fire hoses during each training evolution. This has resulted in building deterioration and fatigue. Surrounding paved surfaces are exhibiting similar damage from the same wear and tear conditions noted to the building itself.

Your Committee is advised that this realistic fire training prop is one of the most used at the DES training facility. It is used on a nearly daily basis by fire departments from municipalities throughout the County as a valuable hands-on fire suppression training tool for their fire fighters.

Your Committee is further advised that the National Fire Protection Agency (NFPA) has Standards (NFPA 1402 Standards for Fire Training and Associated Props) to ensure structural fitness and safety for LIVE burn buildings. The existing smoke house has been inspected by engineers who recommend the building be replaced and not renovated again.

Following bonding authorization, design will be scheduled and is anticipated to take 9 months to complete. It is anticipated that the design work will be completed by consultants. It is also estimated that construction will take 14 months to complete and will begin after award and execution of the construction contracts.

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 recommendation.

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

COMMITTEE ON

c:cmc 07.10.2023

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: BES24

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 \$ 810,000 PPU 5 Anticipated Interest Rate 2.78%

Anticipated Annual Cost (Principal and Interest): \$ 177,674

Total Debt Service (Annual Cost x Term): \$ 888,370

Finance Department: Interest rates from July 18, 2023 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

SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 8

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: Richard G. Wishnie

Title: Commissioner

Department: Emergency Services


Date: 7/20/23

Reviewed By: *Christina Raybato*

Budget Director

Date: 7/25/23

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

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

DATE: July 17, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
BES24 REPLACEMENT OF SMOKE HOUSE BUILDING**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 06-16-2023 (Unique ID: 2237)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action;
- **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: The current request is for design, studies and reviews only.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Dianne Vanadia, Associate Budget Director
Robert Abbamont, Director of Operations, Department of Public Works & Transportation
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20__

BOND ACT AUTHORIZING THE ISSUANCE OF \$810,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE REPLACEMENT OF THE SMOKE HOUSE BUILDING LOCATED ON THE VALHALLA GRASSLANDS CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$810,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$810,000 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 (the "County"), 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, \$810,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the cost of planning for the replacement of the Smoke House Building located on the Valhalla Grasslands campus, including design, special studies and administrative reviews associated with demolition of the existing

smoke house and construction of a new Smoke House fire training prop; 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 objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof is \$810,000. The plan of financing includes the issuance of \$810,000 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 bonds authorized by this resolution is to be issued within the limitations of Section 11.00 a. 62(2ND) 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 \$810,000. 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. 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 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 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 \$810,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF PLANNING FOR THE REPLACEMENT OF THE SMOKE HOUSE BUILDING LOCATED ON THE VALHALLA GRASSLANDS CAMPUS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$810,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$810,000 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 planning replacement of the Smoke House Building located on the Valhalla Grasslands campus, including design, special studies and administrative reviews associated with demolition of the existing smoke house and construction of a new Smoke House fire training prop; 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: \$810,000; 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:*

BES24

CBA

Fact Sheet Date:*

06-05-2023

Fact Sheet Year:*

2023

Project Title:*

REPLACEMENT OF SMOKE HOUSE BUILDING

Legislative District ID:

3,

Category*

BUILDINGS, LAND & MISCELLANEOUS

Department:*

EMERGENCY SERVICES

CP Unique ID:

2237

Overall Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

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	2023	2024	2025	2026	2027	Under Review
Gross	6,310	0	810	5,500	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	6,310	0	810	5,500	0	0	0	0

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

Current Bond Description: Funding is requested for the design, special studies and administrative reviews associated with demolition of the existing smoke house and construction of a new Smoke House fire training prop.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	810,000
Cash:	0
Total:	\$ 810,000

SEQR Classification:

TYPE II

Amount Requested:

810,000

Comments:

The design will be done in accordance with NFPA 1402 Standards for Fire Training and Associated Props.

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2023	810,000	DESIGN

Total Appropriation History:

810,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

06-16-2023

Department of Public Works

RJB4

Date

06-20-2023

Budget Department

DEV9

Date

06-20-2023

Requesting Department

KANI

Date

06-21-2023

REPLACEMENT OF SMOKE HOUSE BUILDING (BES24)

User Department : Emergency Services
Managing Department(s) : Emergency Services ; Public Works ;
Estimated Completion Date: TBD
Planning Board Recommendation: Project approved in concept but subject to subsequent staff review.

FIVE YEAR CAPITAL PROGRAM (in thousands)									
	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	6,310			810	5,500				
Non County Share									
Total	6,310			810	5,500				

Project Description

This project funds a new Smoke House Building fire training prop located in the fire training yard on the Valhalla Grasslands campus.

Current Year Description

The current year request funds design.

Current Year Financing Plan				
Year	Bonds	Cash	Non County Shares	Total
2023	810,000			810,000

Impact on Operating Budget

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

Westchester County

George Latimer
County Executive

July 28, 2023

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 \$2,700,000 to finance the following capital project:

RGP07 – Park-Wide Tree Planting and Site Work ("RGP07").

The Bond Act, in the amount of \$2,700,000, would finance the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County's park system. This will include a tree canopy assessment for the entire County, a tree inventory for the County park system, reforestation and landscape restoration projects at Glen Island Park, Tibbett's Brook Park, North/South County Trailway and other parks, and the establishment of a native plant nursery at two locations within the County Park System.

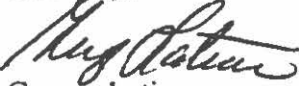
The Department of Parks, Recreation and Conservation ("Department") has advised that the planting of trees and other plant material provide a wide range of benefits for human health, environmental quality and wildlife. The tree canopy assessment and tree inventory will be used to establish a baseline measure to monitor the health of the forest canopy, as well as prioritizing locations for future plantings. In addition to planting trees as part of forest restoration efforts within the County park system, this project will also fund the establishment of native plant nurseries which will help to support these restoration efforts by providing native plants from locally sourced plant populations.

Following bonding authorization, study and design will be scheduled and is anticipated to take twenty-four months to complete. It is anticipated that the design work will be completed by in-house staff and consultants. It is estimated that installation of trees and other plantings will take twelve months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised that based on its review, RGP07 may be 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 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

**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 \$2,700,000 to finance capital project RGP07 – Park-Wide Tree Planting and Site Work (“RGP07”). The Bond Act, which was prepared by the law firm Hawkins, Delafield & Wood, will finance the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County’s park system. This will include a tree canopy assessment for the entire County, a tree inventory for the County park system, reforestation and landscape restoration projects at Glen Island Park, Tibbett’s Brook Park, North/South County Trailway and other parks, and the establishment of a native plant nursery at two locations within the County Park System.

The Department of Parks, Recreation and Conservation (“Department”) has advised that the planting of trees and other plant material provide a wide range of benefits for human health, environmental quality and wildlife. The tree canopy assessment and tree inventory will be used to establish a baseline measure to monitor the health of the forest canopy, as well as prioritizing locations for future plantings. In addition to planting trees as part of forest restoration efforts within the County park system, this project will also fund the establishment of native plant nurseries which will help to support these restoration efforts by providing native plants from locally sourced plant populations.

Following bonding authorization, study and design will be scheduled and is anticipated to take twenty-four months to complete. It is anticipated that the design work will be completed by in-house staff and consultants. It is estimated that installation of trees and other plantings will take twelve months to complete and will begin after award and execution of the construction contracts.

The Planning Department has advised your Committee that based on its review, RGP07 may be 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 environmental review is required. Your Committee has reviewed the annexed SEQR documentation and concurs with this recommendation.

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

COMMITTEE ON

FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: RGP07

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 \$ 2,700,000 PPU 15 Anticipated Interest Rate 3.00%

Anticipated Annual Cost (Principal and Interest): \$ 226,099

Total Debt Service (Annual Cost x Term): \$ 3,391,485

Finance Department: Interest rates from July 12, 2023 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: 30

SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

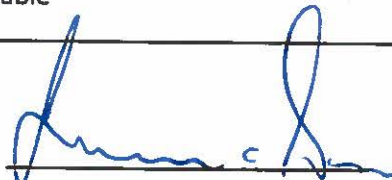
Prepared by: Robert Lopane

Title: Program Coordinator-Capital Planning

Department: Public Works & Transportation

Date: 7/17/23


Reviewed By: *W7/16/23*



Budget Director

Date: 7/15/23

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

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

DATE: June 27, 2023

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:
RGP07 PARK-WIDE TREE PLANTING AND SITE WORK**

PROJECT/ACTION: Per Capital Project Fact Sheet as approved by the Planning Department on 05-17-2023 (Unique ID: 2222)

With respect to the State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, the Planning Department recommends that no 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)(3):** retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure;
 - **617.5(c)(8):** maintenance of existing landscaping or natural growth;
 - **617.5(c)(20):** public or private best forest management (silviculture) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
 - **617.5(c)(24):** information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.
-

COMMENTS: The tree inventory/canopy assessment, as well as the purchase and installation of replacement trees or small numbers of trees to enhance an existing park facility, and/or the removal of vines and invasive species adversely impacting native vegetation may be classified as Type II actions under the aforementioned sections. The acquisition and installation of trees to be funded by this project, but is part of a larger project, will need to be considered in the overall environmental review for the larger project, as required by SEQR, at the time funding approval is being sought for the larger project or prior to contract approval for construction.

DSK/cnm

cc: Andrew Ferris, Chief of Staff
Paula Friedman, Assistant to the County Executive
Lawrence Soule, Budget Director
Tami Altschiller, Assistant Chief Deputy County Attorney
Kathleen O'Connor, Commissioner of Parks, Recreation and Conservation
Peter Tartaglia, First Deputy Commissioner of Parks, Recreation and Conservation
Robert Lopane, Program Coordinator, Department of Public Works & Transportation
Dianne Vanadia, Associate Budget Director
Kelly Sheehan, Assistant Commissioner
Michael Lipkin, Associate Planner
Claudia Maxwell, Associate Environmental Planner

ACT NO. -20____

BOND ACT AUTHORIZING THE ISSUANCE OF \$2,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PARK-WIDE TREE PLANTING AND SITE WORK PROJECT FOR THE COUNTY PARKS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,700,000 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, \$2,700,000 bonds of the County, or so much thereof as may be necessary, are hereby authorized to be issued to finance the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County's park system, including a tree canopy assessment for the entire County as well as a tree inventory for the County park system, as well as reforestation and landscape restoration projects at Glen Island Park, Tibbett's Brook Park, North/South County Trailway and other parks and to initiate the establishment of a native plant nursery at two locations within the County Park System, 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 \$2,700,000. The plan of financing includes the issuance of \$2,700,000 bonds herein authorized and any bond anticipation notes issued in anticipation of the sale of such bonds, 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 said specific object or purpose, within the limitations of Section 11.00 a. 19(c) 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 \$2,700,000. 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 \$2,700,000 as the estimated total 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.

* * *

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 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 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 \$2,700,000 BONDS OF THE COUNTY OF WESTCHESTER, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF THE PARK-WIDE TREE PLANTING AND SITE WORK PROJECT FOR THE COUNTY PARKS, STATING THE ESTIMATED TOTAL COST THEREOF IS \$2,700,000; STATING THE PLAN OF FINANCING SAID COST INCLUDES THE ISSUANCE OF \$2,700,000 BONDS HEREIN AUTHORIZED; AND PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS. (Adopted _____, 20____)

object or purpose: to finance the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County's park system, including a tree canopy assessment for the entire County as well as a tree inventory for the County park system, as well as reforestation and landscape restoration projects at Glen Island Park, Tibbett's Brook Park, North/South County Trailway and other parks and to initiate the establishment of a native plant nursery at two locations within the County Park System, as set forth in the County's Current Year Capital Budget, as amended.

amount of obligations to be issued and period of probable usefulness: \$2,700,000; fifteen (15) years

Dated: _____, 20____
White Plains, New York

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

CAPITAL PROJECT FACT SHEET

Project ID:*

RGP07

CBA

Fact Sheet Date:*

05-02-2023

Fact Sheet Year:*

2023

Project Title:*

PARK-WIDE TREE PLANTING AND SITE WORK

Legislative District ID:

5, 16, 11,

Category*

RECREATION FACILITIES

Department:*

PARKS, RECREATION & CONSERVATION

CP Unique ID:

2222

Overall Project Description

This project involves the planting of new trees and other site work throughout the park system. The work will also include creating a facility for handling wood waste generated by the Park system.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Best Management Practices | <input 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	2023	2024	2025	2026	2027	Under Review
Gross	12,700	7,700	5,000	0	0	0	0	0
Less Non-County Shares	0	0	0	0	0	0	0	0
Net	12,700	7,700	5,000	0	0	0	0	0

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

Current Bond Description: This request will fund the study, design, purchase and planting of trees and other plant materials and associated site work throughout the County's park system. The study will include a tree canopy assessment for the entire County as well as a tree inventory for the County park system. The results of the study will be used to establish a baseline measure to monitor the health of the forest canopy as well as prioritizing locations for future plantings. This request also funds reforestation and landscape restoration projects at Glen Island Park, Tibbett's Brook Park, North/South County Trailway and other parks. Funding will also be used to initiate the establishment of a native plant nursery at two locations within the County Park System.

Financing Plan for Current Request:

Non-County Shares:	\$ 0
Bonds/Notes:	2,700,000
Cash:	0
Total:	\$ 2,700,000

SEQR Classification:

TYPE II

Amount Requested:

2,700,000

Comments:

Energy Efficiencies:

Appropriation History:

Year	Amount	Description
2011	100,000	PLANTING TREES ON COUNTY PARKLAND
2013	100,000	PLANTING TREES ON COUNTY PARKLAND
2015	2,500,000	PLANTING TREES ON COUNTY PARKLAND
2016	2,500,000	PLANTING TREES ON COUNTY PARKLAND
2017	2,500,000	CONTINUATION OF THIS PROJECT.
2023	5,000,000	CONTINUATION OF THIS PROJECT

Total Appropriation History:

12,700,000

Total Financing History:

0

Recommended By:

Department of Planning

MLLL

Date

05-17-2023

Department of Public Works

RJB4

Date

05-17-2023

Budget Department

DEV9

Date

05-22-2023

Requesting Department

RCL3

Date

06-01-2023

PARK-WIDE TREE PLANTING AND SITE WORK (RGP07)

User Department : Parks, Recreation & Conservation
Managing Department(s) : Parks, Recreation & Conservation ;
Estimated Completion Date: TBD

Planning Board Recommendation: Hold for further investigation; approval at this time is premature.

FIVE YEAR CAPITAL PROGRAM (in thousands)

	Est Ult Cost	Appropriated	Exp / Obl	2023	2024	2025	2026	2027	Under Review
Gross	12,700	7,700		5,000					
Non County Share									
Total	12,700	7,700		5,000					

Project Description

This project involves the planting of new trees and other site work throughout the park system. The work will also include creating a facility for handling wood waste generated by the Park system.

Current Year Description

The current year request funds the continuation of this project.

Current Year Financing Plan

Year	Bonds	Cash	Non County Shares	Total
2023	5,000,000			5,000,000

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
2011	100,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2013	100,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2015	2,500,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2016	2,500,000	Planting trees on County parkland	AWAITING BOND AUTHORIZATION
2017	2,500,000	Continuation of this project.	AWAITING BOND AUTHORIZATION
Total	7,700,000		

Prior Appropriations

	Appropriated	Collected	Uncollected
Bond Proceeds	7,700,000		7,700,000
Total	7,700,000		7,700,000