

**HONORABLE BOARD OF LEGISLATORS  
THE COUNTY OF WESTCHESTER**

**DRAFT ON FILE**

Your Committee is in receipt of a communication from the County Executive recommending the approval of a legislative package, which approved by your Honorable Board would authorize Transmitted herewith for your review and approval is a legislative package which, if approved by your Honorable Board, would authorize the County of Westchester ("County") to proceed with Capital Project WD104 – Shaft 22 & Kensico Dam Performance Maintenance ("WD104" or "Project"), for the benefit of County Water District No. 1 ("District"), subject to an order issued by the Comptroller of the State of New York ("State Comptroller") permitting the expenditure, as described herein. The Department of Environmental Facilities ("Department") has advised that WD104 provides for the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

As your Honorable Board may recall, by Bond Act No. 353-2016, your Honorable Board previously authorized the County to issue bonds in an amount not-to-exceed \$500,000 for the refurbishment of the chemical bulk storage tanks at the Kensico Dam 48-inch Kensico Bronx Pipeline. Your Committee has been advised that this work has been completed and these bonds

have been sold. It is now requested that your Honorable Board authorize the issuance of bonds of the County in an amount not-to-exceed \$2,000,000 for the design and construction management for the Project as previously described herein. It is estimated that design will take approximately twelve (12) months to complete. After design and has been completed, a new request for the issuance of bonds of the County for the construction component of the Project will be submitted to your Honorable Board. The total estimated cost for the entire Project is \$6,000,000.

The Department prepared a report dated July 1, 2021 (“District Report”) on behalf of the District, which recommends this Project. In its report, the Department advised that the Project is necessary in order to continue compliance with state, federal, and local drinking water regulations. These regulations require, but are not limited to, ensuring publicly owned water treatment facilities be maintained in a state of good repair and provide standards for the handling and storage of the chemicals used in water treatment. The Department has determined that the Project is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities. Based on its review, the Department has determined that the proposed Project is the best, most cost effective option for these purposes and is essential for maintaining the continued supply of compliant drinking water. A copy of the District Report is attached hereto for your Honorable Board’s review.

Your Honorable Board will recall that the District was duly established by Act No. 29-1964 (the “Act”), of the Westchester County Board of Supervisors. The District is comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale. This Act also approved the acquisition of a 48” pipeline owned by the City of New York (the “Kensico Bronx Pipeline”) for purposes of the District, the reconstruction and rehabilitation of said pipeline including direct connections to the Kensico Reservoir and the Delaware Aqueduct, and established zones of assessment and allocation of costs between zones of assessment. The four zones of assessment to assess District costs is as follows: White Plains 30%, Mount Vernon 28%; Yonkers 24%; and Scarsdale 18%.

As your Honorable Board may further recall, Article 5-A of the New York County Law (“Article 5-A”) imposes certain legal requirements on the County before projects can move forward. One such requirement is that your Honorable Board must conclude, after holding a public hearing that

the proposed action is in the public interest. In this regard, a proposed resolution authorizing legal notice for the necessary public hearing is attached hereto ("Public Hearing Resolution"), which sets a date for a public hearing and annexes a copy of the notice to be published ("Notice"), as well as directing the Clerk to publish said Notice.

Further, as your Honorable Board may recall, pursuant to Article 5-A, approval of the New York State Comptroller's Office ("State Comptroller") is required in certain instances for the issuance of bonds to finance an increase and improvement of water district facilities. Section 268.3 of Article 5-A provides, in pertinent part, that:

"Whenever it is proposed or required that the county in which a district is located shall finance an expenditure or contract for the purposes authorized in this section by the issuance of the bonds...and the cost to the typical property or, if different, the typical one or two family home...is above the average estimated cost to the typical properties or or homes for similar types of expenditures as may be annually computed by the state comptroller, no such expenditure shall be made or contract let, unless the state comptroller, on behalf of the state, shall consent to such expenditure." (Emphasis added).

Your Committee has been advised that, in accordance with the above-referenced section, the State Comptroller typically issues annual guidelines setting forth average estimated costs with respect to, among other things, county water districts. The guidelines designate cost thresholds for such special districts at or below which approval by the State Comptroller's Office is determined to be unnecessary. For 2021, the State Comptroller provided "there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the State Comptroller's approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement." The State Comptroller's Office did not issue a 2021 cost threshold for water districts, so approval of the State Comptroller is required for this Project. A copy of the guidelines has been annexed hereto.

Your Committee has been advised that in order to comply with Article 5-A, and for the purposes of the public hearing, the Department, in conjunction with the Finance Department, has calculated that the issuance of \$6,000,000 in bonds of the County for capital project WD104 equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel. Accordingly, the average cost to the typical District property,

resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41 as more fully set forth in the District Report.

Your Committee is further advised that in order to obtain the approval of the State Comptroller, State regulations require that the County submit a verified application (“Application”) in the form prescribed by 2 NYCRR Part 85 (“State Regulations”), to the Office of the State Comptroller. The State Regulations further require that your Honorable Board adopt a resolution (“State Regulations Resolution”) stating that it believes the following: the contents of the Application are accurate; that the proposed improvements are in the public interest; that said improvements will not constitute an undue burden on the property that will bear the cost thereof; and if the cost of the proposed improvements are to be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded. Should your Honorable Board, after the conclusion of the public hearing determine that the proposed increase and improvements are in the public interest, the Application and State Regulations Resolution are annexed hereto for your Honorable Board’s review and approval.

The Department of Planning (“Planning”) has advised that based on its review, the actions described in this legislation have been classified as “Type II” pursuant to the State Environmental Quality Review Act (“SEQR”) and its implementing regulations, 6 NYCRR Part 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”. Therefore, no further environmental review is required. The SEQR status sheets prepared by Planning are annexed hereto. Your Committee has reviewed the status sheets prepared by Planning and concur with this conclusion.

WD104 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 which is an action determined not to have a significant effect on the environment. Your Committee has reviewed the annexed SEQRA status sheet prepared by the Planning and concurs with this conclusion.

In order to proceed with the Project approval of your Honorable Board is needed as follows:

1. Public Hearing Resolution – authorizing a public hearing to be held;

2. Act – authorizing the County to proceed with the Project for the benefit of the District and to implement improvements necessary, subject to the approval of the State Comptroller;

3. Act; authorizing that a verified application be submitted to the State Comptroller;

4. State Regulations Resolution – as required by the State Regulations (2 NYCRR Part 85) in order to submit the verified application to the State Comptroller; and

5. Bond Act – authorizing the issuance of up to an additional \$2,000,000 in bonds to finance the design and construction management for WD104 subject to the consent of the State Comptroller authorizing such expenditure.

Please note that an affirmative vote of two thirds of the members of your honorable Board is required in order to adopt the Bond Act, while a majority vote is required to adopt the remainder of the legislative package.

Your Committee has carefully considered the proposed Project and based on its importance, it is recommended that your Honorable Board adopt the Public Hearing Resolution. Furthermore, in the event that your Honorable Board should, following the public hearing, conclude that the proposed actions are in the public interest, it is recommended that your Honorable Board adopt the remainder of the legislative package.

Dated: July 19, 2021  
White Plains, New York

COMMITTEE ON:  
c/lac/6.17.21

David J. Tubisho

K. J. Carroll

Chiff

Public Works & Transportation

Catherine Borgida

David J. Tubisho

Catherine Borgida

David J. Tubisho

Benjamin Boyfante

David J. Tubisho

Benjamin Boyfante

David J. Tubisho

Chiff

Budget & Appropriations

# FISCAL IMPACT STATEMENT

CAPITAL PROJECT #: WD104

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 \$ 2,000,000 PPU 40 Anticipated Interest Rate 1.52%

Anticipated Annual Cost (Principal and Interest): \$ 65,792

Total Debt Service (Annual Cost x Term): \$ 2,631,680

Finance Department: Interest rates from July 1, 2021 Bond Buyer - ASBA

## SECTION C - IMPACT ON OPERATING BUDGET (exclusive of debt service)

To Be Completed by Submitting Department and Reviewed by Budget

Potential Related Expenses (Annual): \$ -

Potential Related Revenues (Annual): \$ -

Anticipated savings to County and/or impact of department operations  
(describe in detail for current and next four years):

\_\_\_\_\_  
\_\_\_\_\_

## SECTION D - EMPLOYMENT

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

Number of Full Time Equivalent (FTE) Jobs Funded: 22

## SECTION E - EXPECTED DESIGN WORK PROVIDER

County Staff

Consultant

Not Applicable

Prepared by: CJ Gelardo, P.E.

Title: Capital Program Coordinator

Department: Environmental Facilities

Date: 7/7/21

Reviewed By: [Signature]

DEP. Budget Director

Date: 7/9/21

TO: Lynne Colavita, Senior Assistant County Attorney  
Department of Law

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



DATE: June 17, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR COUNTY WATER DISTRICT NO. 1 INCREASE & IMPROVEMENTS – SHAFT 22 & KENSICO DAM PERFORMANCE MAINTENANCE (WD104)**

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**PROJECT/ACTION:** The Department of Environmental Facilities has prepared a district report proposing an increase and improvement to facilities serving County Water District No. 1. The increase and improvements are needed to comply with federal mandates imposed by the United States Environmental Protection Agency, pursuant to the Long Term 2 Enhanced Surface Water Treatment (“LT2”) rule. Capital Project WD104 – County Water District No. 1 - Shaft 22 & Kensico Dam Performance Maintenance has been created in order to design and construct the proposed improvements, which involve rehabilitation of Shaft 22 in Yonkers, as well as rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. Pursuant to Article 5-A of the New York County Law, this district project requires authorization of the Board of Legislators, following a public hearing, as well as application to the New York State Comptroller to approve the expenditure of the estimated funds needed to implement the project. A resolution verifying the application is also required pursuant to State regulations 2 NYCRR Part 85. The aforementioned actions are needed in order to allow the project to proceed to design.

**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 because the project/action:**

- DOES NOT MEET THE DEFINITION OF AN “ACTION” AS DEFINED UNDER SECTION 617.2(b)**
- MAY BE CLASSIFIED AS TYPE II PURSUANT TO SECTION 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:** At this time, only bond approval to fund design is being requested. Subsequent bond approval will be needed to fund construction of the project, once designed, at which time appropriate environmental review will be undertaken in compliance with SEQR.

DSK/cnm

cc: Andrew Ferris, Chief of Staff  
Paula Friedman, Assistant to the County Executive  
Tami Altschiller, Assistant Chief Deputy County Attorney  
Norma Drummond, Commissioner  
C.J. Gelardo, Capital Program Coordinator, Department of Environmental Facilities  
Claudia Maxwell, Associate Environmental Planner

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

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

DATE: March 31, 2021

SUBJECT: **STATE ENVIRONMENTAL QUALITY REVIEW FOR CAPITAL PROJECT:  
WD104 COUNTY WATER DISTRICT NO.1 – SHAFT 22 & KENSICO DAM  
PERFORMANCE MAINTENANCE**

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**PROJECT/ACTION:** Per Capital Project Fact Sheet as approved by the Planning Department on 01/26/2021 (Unique ID: 1610)

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)(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.

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**COMMENTS:** The current request allows for design only. Funds for construction administration will not be expended unless funding for construction is approved.

DSK/dvw

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

**NOTICE OF PUBLIC HEARING**

Property owners in Westchester County Water District No. 1, comprised of the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale (“District”) are hereby notified that legislation is currently before the Westchester County Board of Legislators (“Board”) to carry out the following proposed capital project WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104”) (“Capital Project”), which is a proposed increase, addition and improvement of District facilities that is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities, as more fully set forth herein and in the District Report dated July 1, 2021, as may be amended from time to time (“District Report”). The District Report is available for review from the Office of the Commissioner of the Westchester County Department of Environmental Facilities.

The issuance of bonds would finance the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant, and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

The County is currently seeking authorization of a bond act to authorize the issuance of up to \$2,000,000, in additional bonds of the County, noting the estimated maximum cost of the Capital Project is \$6,000,000, including \$500,000 in previously authorized bonds of the County. The issuance of up to \$6,000,000 in bonds of the County for the Project equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel. The average cost to the typical District property, resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41.

Notice is hereby given that a public hearing will be held by the Board of Legislators of Westchester County on the \_\_\_ day of \_\_\_\_\_, 2021 at \_\_\_\_\_m. in the chambers of the Westchester County Board of Legislators, 8th floor, 148 Martine Avenue, White Plains, New York for the purpose of hearing persons or parties interested in the aforementioned increase and improvement of facilities for the District.

Dated: \_\_\_\_\_, 2021  
White Plains, New York

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

**ACT NO. 147 - 2021**

**AN ACT** to increase and improve Westchester County Water District No. 1 facilities to carry out capital project WD104 in accordance with the recommendations of the District Report of Department of Environmental Facilities subject to an order of the Comptroller of the State of New York

**NOW, THEREFORE, BE IT ENACTED** by the members of the Board of Legislators of the County of Westchester as follows:

Section 1. This Board finds, after holding a public hearing pursuant to Section 268 of Article 5-A of the New York County Law, that the proposed increase and improvement to Westchester County Water District No. 1 (“District”), described as capital project WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104”) as set forth in the District Report of the Department of Environmental Facilities dated July 1, 2021 (“District Report”), at a maximum estimated cost of Six Million (\$6,000,000) Dollars, is in the public interest as it is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities.

§2. The County of Westchester, on behalf of the District is hereby authorized and empowered to proceed with the increase in improvement for the District substantially in accordance with the District Report, subject to an order of the Comptroller of the State of New York approving the expenditure of bonds of the County. The expense shall be proportioned among the benefited municipalities in accordance with the duly established zones of assessment, as follows: City of White Plains 30%; City of Mount Vernon 28%; City of Yonkers 24% and the Village of Scarsdale 18%, of the total cost.

§3. The Clerk of the Board of Legislators shall, within ten (10) days of the enactment of this Act, cause certified copies of this Act to be filed with and recorded in the Office of the County Clerk and shall also file certified copies of this Act with the State Department of Audit and Control in Albany, New York.

§4. The County Executive or his duly authorized designee is hereby authorized and empowered to execute all instruments and to take all action necessary and appropriate to effectuate the purposes hereof.

§5. This Act shall take effect immediately.

**County of Westchester Department of Environmental Facilities**

**CAPITAL PROJECT WD104 –**  
**COUNTY WATER DISTRICT NO. 1- SHAFT 22 & KENSICO DAM**  
**PERFORMANCE MAINTENANCE**

**DISTRICT REPORT**

Dated: July 1, 2021

Vincent F. Kopicki, P. E.  
Commissioner

## **I. INTRODUCTION**

The Department of Environmental Facilities (the “Department”) on behalf of County Water District No. 1 (the “District”) is proposing an increase, addition and improvement of existing District facilities, which is necessary for the continued effective operation of the District in compliance with state, federal, and local law as described herein, and for which the Department at this time, seeks approval of a bond act of the County, in an amount not to exceed \$2,000,000, to finance a component of the following capital project and noting that the maximum estimated cost of the entire capital project is \$6,000,000.

### **Capital Project WD104: County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance - Overall Project Description**

This Capital Project will provide funding for the rehabilitation and/or replacement of drinking water disinfection equipment and systems, in the District, which has reached the end of its useful life.

The current project that is the subject of this District Report (“Project”) is described herein in Section III.

The Department’s plan of financing for this Project includes a previous request of \$500,000, authorized by Bond Act No. 353-2016, for the refurbishment of the chemical bulk storage tanks at the Kensico Dam to correct a Notice of Violation issued to the District by the New York State Department of Environmental Conservation. The Department is now requesting authorization of a bond act to fund the design and construction management costs of the remaining components of the Project, as described herein in Section III, and then plans to request funding for the construction costs of the remaining components of the Project.

## **II. BACKGROUND**

By Act No. 29-1964 (the “Act”), the Westchester Board of Supervisors established the District comprising the territorial limits of the Cities of White Plains, Mount Vernon and Yonkers and the Village of Scarsdale. This Act also approved the acquisition of a forty-eight (48) inch pipeline owned by the City of New York for purposes of the District, the reconstruction and rehabilitation of said pipeline including direct connections to the Kensico Reservoir and the Delaware Aqueduct, and established zones of assessment and allocation of costs between zones of assessment.

The District includes four (4) zones of assessment, which were established correlating to the municipalities in the District, and the apportionment of taxes for the cost of acquisition, reconstruction, rehabilitation, operation and maintenance of District facilities, noting that the current design and construction management costs are anticipated to be allocated as follows:

<u>Municipality/ Zone</u>	<u>Percent</u>	<u>Cost for the current bonding request</u>
Mount Vernon	28.00%	\$ 560,000
White Plains	30.00%	\$ 600,000
Yonkers	24.00%	\$ 480,000
Scarsdale	18.00%	\$ 360,000
<b>Total</b>	<b>100.00%</b>	<b>\$ 2,000,000</b>

### **III. THE CURRENT RECOMMENDED PROJECT**

At this time, the Department recommends authorization of a bond act authorizing the issuance of up to \$2,000,000 in bonds of the County to finance the cost of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant and incidental expenses in connection therewith, which is a specific object or purpose in and for the benefit of the District.

### **IV. EFFECT ON COST OF OPERATION**

The cost of the proposed improvements for capital project WD104 will be assessed against all District properties benefiting from the Project, noting that no benefited property will be excluded.

For purposes of calculating the cost to the typical District property in accordance with Article 5-A of the County Law, the following calculations are based on the total estimated cost of \$6,000,000 for the entire Project.

The County Finance Department has calculated that the issuance of \$6,000,000 in bonds of the County for capital project WD104 equates to an estimated highest single year debt service payment of \$271,180 which distributed over the 67,004 taxable parcels in the District equates to an estimated average increase in tax assessment of \$4.05 per parcel (as more fully set forth in

Attachment 1 annexed hereto). Accordingly, the cost to the typical District property, resulting from the proposed increase, addition and improvement of existing District facilities is approximately \$3.41.

## **V. FINDINGS AND RECOMMENDATIONS**

The Department has carefully reviewed the proposed increase and improvement of the District facilities and recommends approval of the above referenced Project. The Department advised that the Project is necessary in order to continue compliance with state, federal, and local drinking water regulations. These regulations require, but are not limited to, ensuring publicly owned water treatment facilities be maintained in a state of good repair and meet the regulations for the handling and storage of the chemicals used in water treatment. The Department has determined that the Project is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities. Based on its review, the Department has determined that the proposed Project is the best, most cost effective option for these purposes and is essential for maintaining the continued supply of compliant drinking water.

**Attachment No. 1**

The proposed estimated total cost of the Project includes an amount not to exceed \$6,000,000 for the benefit of County Water District No. 1 (the "District") which is comprised of four (4) zones of assessment as follows:

<b><u>Municipalities/Zones</u></b>	<b><u>Percent</u></b>	<b><u>Project Cost</u></b>
Mount Vernon	28.00%	\$1,680,000
White Plains	30.00%	\$1,800,000
Yonkers	24.00%	\$1,440,000
Scarsdale	18.00%	\$1,080,000
<b>Total</b>	<b>100.00%</b>	<b>\$6,000,000</b>

The Executive Director of the Westchester County Tax Commission advised the Department that the following are the assessed values that approximate the assessed value of a majority of the one- or two-family homes in the municipalities forming the District:

**Municipality Typical Residential Assessed Value:**

City of Mount Vernon:	\$9,986
City of White Plains:	\$14,352
City of Yonkers:	\$11,000
Village of Scarsdale:	\$1,300,000

Following the formula set forth in 2 NYCRR 85.4(q), the Department calculated that it is estimated that the owner of a typical one or two family home will be required to pay \$3.41 "in the first year . . . for debt service, operation and maintenance and other charges, such as user charges or hook-up fees, related to the proposed improvements . . . ."

<b><u>Municipalities/ Zones</u></b>	<b><u>Average Increase to the Typical Property in Each Zone</u></b>	<b><u>Percent</u></b>	<b><u>Weighted Average Cost</u></b>
Yonkers	\$1.37	24%	0.32
Mount Vernon	\$3.83	28%	1.07
Scarsdale	\$6.49	18%	1.17
White Plains	\$2.85	30%	0.86
Total		100%	\$3.41

The Department calculated the average cost increase for the typical property in the District based on the Typical Residential Assessed Value of each Municipality. The weighted average of those increases based on the Zone % of each yields an average cost increase for the District of \$3.41.

ACT NO. 148 - 2021

**AN ACT** to authorize the Chairman of the Board of Legislators or his authorized designee to execute all instruments and take all actions reasonable, necessary and appropriate to petition the Comptroller of the State of New York pursuant to Section 268 of Article 5-A of the New York State County Law for an order approving the County's issuance of bonds for an increase and improvement of facilities of County Water District No. 1

**NOW, THEREFORE, BE IT ENACTED** by the members of the Board of Legislators of the County of Westchester ("Board") as follows:

Section 1. This Board found, after holding a public hearing pursuant to Section 268 of Article 5-A of the New York County Law, that the proposed increase and improvement to Westchester County Water District No. 1 (the "District"), described as capital project WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance ("WD104") as set forth in the District Report of the Department of Environmental Facilities dated July 1, 2021 (the "District Report"), at a maximum estimated cost of Six Million Dollars (\$6,000,000), is in the public interest as it is necessary to keep the District in compliance with state, federal and local law, and to ensure continued effective operation of District facilities. Accordingly, Act No. 147 -2021 was duly adopted by this Board on September 20, 2021.

§2. This Board finds that pursuant to Section 268 of Article 5-A of the New York County Law, in order to proceed with the proposed increase and improvement to the District, approval of the Comptroller of the State of New York is required.

§3. The Chairman of the Board of the Board or his authorized designee is hereby directed and empowered to execute all instruments and take all actions reasonable, necessary and

appropriate to petition the Comptroller of the State of New York pursuant to Section 268 of Article 5-A of the New York County Law for an order approving the County's issuance of bonds of the County in an amount not to exceed Six Million (\$6,000,000) Dollars for the proposed increase and improvement of District facilities substantially in accordance with the District Report.

§4. This Act shall take effect immediately.

**RESOLUTION NO. 150 – 2021**

**WHEREAS**, the Westchester County Board of Supervisors, now known as the Westchester County Board of Legislators duly established Water District No. 1 (the "District") in the County of Westchester, New York by Act No. 29-1964; and

**WHEREAS**, by Act No. 147 -2021, which was duly adopted by this Honorable Board on 09/20 , 2021, pursuant to the requirements of Section 268 of the New York County Law, this Board found that the proposed increase and improvement of facilities of the District described as capital project WD104 – County Water District No. 1 – Shaft 22 & Kensico Dam Performance Maintenance (“WD104”) as set forth in the report of the Department of Environmental Facilities dated July 1, 2021 (the "District Report"), is in the public interest, as it will ensure a continuous, uninterrupted supply of compliant water to the District; and

**WHEREAS**, pursuant to Article 5-A of the New York County Law, in order to proceed with the proposed increase and improvement of the facilities of the District, approval of the Comptroller of the State of New York (the “State Comptroller”) is required; and

**WHEREAS**, by Act No. 148 -2021, the Chairman of the Board of Legislators or his authorized designee, was directed to make an application to the State Comptroller (“Application”) for an order approving the expenditure for the increase and improvement of District facilities, which design and construction management for WD104 is to be financed by previously authorized bonds of the County in the amount of Five Hundred Thousand (\$500,000) Dollars and the issuance of bonds of the County in an amount not to exceed Two Million (\$2,000,000) Dollars with an additional issuance of bonds of the County at a later date in an amount not to exceed Three Million Five Hundred Thousand (\$3,500,000) Dollars for the construction of WD104; and

**WHEREAS**, the regulations of the State Comptroller require that additional determinations be made by this Board with respect to the Application to the State Comptroller.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that by Act No. 148 -2021, which was duly adopted by this Honorable Board on 09/20, 2021, this Honorable Board, directed the preparation of the Application to the State Comptroller; and it is further

**RESOLVED**, that this Honorable Board, believes that the contents of the Application to the State Comptroller, which has been submitted to this Board for review, are accurate; and it is further

**RESOLVED**, that this Honorable Board, having adopted Act No. 147 -2021, which found that the improvements proposed in the District Report were in the public interest, and now, having reviewed the Application to the State Comptroller, reaffirms its earlier determination and further finds that the proposed improvements will not constitute an undue burden on the property which will bear the cost thereof and to the extent that the cost of the proposed improvements will be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded; and it is further

**RESOLVED**, that this Resolution shall take effect immediately.

ACT NO. 149 - 2021

BOND ACT DATED September 20, 2021.

A BOND ACT AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE COUNTY OF WESTCHESTER, NEW YORK, TO THE \$2,000,000 ESTIMATED MAXIMUM COSTS OF DESIGN AND CONSTRUCTION MANAGEMENT FOR THE REHABILITATION OF SHAFT 22 IN THE CITY OF YONKERS AND THE KENSICO DAM CHLORINATION FACILITY IN VALHALLA, IN COUNTY WATER DISTRICT NO. 1, CONSTITUTING PART OF THE \$6,000,000 ESTIMATED MAXIMUM COSTS OF DESIGN, CONSTRUCTION MANAGEMENT AND CONSTRUCTION OF THE REHABILITATION OF SHAFT 22 IN THE CITY OF YONKERS AND THE KENSICO DAM CHLORINATION FACILITY.

WHEREAS, the capital project hereinafter described has been duly approved in the adopted capital budget for the current fiscal year;

WHEREAS, the plan for the financing of the maximum estimated cost of such capital project, as hereinafter set forth in this Bond Act, is in conformity with such capital budget;

WHEREAS, the cost of said class of objects or purposes shall be specially assessed against properties in the County Water District No. 1, which are specially benefitted by said class of objects or purposes; and

WHEREAS, the class of objects or purposes financed by this Bond Act cannot be undertaken unless and until the County determines that said class of objects or purposes is in the public interest and the consent of the State Comptroller is obtained under Section 268 of the County Law;

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, and compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed;

WHEREAS, it is now desired to authorize the financing of the costs of such capital project allocable to the County Water District No. 1; NOW, THEREFORE,

BE IT ENACTED, by the Board of Legislators of the County of Westchester, New York, by the affirmative vote of not less than two thirds of the entire voting strength thereof, as follows:

Section 1. There are hereby authorized to be issued \$2,000,000 additional bonds of the County of Westchester to finance the costs of design and construction management for the rehabilitation of Shaft 22 in the City of Yonkers and the Kensico Dam Chlorination Facility in Valhalla, which shall include, but not be limited to, at Shaft 22, replacement or rehabilitation of, or acquisition, equipping or construction of: roofs, chemical bulk storage tanks, pumps, heating, ventilating and air conditioning facilities, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors and windows, leak detection systems, chemical sampling lines, stairs, and storage area improvements, and at the Kensico Dam Chlorination Facility, replacement or rehabilitation of, or acquisition, equipping or construction of: sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports, repair of roof leaks, heating, ventilation and air conditioning, lighting, leak monitoring equipment, and chemical transfer area concrete and sealing, and incidental expenses in connection therewith, which is a class of objects or purposes, in and for the benefit of the County Water District No. 1. To the extent that the details of the aforesaid class of objects or purposes set forth in this act are inconsistent with any details set forth in the current Capital Budget of the County, such Budget shall be deemed and is hereby amended to the extent inconsistent herewith.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes, limited to design and construction management and excluding actual construction costs, is \$2,000,000, and that the plan for the financing thereof is by the issuance of the \$2,000,000 bonds of said County authorized to be issued pursuant to this Bond Act, but it is hereby further determined that the maximum estimated cost of the aforesaid class of objects or purposes, including expected actual construction costs, is \$6,000,000, and that the plan for the

financing thereof is by the issuance of the \$500,000 bonds authorized by Bond Act 353-2016 of the County, the \$2,000,000 bonds authorized hereby, and \$6,000,000 funds to be provided in one or more future appropriations in future capital budgets of the County and/or authorized in future bond acts of the County.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of the County of Westchester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from the assessment of properties assessable for this purpose in County Water District No. 1, or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the County of Westchester, New York, by the manual or facsimile signature of the Commissioner of Finance and a facsimile of the corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the County Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Commissioner of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as said Commissioner of Finance shall deem best for the interests of the County; including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Commissioner of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Commissioner of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The Commissioner of Finance is hereby further delegated the power to authorize the sale and issuance of the bonds authorized pursuant to this Bond Act (a) at a discount in the manner authorized by paragraphs e and f of Section 57.00 of the Local Finance Law, (b) at private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, including the private sale of bonds at a premium, (c) as capital appreciation bonds or term bonds at public sale or private sale pursuant to the applicable provisions of the Local Finance Law and any regulations of the New York State Comptroller appertaining thereto, and (d) at a variable rate of interest in the manner authorized by Section 54.90 of the Local Finance Law, including notes issued in anticipation thereof. The Commissioner of Finance is hereby authorized to enter into such agreements as said Commissioner of Finance shall determine reasonable and necessary to facilitate the issuance, sale, resale and, or repurchase of such bonds or notes pursuant to the provisions of Section 54.90 of the Local Finance Law. Such bonds and, or notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Commissioner of Finance.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Commissioner of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Commissioner of Finance consistent with the provisions of the Local Finance Law.

Section 10. The Commissioner of Finance is hereby further authorized, at his or her sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 11. The intent of this Bond Act is to give the Commissioner of Finance sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Board of Legislators, provided, however, that no such bonds or notes shall be issued prior to the determination that the aforesaid class of objects or purposes is in the public interest and the consent of the State Comptroller is obtained under Section 268 of the County Law.

Section 12. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of

the Commissioner of Finance and, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Commissioner of Finance. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Commissioner of Finance shall determine.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this Bond Act 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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. This Bond Act shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this Bond Act, no moneys are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 15. This Bond Act, which shall take effect immediately in accordance with the provisions of Section 33.10 of the Local Finance Law and as provided in Section 107.71 of the Westchester County Charter, shall be published in summary form in the official newspaper of said County for purposes of this Bond Act, together with a notice of the Clerk and Chief Administrative Officer of the County Board of Legislators in substantially the form provided in Section 81.00 of the Local Finance Law.

Section (B). The amendments 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 immediately upon approval by the County Executive.

**CAPITAL PROJECT FACT SHEET**

**Project ID:\***  CBA **Fact Sheet Date:\***  
 WD104 01-04-2021

**Fact Sheet Year:\*** **Project Title:\*** **Legislative District ID:**  
 2021 COUNTY WATER DISTRICT NO. 1 - 3, 17, 16, 15, 14, 13, 5,  
 SHAFT 22 & KENSICO DAM  
 PERFORMANCE MAINTENANCE

**Category\*** **Department:\*** **CP Unique ID:**  
 SEWER AND WATER DISTRICTS ENVIRONMENTAL FACILITIES 1610

**Overall Project Description**

This project will provide funding for the rehabilitation and/or replacement of drinking water disinfection equipment and systems, in County Water District No. 1 (CWD #1), which has reached the end of its useful life.

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

**FIVE-YEAR CAPITAL PROGRAM (in thousands)**

	Estimated Ultimate Total Cost	Appropriated	2021	2022	2023	2024	2025	Under Review
<b>Gross</b>	8,500	3,500	0	5,000	0	0	0	0
<b>Less Non-County Shares</b>	0	0	0	0	0	0	0	0
<b>Net</b>	8,500	3,500	0	5,000	0	0	0	0

**Expended/Obligated Amount (in thousands) as of :** 494

**Current Bond Description:** Design and Construction Administration funding for the rehabilitation of Shaft 22 in the City of Yonkers and additional rehabilitation work at the Kensico Dam Chlorination Facility in Valhalla. The Shaft 22 work will include replacement or rehabilitation of the following items: roofs, including removable panels, equipment such as chemical bulk storage tanks, pumps, HVAC, pumping, chemical fill ports, gas and chemical monitoring and control equipment, electrical, lighting, concrete, asphalt, brick, doors, and windows. Work will also include the installation of the following new equipment: leak detection systems, chemical sampling lines, ventilation systems, stairs, and storage area. The work at the Kensico Dam Chlorination Facility will include installation of new sampling piping in the grass and reflecting pool area in front of the dam, including excavation and backfill, replacement of pipe supports inside of the facility, repair of roof leaks inside the facility, replacement of the HVAC system, provide emergency lighting, provide leak monitoring between the bottom of the chemical storage tanks and the secondary containment floor, and repair of the chemical transfer area just outside the face of the dam, including installation of concrete and chemical resistant sealant.

**Financing Plan for Current Request:**

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

**SEQR Classification:**  
 TYPE II

**Amount Requested:**  
 2,000,000

**Comments:**

**Energy Efficiencies:**  
 UPGRADED EQUIPMENT AND LIGHTING WILL USE LESS ENGERGY.

**Appropriation History:**

Year	Amount	Description
2015	900,000	DESIGN AND IMMEDIATE CHEMICAL STORAGE TANK REHABILITATION CONSTRUCTION
2016	1,100,000	CONSTRUCTION
2018	1,500,000	COST ESCALATIONS FOR CONSTRUCTION.

**Total Appropriation History:**

3,500,000

**Financing History:**

Year	Bond Act #	Amount	Issued	Description
16	353	500,000	434,033	COUNTY WATER DISTRICT #1 SHAFT 22 & KENSICO DAM PERFORMANCE MAINTENANCE

**Total Financing History:**

500,000

**Recommended By:**

**Department of Planning**

WBB4

**Date**

01-26-2021

**Department of Public Works**

RJB4

**Date**

01-28-2021

**Budget Department**

LMY1

**Date**

01-29-2021

**Requesting Department**

CJGA

**Date**

01-29-2021

**COUNTY WATER DISTRICT NO. 1 - SHAFT 22 & KENSICO DAM PERFORMANCE  
MAINTENANCE  
( WD104 )**

**User Department :** Environmental Facilities  
**Managing Department(s) :** Environmental Facilities ; 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	2021	2022	2023	2024	2025	Under Review
Gross	8,500	3,500	494		5,000				
Non County Share									
<b>Total</b>	<b>8,500</b>	<b>3,500</b>	<b>494</b>		<b>5,000</b>				

**Project Description**

This project will provide funding for the rehabilitation and/or replacement of drinking water disinfection equipment and systems, in County Water District No. 1 (CWD #1), which has reached the end of its useful life.

**Current Year Description**

There is no current year request.

**Impact on Operating Budget**

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

**Appropriation History**

Year	Amount	Description	Status
2015	900,000	Design and immediate chemical storage tank rehabilitation construction	\$500,000 - DESIGN ; \$400,000 - AWAITING BOND AUTHORIZATION
2016	1,100,000	Construction	AWAITING BOND AUTHORIZATION
2018	1,500,000	Cost escalations for construction.	AWAITING BOND AUTHORIZATION
<b>Total</b>	<b>3,500,000</b>		

**Prior Appropriations**

	Appropriated	Collected	Uncollected
Bond Proceeds	3,500,000	434,033	3,065,967
<b>Total</b>	<b>3,500,000</b>	<b>434,033</b>	<b>3,065,967</b>

**Bonds Authorized**

Bond Act	Amount	Date Sold	Amount Sold	Balance
353 16	500,000	12/10/19	338,475	65,967
		12/10/19	25,054	
		04/30/20	70,504	
<b>Total</b>	<b>500,000</b>		<b>434,033</b>	<b>65,967</b>

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 September 20, 2021 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media

Date Given  
September 15, 2021

WVOX  
FIOS1  
News Channel 12  
The Journal News

Hometown Media

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

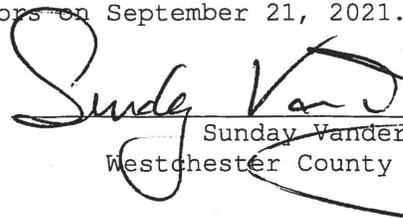
Designated Location(s)  
of posted notice

Date of Posting  
September 15, 2021

[www.westchesterlegislators.com](http://www.westchesterlegislators.com)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County Board of Legislators on September 21, 2021.



  
\_\_\_\_\_  
Sunday Vanderberg, Clerk  
Westchester County Board of Legislators

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

AYES:

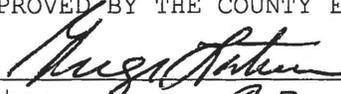
Legislator Jose Alvarado  
Legislator Nancy Barr  
Legislator Catherine Borgia  
Legislator Benjamin Boykin  
Legislator Terry Clements  
Legislator Kitley Covill  
Legislator Margaret Cunzio  
Legislator Vedat Gashi  
Legislator Christopher Johnson  
Legislator Damon Maher  
Legislator Catherine Parker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

NOES:

ABSENT:

The Bond Act was thereupon declared duly adopted.

\* \* \* \* \*  
APPROVED BY THE COUNTY EXECUTIVE

  
Date: 7-21-24

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

**I HEREBY CERTIFY** that I have compared the foregoing Act No's. 147, 148 - 2021, Resolution No. 150 - 2021, and (Bond) No. 149 - 2021, with the originals on file in my office, and that the same are correct transcripts therefrom, and of the whole, of said original Acts, Resolution, and (Bond) Act, which were duly adopted by the Westchester County Board of Legislators, of the County of Westchester on September 20, 2021, and approved by the County Executive on September 21, 2021.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 22<sup>nd</sup> day of September, 2021.

*Malik Van*  
\_\_\_\_\_

Malika Vanderberg

The Clerk of the Westchester County  
Board of Legislators

County of Westchester, New York

